SELECT ORATIONS

OF

M. TULLIUS CICERO:

WITH NOTES,

FOR THE USE OF SCHOOLS AND COLLEGES

BY

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This volume of Select Orations of Cicero is intended to form one of the series of Classical Books published by the Messrs. Appleton, and was prepared at their request. After the purpose was formed to issue such a volume, there appeared in England, edited by T. K. Arnold, a small volume containing the fourth book of the impeachment of Verres, the four speeches against Catiline, and the speech for the poet Archias. It was the desire of the publishers that that volume should be made the basis of their edition, and accordingly, so far as it coincided with the selection usually read in the preparatory schools of our country, it has been incorporated in the present work. The Verrine oration, which is given in the English edition, has been omitted in the present, as it is the intention of the editor to issue it in some other form.

The present volume will be found to contain those orations, which in this country usually go under the name of select orations. They are the same, and given in the same order as in the Boston edition, with the exception of the second Philippic, which is omitted in the present volume.

The editions of Cicero's select Orations, which are in most general use in this country, are the Boston edition just referred to, by Charles Folsom, and Professor Anthon's edition published by Harper & Brothers. These volumes are so well known that it is needless to speak of them in detail. Those, however, who are acquainted with them, and with the progress which
has been made since their appearance in the careful collation and correct deciphering of the best MSS. of Cicero's writings, will be ready to admit, without hesitation, that if nothing more should be attempted, a new and improved text was called for. The labors of Orelli, Madvig, Klotz, and others, have not been without important results for the text of Cicero, and no one will deny that these results are of primary importance to beginners in the study of the classics. The editor felt therefore that he would render an essential service to the cause of accurate scholarship, if he did nothing more than furnish a text as correct as possible. It was not his plan, however, to present a text which should be made up of several others, however good, and correspond entirely with no one. He was convinced that it would more certainly meet the views of scholars and teachers, if he should select the text which might be considered on the whole the best for his object, and give a careful and exact reprint of that. He has accordingly intended in this edition to give the text of Orelli, as revised by him subsequently to his edition of the entire works of Cicero, and published in a volume containing fifteen orations. This remark refers to all the orations given in this volume, except those for Marcellus and for Milo, which are not found in Orelli's revision. The text of the Milo is a reprint of that of Madvig; and of the Marcellus, of that of Klotz. The principal variations, in the most recent editions, from the text, which has been in either case adopted, are noticed in the notes. This has been done often with what may at first sight appear unnecessary minuteness, but the editor is convinced that a teacher may make use of various readings to the advantage of the pupil, even at this stage of his progress.

The notes have been collected freely from any sources which were within the editor's reach. It will readily appear to those who are acquainted with the subject that they have been largely drawn from the productions of German scholarship. Those which were given in Arnold's edition are here retained in full.
They were there credited, in many cases by initials, to Orelli, Klotz, Bloch, Matthiae, and Stürenburg, with the remark, that those without an initial letter appended are generally from Matthiae. It would have been agreeable to the editor's views and feelings to give credit in connection with each note to the source or sources from which it was taken, but this was inconvenient, and seemed hardly necessary in a work of this kind. It is his pleasure however here, as well as his duty, fully and distinctly to acknowledge and specify the authorities which he has so freely and as he hopes profitably used in compiling the notes to this edition.

Of editions by English or American scholars, besides those already mentioned, the editor has had before him Valpy's and M'Kay's; from the latter of which he has taken many notes, especially on the later orations. But, as already remarked, German scholars have furnished him the most abundant aid; and besides the editions of Möbius and Crusius, Matthiae, Süpfle, Schultz, Steinmetz, Klotz, Madvig, Orelli, which contain all or nearly all the orations given in this volume, the editor has made use of several special editions of most of the orations selected. They are, for the orations against Catiline, Benecke's, Holzapfel's, and Morgenstern's, from the first mentioned of which he has derived much assistance. On the oration for the Manilian law, he has been largely indebted also to Benecke's separate edition of this oration. The recent edition of the same oration by Halm was not received till after the notes to this oration had been stereotyped; and while the editor regrets that he could not make use of Halm's labors, he has been gratified to find that the uses made by him of his resources in so many instances correspond with the results arrived at by the German editor. As neither the revision of Orelli nor the edition of Madvig contained the oration for Marcellus, the text of Klotz was chosen, and the special edition of Wolf, with the essays of Hug and Jacob on the genuineness of this oration, consulted. Again, Benecke's edition of the three
orations next in order for Ligarius, Deiotarus, and Archias was of great service in regard to them. Besides this, Soldan’s separate editions of the orations for Ligarius and Deiotarus, and the two editions of Stürenburg of the oration for Archias, contributed greatly to aid the editor in his task. At this point also the editor received the edition by Schmitz and Zumpt, which has just been republished in this country. In regard to the oration for Milo, the editor, in leaving Orelli’s text, did not hesitate to follow Madvig, whose principles of criticism mainly harmonize with those of Orelli. For assistance in this oration the editor is greatly indebted to the special edition of Osenbrüggen. He has also consulted the edition with Garatoni’s notes, published separately by Orelli.

Besides the editions above specified, to which the editor would be glad to indicate his indebtedness more minutely than it is in his power to do here, he has also made use of programmes and journals, and works on antiquities and on style, as well as various Latin grammars, and remarks of scholars in editions of the classics generally, which came under his notice. The references to Zumpt’s Latin Grammar will be found particularly frequent.

With this statement of the design of this edition, and of the sources from which it has been compiled, the editor offers it to the public, in the hope that it may be found useful in its place by the side of others’ labors in the same field, in promoting the interests of true and accurate scholarship.

New York University, July, 1850.
IN

L. CATILINAM

ORATIO PRIMA

HABITA IN SENATU.

deest rei publicae consilium neque auctoritas hujus ordinis nos, nos, dico aperte, consules desumus.


5 Castra sunt in Italia contra rem publicam in Etruria faucibus collocata: crescit in dies singulos hostium numeros: eorum autem castrorum imperatorem ducemque hostium intra moenia atque adae in senatu videmus, intestinam aliquam quotidie perniciem rei publicae molientem. Si te jam, Catilina, comprehendi, si interfici jussero: credo, erit verendum mihi, ne non hoc potius omnes boni serius a me, quam quisquam crudelius factum esse dicat. Verum ego hoc, quod jampridem factum esse oportuit, certa de causa nondum adducor, ut faciam. Tum denique interficiam te, quum jam nemo tam improbus, tam perditus, tam tui similis inveniri poterit, qui id non jure factum esse fateatur. 6. Quamdiu quisquam erit, qui te defendere audeat, vives: sed vives ita, ut vivis, multis meis et firmis præsidii obsessus, ne commovère te contra rem publicam possis. Multorum te etiam oculi et aures non sentiēntem, sicut adhuc feecerunt, speculabuntur atque custodient.

in senatu, fore in armis certo die, qui dies futurus esset ante diem VI. Kal. Novembres, C. Mallium, audacie satellitem atque administrum tuae? Num me fefellit, Catilina, non modo res tanta, tam atroc, tam incredibilis, verum, id quod multo magis est admirandum, dies? Dixi ego idem in senatu, cædem te optimatium contulisse in ante diem V. Kalendas Novembres, tum; quem multi principes civitatis Roma non tam sui conservandi, quam tuorum consiliorum reprimendorum causa profugerunt. Num inihiari potes te illo ipso die meis præsidiiis, mea diligentia circumclusum, 10 commovere te contra rem publicam non potuisse, quum tu, discessu ceterorum, nostra tamen, qui remansissemus, cæde contentum te esse dicebas? 8. Quid? Quum tu te Præneste Kalendis ipsis Novembribus occupaturum nocturno impetu esse confideres: sensistine illam coloniam meo jussu 15 meis præsidiiis custodiis vigiliisque esse muniam? Nihil agis, nihil moliris, nihil cogitas, quod ego non modo audiam, sed etiam videam planeque sentiam.

tum miseris, quum illi ipsi venisset, quos ego jam multis ac summis viris ad me id temporis venturos esse praedixeram.


11. Magna diis immortalibus habenda est atque huic ipsi Jovi Statori, antiquissimo custodi hujus urbis, gratia, quod hanc tam tetram, tam horribilem tamque infestam rei publicae pestem toties jam effugimus. Non est sæpius in uno 15 homine summa salus pericitantæ rei publicæ. Quamdiu mihi consuli designato, Catilina, insidiatus ès, non publico me præsidio, sed privata diligentia defendi. Quum proximis comitiis consularibus me consulem in campo et competitores tuos interficere voluisti, compressi conatus tuos nec 20 farios amicorum præsidio et copiis, nullum tumultu publice concitato: denique, quotiescunque me petisti, per me tibi obstiti: quamquam videbam perniciem meam cum magna calamitate rei publicæ esse conjunctam. Nunc jam aperte rem publicam universam petis: templa deorum immortalium, 25 tecta urbis, vitam omnium civium, Italiam denique totam, ad exitium ac vastitatem vocas.

12. Quare, quoniam id, quod est primum et quod hujus imperii disciplinaeque majorum proprium est, facere nondum audeo, faciam id, quod est ad séveritatem lenius et ad 30 communem salutem utilius. Nam, si te interfici jussero, residebit in re publica reliqua conjuratorium manus; sin tu (quod te jamdudum hortor) exieris, exhaustur ex urbe tuorum comitum magna et perniciosa sentina rei publicæ. 13. Quid est, Catilina? Num dubitas id me imperante facere, quod jam tua sponte faciebas? Exire ex urbe jubet consul hostem. Interrogas me, num in exsilium? Non jubeo: sed si me consulis, suadeo.

VI. Quid est enim, Catilina, quod te jam in hac urbe delectare possit? In qua nemo est extra istam conjurationem perditorum hominum, qui te non metuat; nemo, qui non oderit. Quæ nota domesticae turpitudinis non inusta vitae tuae est? [Quod privatarum rerum dedecus non hæret infamia?] Quæ libido ab oculis, quod facinus a manibus unquam tuis, quod flagitiarm a toto corpore absuit?
Cui tu adolescentulo, quem corruptelarum illéccebris irreg-
tisses, non aut ad audaciam ferrum aut ad libidinem facem
luxoris novis nuptiis domum vacuefectizes, nonne etiam alio
incredibili scelere hoc scelus cumulasti? Quod ego præ-
termitto, et facile patior sileri; ne in hac civitate tanti faci-
noris immanitas aut exstisses aut non vindicata esse videa-
tur. Prætermitto ruinas fortunarum tuarum, quas omnes
impenderé tibi proximis Idibus senties: ad illa venio, quæ
non ad privatam ignominiam vitiorum tuorum, non ad do-
mesticam tuam difficultatem ac turpitudinem, sed ad sum-
mam rem publicam atque ad omnium nostrum vitam salu-
temque pertinent. 15. Potestne tibi, hæc lux, Catilina, aut
hujus ecclæ spiritus esse jucundus, quum scias horum esse
neminem, qui nesciat te pridie Kalendas Januarias Lepido
et Tullio consulibus stetisse in comitio cum telo? Manum
consulum et principum civitatis interficiendorum causa pa-
rasisse? Sceleri ac furori tuo non mentem aliquam aut
timorem tuum, sed fortunam populi Romani obstissis?
Ac jam illa omitto (neque enim sunt aut obscura aut neque
multa post commissa): quotiens tu me designatus, quotiens
consulem interficiere conatus es! Quot ego tuas petitiones
ita conjectas, ut vitari posse non viderentur, parva quadam
delectione et, ut aiunt, corpore effugi! [Nihil agis], nihil
assequeris, [nihil moliris], neque tamen conari ac velle de
sístis. 16. Quotiens tibi jam extorta est sica ista de mani-
bus! Quotiens vero excidit casu aliquo et elapsa est!
[Tamen ex carere diutius non potes]: que quidem quibus
abs te initiata sacrís ac devota sit, nescio, quod eam necesse
putas esse in consulis corpore defigere.

VII. Nunc vero, quæ tua est ista vita? Sic enim jam
tecum loquar, non ut odio permutos esse videar, quo debeo,
sed ut misericordia, quæ tibi nulla debetur. Venisti paullo
ante in senatum. Quis te ex hac tanta frequentia, tot ex
tuis amicis ac necessariis salutavit? Si hoc post hominum
memoriam contigit nemini, veis expectas contumeliam,
quum sis gravissimo judicio taciturnitatis oppressus? Quid?
Quod adventu tuo ista subsellia vacuefacta sunt, quod
omnes consulares, qui tibi persépe ad cadem constituti
fuerunt, simul atque assedisti, partem istam subselliorum
nudam atque inanem reliquerunt, quo tandem animo hoc tibi
ferendum putas? 17. Servi mehercule mei si me isto pacto
metuerent, ut te metuunt omnes civès tui, domum meam re-
linquendam putarem: tu tibi urbem non arbitraris? Et,
si me meis civibus injuria suspectum tam graviter atque offensum viderem, carere me ad spectu civium, quam infestis oculis omnium conspici mallem: tu, quem conscientia scelerum tuorum agnosce, odium omnium justum et jam diu tibi debitum, dubitas, quorum mentes sensusque vulneras, eorum adspectum prescientiame vitare? Si te parentes timent et atque odissent tui neque eos ulla ratione placare posses, ut opinor, ab eorum oculis aliquo concederes: nunc te patria, quæ communis est omnium nostrum parens, odi 10 ac metuit et jam diu te nihil judicat nisi de parricidio suo cogitare. Hujus tu neque auctoritatem verebere nec judicium sequere nec vim pertimesces? 18. Quæ tecum, Catilina, sic agit et quodam modo tacita loquitur: "Nullum jam aliquot annis facinus exstitit nisi per te; nullum flagitium sine te; tibi uni multorum civium necess, tibi vexatio direptioque sociorum impunita fuit ac libera; tu non solum ad negligendas leges et quæstiones, verum etiam ad everendas perfringendasque valui. Superiöra illa, quamquam ferenda non fuerunt, tamen, ut potui, tuli: nunc vero me totam esse in metu propter unum te, quidquid increpuerit, Catilinam timenti, nullum videri contra me consilii iniur posse, quod a tuo scelere abhorrear, non est ferendum. Quamobrem discede atque hunc mihi timorem eripe: si est verus, ne opprimar; si falsus, ut tandem aliquando timere 25 desinam."

IX. 22. Quamquam quid lūgur? Te ut ulla res fran- gat? Tu ut unquam te corrīgas? Tu ut ullam fugam medītēre? Tu ut ullum exsilium cōgitēs? Utīnam tibi istam mentem dii immortales dūnt! Tamestī video, si mea 25 voce perturritus ire in exsilium animum induēxes, quānta tempestas invidiē nōbis, si minus in prēsens tempus recentī memorīa scelerōrum tuōrum, at in posteritatem impēndeat. Sed est tāntī dummodo ista privāta sit calamītas et a rei publicae periculis sejungatur. Sed tu ut vitii us tuīs commoveare, ut legūm pōenas pertimescas, ut temporībus rei publicae cēdas, nōn est postulāndum. Neque enim is es, Catilina, ut te aut pudor a turpitūdine aut metus a periculo aut ratio a furōre revocarī. 23. Quamobrem, ut sāpe jam dixi, proficiscere: ac, si mihi inimīco, ut prādicas, tuō concessis vis invidiam, recta perge in exsilium: vix fēram sermōnes hōminum, si id fecēris; vix molem insigniē, si in exsilium justō consulis ieris, sustinebo. Sin autem servire meē laudi et gloriae māvis, egredere cum importūna scelerātorum manu; confer te ad Māllium; concīta perdītos 40 ēives; secerne te a bonis, infer patrīae bellum; exsultā impiō latrocinio, ut a me non ejectus ad alienos; sed invitātus ad tuos esse videāris.

24. Quamquam quid ego te invitem, a quo jam sciam esse praemissos, qui tibi ad Forum Aute-
I. Praestolarentur armati? Cui sciam pactam et constitutam cum Mallio diem? Quo etiam aquilam illum argenteam, quam tibi ac tuis omnibus perniciosam esse confido ac funestam futuram, cui domi tuae sacrarium scelerum tuorum constitutum fuit, sciam esse praemissam? Tu ut illa carere diutius possis, quam venerari ad cædem proficisces quisque sedebas? a cujus altarius sepe istam impiam dexterae ad necem civium transulisti?


26. Hic tu qua laetitia perfruere? Quibus gaudis exsultabis? Quanta in voluptate bacchabere, quum in tanto numero tuorum neque audies virum quemquam neque videbis? Hujus vitæ studium meditati sunt illi, qui feruntur labores tuæ jacere humi non modo ad obсидendum stuprum, verum etiam ad facinus obeundum; vigilare non solum insidiantem somno maritorum, verum etiam bonis otiosorum. Habes, ubi ostentes illum tuam præclaram patientiam famis, frigore, inopiae rerum omnium, quibus te brevi tempore confectum esse senties.

27. Tantum profeci tum, quum te a consulatu reppuli, ut exsul potius (tentare) quam consul vexcare rem publicam posses atque ut id, quod esset abs te scelerate susceptum, latrocinium potius quam bellum nomi-

30 naretur.

XI. Nunc, ut a me, Patres conscripti, quandam prope justam patriæ querimoniam detester ac deprerce, percipite, quæso; diligenter, quæ dicam, et ea penitus animis vestris mentibusque mandate. Etenim, si mecum patria, quæ mihi vita mea multo est carior, si cuncta Italia, si omnis res publica loquatur: "M. Tulli, quid agis? Tune eum, quem esse hostem comperisti, quem ducem belli futurum vides, quem exspectari imperatorem in castris hostium sentis, au-

torem sceleris, principem conjunctionis, evocatorem servorum et civium perditorum, exire patiere, ut abs te non emissus ex urbe, sed immissus in urbem esse videatur? Nonne hunc in vincula duci, non ad mortem rapi, non summo supplicio maestari imperabis?"

28. Quid tandem te impedit? Mosne majorum? At persepe etiam privati in
hac re publica perniciosos civitatem morte multarunt. An
leges, quae de civium Romanorum supplicio rogatae sunt?
At nunquam in hac urbe ii, qui a re publica defecerunt,
civium juras tenuerunt. An invidiam posteritatis times?
Præclaram vero populo Romano refers gratiam, qui te ho-
minem per te cognition, nulla commendatione majorum
tam mature ad summum imperium per omnes honorum
gradus extulit, si propter invidiam aut alicujus periculi
metum salutem civium tuorum negligis.

XII. His ego sanctissimis rei publice vocibus et eorum
hominum, qui hoc idem sentiunt, mentibus pauca responde-
bo. Ego, si hoc optimum factu judicarem, Patres con-
scripti, Catilinam morte multari, unitus usuram horae
et vivendum non dedissem. Etenim, si summ viri
et clarissimi cives Saturnini et Gracchorum et Flacci et
superiorum complurium sanguine non modo se non conta-
minarunt, sed etiam honestarunt, certe verendum mihi non
erat, ne quid hoc parricula civium interfecit invidiae mihi in
posteritatem redundaret. Quod si ea mihi maxime im-
penderent, tamen hoc animo semper fui, ut invidiam virtute
partam gloriam, non invidiam putarem. 30. Quamquam
nonnulli sunt in hoc ordine, qui aut ea, quae imminent, non
videant; aut ea, quae vident, dissimulant: qui spem Catilinae
mollibus sententiis aluérunt, conjurationemque nascentem
non credebant corroboraverunt: quorum auctoritatem secuti
multi, non solum improbi, verum etiam imperiti, si in hunc
animalverissem, crudéliter et regie factum esse dicérent.
Nunc intelligo, si iste, quo intendit, in Malliana castra
per-
venerit, neminem tam stultum fore, qui non videat conjura-
tionem esse factam, neminem tam improbum, qui non fa-
teatur. Hoc autem uno interfecit intelligo hanc rei publice
pestem paulisper reprimi, non in perpetuum comprimi
posse. Quod si se ejecerit secumque suos eduxerit, et
codem ceteros undique collectos naufragos aggregaverit,
exstinguetur atque delebitur non modo hae tam adulta rei
publice pestis, verum etiam stirps ac semen malorum
omnia.

XIII. 31. Etenim jamdiu, Patres conscripti, in his per-
culis conjurationis insidiisque versamur, sed nescio quo
pacto omnium scelerum ac veteris furoris et audacis matut-ritas in nos frib consulatus tempus erupit. Quod si ex tanto latrocinio iste unus tolletur, videbimur fortasse ad breve quoddam tempus cura et metu esse relevati: periculum autem residebit et erit inclusum penitus in venis atque in visceribus rei publicae. Ut saepe homines agri morbo gravi, quem aestu febrigue jactantur, si aquam gelidam biberint, primo relevari videntur, deinde multo gravius vehementius-que afflictantur, sic hic morbus, qui est in re publica, relevatus istius poena vehementius vivis reliquis ingravescet.

32. Quare secedant improbi, secernant se a bonis, unum in locum congregentur, muro denique, id quod saepe jam dixi, secernantur a nobis, desinant insidiari domi suae consuli, circumstare tribunal prætoris urbani, obsidere cum gladiis curiam, malleolos et facies ad inflammamam urbem comparare; sit denique inscriptum in fronte unius quod de re publica sentiat. Polliceor vobis hoc, Patres conscripti, tantam in nobis consulibus fore diligentiam, tantam in nobis auctoritatem, tantam in equitibus Romanis virtutem, tantam in omnibus bonis consensionem, ut Catilinae profectione omnia patefacta illustrata, oppressa vindicata esse videatis.

33. Hisce omnibus, Catilina, cum summa rei publicae salute et cum tua peste ac pernicie cumque eorum exitio, qui se tecum omni scelere parricideque junxerunt, proficiere ad impium bellum ac nefarium. Tum tu, Juppiter, qui iisdem, quibus haec urbs, auspiciis a Romulo es constitutus, quem Statorem hujus urbis atque imperii vere nominamus, hunc et hujus socios a tuis aris ceterisque templis, a tectis urbis ac mensibus, a vita fortunisque civium [omnium] ar-30 cebis: et homines bonorum inimicos, hostes patriae, latrones Italiae, scelerum sede inter se ac nefaria societate conjunctos aeternis suppliciiis vivos mortuosque mactabis.
IN
L. CATILINAM
SECUNDA
AD
QUIRITES ORATIO.

I. 1. TANDEM aliquando, Quirites, L. Catilinam, furentem audacia, seculis anhelantem, pestem patriae nefarie molestem, vobis atque huic urbi ferro flammaque minitantem, ex urbe vel ejectimus vel emisimus vel ipsum egredientem verbis prosecuti sumus. Abiit, excessit, evasit, erupit. 5 Nulla jam pernicies a monstro illo atque prodigio moenibus ipsis intra moenia comparabitur. Atque hunc quidem unum hujus bellorum domestici ducem sine controversia vicimus. Non enim jam inter latera nostra sica illa versabitur: non in campo, non in foro, non in curia, non denique intra domésticos parietes pertimescemus. Loco ille motus est, quam est ex urbe depulsus. Palam jam cum hoste, nullo impediente, bellum justum geremus. Sine dubio perdidimus hominem magnificeque vicimus, quem illum ex occultis insidiis in apertum latrocinium conjectim. 2. Quod vero non cruementum mucronem, ut voluit, extulit, quod vivis egressus est, quod ei ferrum e manibus extorsimus, quod incolumes eives, quod stantem urbem reliquit: quanto tandem illum mæriore esse afflictum et profligatum putatis? Jacet ille nunc prostratusque est et se perculsum atque abjectum esse sentit et retorquet oculos profecto sæpe ad hanc urbem, quam e suis faucibus ereptam esse luget; quae quidem mihi lætari videtur, quod tantam pestem evomuerit forasque projecerit.<br>

II. 3. At si quis est talis, quales esse omnes oportebat, 25 qui in hoc ipso, in quo exsultat et triumphat oratio mea, me vehementer accuset, quod tam capitalem hostem non comprehenderim potius, quam emiserim: non est ista mea culpa, Quirites, sed temporum. Interfectum esse L. Catilinam et gravissimo supplicio affectum jampridem oportebat: id-
ORATIO II.

que a me et mos majorum et hujus imperii severitas et res publica postulabat. Sed quam multos fuisses putatis, qui, quæ ego deferrem, non crederent? [Quam multos, qui propter stultitiam non putarent?] Quam multos, qui etiam 5 defenderent? [Quam multos, qui propter improbitatem faverent?] Ac si, illo sublato, depelli a vobis omne periculum judicarem, jampridem ego L. Catilinam non modo invidiæ meæ, verum etiam vitæ periculo sustulisset. 4. Sed 10 bata, si illum, ut erat meritus, morte multassem, fore, ut ejus sociis invidia oppressus persequi non possem, rem huc deduxi, ut tum palam pugnare possetis, quam hostem aperte videretis. Quem quidem ego hostem, Quirites, quam vehementer foris esse timendum putem, licet hinc intelliga-tis, quod etiam illud moleste fero, quod ex urbe parum 15 comitatus exierit. Utinam ille omnes secum suas copias eduxisset! Tongilium mihi eduxit, quem amare in praetexta [calunnia] coepérat; Publicium et Munatium, quorum ets alienum contractum in popina nullum rei publicæ motum 20 afferre poterat: reliquit quos viros! quanto ære alieno! quam valentes! quam nobiles!

III. 5. Itaque ego illum exercitum et Gallicanis legionibus et hoc delectu, quem in agro Piceno et Gallico Q. Metellus habuit, et his copiis, quæ a nobis quotidian comparantur, 25 magno opere contemno, collectum ex senibus desperatis, ex agresti luxuria, ex rusticis decoctoribus, ex iis, qui vadimonia deserere quam illum exercitum maluerunt; quibus ego non modo si aciem exercitus nostri, verum etiam si edictum prætoris ostendero, concident. Hos, quos video volitare in foro, quos stare ad curiam, quos etiam in senatum venire; qui nitent unguentis, qui fulgent purpura, mallem secum suas milites eduxisset: qui si hic permanent, memetote non tam exercitum illum esse nobis quam hos, qui exercitum deseruerunt, pertimescendo. Atque hoc etiam sunt ti-35 mendi magis, quod, quid cogitent, me scire sentiunt neque tamen permoventur. 6. Video, cui sit Apulia attributa, quis habeat Etruriam, quis agrum Picenum, quis Gallicum, quis sibi has urbanas insidias cædis atque incendiorum depoposcerit. Omnia superioris noctis consilia ad me perlata esse sentiunt; 40 pattefeci in senatu hesterno die; Catilina ipse pertimuit, profugit: hi quid exspectant? Næ illæ vehementer errant, si illum meam pristinam lenitatem perpetuam sperant futuram.

IV. Quod exspectavi, jam sum assecutus, ut vos omnes factam esse aperte conjunctionem contra rem publicam vi-

V. 9. Atque ut ejus diversa studia in dissimili ratione perspicere possitis, nemo est in ludo gladiatorio paullo ad facinus audacior, qui se non intimum Catilinae esse fateatur; nemo in scena levior et nequior, qui se non ejusdem prope sodalem fuisset commodem. Atque idem tamen stuporum et seculum exercitacione assuefactus frigori et fami et siti et vigiliis perferendis, fortis ab istis prædicabatur, quum industriae subsidia atque instrumenta virtutis in libidine audaciaque consumarentur. 10. Hunc vero si secuti erunt sui comites; si ex urbe exierint desperatorum hominum flagitiosi greges: o nos beatos, o rem publicam fortunatam, o praeclaram laudem consulatus mei! Non enim jam sunt mediocres hominum libidines, non humanæ audaciam ac tolerantiam nihil cogitant nisi caedes, nisi incendia, nisi rapinas: patrimoniam sua profuderunt: fortunas suas obligaverunt: res eos jam prædium, fides nuper defecere cœpit: eadem tam illa, quæ erat in abundante, libido permanet. Quod
si in vino et alca comissiones solum et scorta quærerent, essent illi quidem desperandi, sed tamen essent ferendi. Hoc vero quis ferre possit, inertes homines fortissimis virus insidiari, stultissimos prudentissimis, ebriosos sobriis, dormientes vigilantibus? Qui mihi accubantes in convivis, complexi mulieres impudicas, vinö languidi, conferti cibo, sertis redimiti, unguentis obliti, debilitati stupris, eructant sermonibus suis cœdem bonorum atque urbis incendia. 11. Quibus ego confido impendere fatum aliquid et poenam lOjamdiu improbitati, nequitiae, sceleri, libidini debitam aut instare jam plane aut certe jam prætende. Quos si mens consulatus, quoniam sanare non potest, sustulerit, non breve nescio quod certam, sed multa secula propagarit rei publicae. Nulla est enim natio, quam pertimescamus; nullus rex, qui bellum populo Romano facere possit. Omnia sunt externa unius virtute terra marique pacata: domesticum bellum manet; intus insidiæ sunt, intus inclusum periculum est; intus est hostis. Cum luxuria nobis, cum amentia, cum scelere certandum est. Huic ego me bello ducem profiteor, Quirites; suscipio inimicitias hominum perditorum. Quae sanari poterunt, quaunque ratione sanabo: qua ressceda erunt, non patiar ad perniciem civitatis manere. Proinde aut exsceant aut quiescant aut, si et in urbe et in eadem mente permanent, ea, quæ merentur, exspectent. 25 VI. 12. At etiam sunt, qui dicant, Quirites, a me in exsilium ejectum esse Catilinam. Quod ego si verbo assequi possem, istos ipsos ejicerem, qui hæc loquuntur. Homo videlicet timidus aut etiam permodestus vocem consulis ferre non potuit: simul atque ire in exsilium jussus est, paruit, ivit. Hesterno die, quum domi meæ pæne interfectus esset, senatum in cœdem Jovis Statoris convocavi; rem omnem ad patres conscriptos detuli. Quo quum Catilina venisset, quis eum senator appellavit? quis salutavit? quis denique ita adspexit ut perditum civem, ae non potius ut importunissimum hostem? Quin etiam principes ejus ordinis partem illum subselliorum, ad quam ille accesserat, nudam atque inanem reliquerunt. 13. Hic ego vehemens ille consul, qui verbo cives in exsilium ejiciæ, quæsivi à Catilina, nocturno conventu apud M. Læcnam fuisset necesse. 40 Quum ille, homo audacissimus, conscientia convictus primo reticuisset, patefeci cetera; quid ea nocte egisset, quid proxima constituisset, quemadmodum esset ei ratio totius bellii descripta, edocui. Quum hæsitaret, quem teneretur, quæsivi, quid dubitaret proficisci eo, quæ jampridem para
In Catilinam, Cap. VII, VIII.

ret: quum arma, quum secure, quum fasces, quum tubas, quum signa militia, quum aquilam illam argenteam, cui ille etiam sacrarium scelerum domi sua fecerat, seirem esse præmissam. 14. In exsilium ejiciebam, quem jam ingressum esse in bellum videbam? Etenim, credo, Mallius iste 5 centurio, qui in agro Fæsulano castra posuit, bellum populo Romano suo nomine indixit; et illa castra nunc non Catilinam ducem exspectant et ille ejectus in exsilium se Massiliam, ut aiunt, non in hac castra conferet.

VII. O conditionem miseram, non modo administrandæ, 10 verum etiam conservandæ rei publicæ! Nune, si L. Catilina consiliis laboribus periculis meis circumclusus ac debilitatus subito pertimuerit, sententiam mutaverit, deseruerit suos, consilium belli faciundi abjecerit, ex hoc cursu sceleris et belli iter ad fugam atque in exsilium converterit, 15 non ille a me spoliatus armis audacie, non obstupefactus ac perterritus mea diligentia, non de spe conatuque depulsus, sed indemnatus, innocens, in exsilium ejectus a consule vi et minis esse dicetur: et erunt, qui illum, si hoc fecerit, non improbum, sed miserum, me non diligentissimum consulem, 20 sed crudelissimum tyrannum existimari velint. 15. Est mihi tanti, Quirites, hujus invidiae falsæ atque iniquæ tempestatem subire, dummodo a vobis hujus horribilis belli ac nefarii periculum depellatur. Dicatur sane ejectus esse a me, dummodo eat in exsilium. Sed mihi credite, non est 25 iturus. Nunquam ego a diis immortalibus optabo, Quirites, invidiae meæ levandæ causa, ut L. Catilinam ducere exercitum hostium atque in armis voluntare audiatis; sed triduo tamen audietis: multoque magis illud timeo, ne mihi sit invidiosum aliquando, quod illum emiserim potius, quam 30 quod ejecerim. Sed quum sint homines, qui illum, quum profectus sit, ejectum esse dicant, idem, si interfactus esset, quid dicerent? 16. Quamquam isti, qui Catilinam Massiliam ire dicitant, non tam hoc queruntur, quam verentur. Nemo est istorum tam misericors, qui illum non ad Mallium 35 quam ad Massilienses ire malit. Ille autem, si mehercule hoc, quod agit, nunquam ante cogitasset, tamen latrocinantem se interici mallet quam exsulem vivere. Nunc vero, quum ei nihil adhuc præter ipsius voluntatem cogitationemque acciderit, nisi quod vivis nobis Roma profectus est, 40 optemus potius, ut eat in exsilium, quam queramur.

VIII. 17. Sed cur tamdiu de uno hoste loquimur, et de eo hoste, qui jam fatetur se esse hostem, et quem, quia, quod semper voluï, murus interest, non timeo: de his, qui
dissimulant, qui Romae remanent, qui nobiscum sunt, nihil dicimus? Quos quidem ego, siullo modofieri possit, non tam ulcisci studeo quam sanare sibi ipsos, placare rei publicae; neque id quare fieri non possit, si me audire volent, intelligo. Exponam enim vobis, Quirites, ex quibus generibus hominum istæ copiae comparentur; deinde singulis medicinam consilii atque orationis meæ, siquam potero, afferam. Unum genus est eorum, qui magnò in aliò

IX. 19. Alterum genus est eorum, qui quamquam pre
muntur àere alieno, dominationem tamen exspectant, rerum potìri volunt, honores, quos quieta re publica desperant, perturbata consequi se posse arbitrantur. Quibus hoc præcipiendum videtur, unum scilicet et idem, quod reliquis omnibus, ut desperent, se id, quod conantur, consequi posse: primum omnium, me ipsum vigilare, adesse, providere rei publicae; deinde magnos animos esse in bonis viris, magnam concordiam, maximam multitudinem, magnas præterea copias militum; deos denique immortales huic invicto populo, clarissimo imperio, pulcherrimæ urbi contra tantam vim sceleris presentes auxilium esse latus. Quod si jam sint id, quod cum summo furore cupiunt, adopti, num illi in ci
nere urbis et in sanguine civium, quæ mente consceleratæ ac nefaria concupierunt, consules se aut dictatores, aut etiam reges sperant futuros? Non vident id se cupere, quod si adopti sint, fugitivo alicui aut gladiatori concedi sit necesse? 20. Tertium genus est ætate jam affectum, sed
tamen exercitatione robustum: quo ex genere iste est Mal-
lius, cui nunc Catilina succedit. Hi sunt homines ex iiis
coloniis, quas Faesulis Sulla constituit: quas ego universas
civium esse optimorum et fortissimorum virorum sentio:
sed tamen hi sunt coloni, qui se in insperatus ac repentinis 5
pecuniis sumptuosius insolentiusque jactarunt. Hi dum
edicificant, tamquam beati, dum prædis, lecticis, familiis
magnis, conviviis apparatis delectantur, in tantum æs alienum
inciderunt, ut, si salvi esse velit, Sulla sit iiis ab inferis ex-
citandus. Qui etiam nonnullos agrestes, homines eænæ 10
atque egentes, in eandem illam spem rapinarum veterum
impulerunt; quos ego, Quirites, in eodem genere prædato-
rum direptorumque pono. Sed eos hoc moneo: desinant
furere et proscriptiones et dictaturas cogitare. Tantus enim
illorum temporum dolor inustus est civitati, ut jam ista non 15
modo homines, sed ne pecudes quidem mihi passuæ esse
videantur.

X. 21. Quantum genus est sane varium et mixtum et
turbulentum; qui jampridem premuntur, qui nunquam
emergunt; qui partim inertia, partim male gerendo negotio, 20
partim etiam sumptibus in vetere ære alieno vacillant; qui
vadimoniiis, judiciis, proscriptionibus bonorum defatigati,
permulti et ex urbe et ex agris se in illa castra conferre di-
cuntur. Hosce ego non tam militæ acres, quam inEXITIatores
lentos esse arbitror. Qui homines primum si stare non 25
possunt, correant: sed ita, ut non modo civitas, sed ne
vicini quidem proximi sentiant. Nam illud non intelligo,
quambrem, si vivere honeste non possunt, perire turpiter
velint, aut cur minore dolore perituros se cum multis, quam
si soli peraeant, arbitrentur. 22. Quintum genus est parri-
cidarum, sceanorum, denique omnium facinorosorum; quos
ego æ Catilina non revoco; nam neque divinit ab eo possunt,
et pereant sane in latrocinio, quoniam sunt Æta multi, ut eos
carcer capere non possit. Postremum autem genus est, 30
non solum numero, verum etiam genere ipso atque vita, quod
proprium Catilinæ est, de ejus usque defectu, immo vero de com-
plexu ejus ac sinu; quos pexo capillo, nitidos aut imberbes
aut bene barbaros videtis, manicatis et talaribus tunicis, ve-
lis amictos, non togis; quorum omnis industria vitae et vi-
gilandi labor in antelucanis cœnis expromitur. 23. In his 40
gregibus omnes aleatores, omnes adulteri, omnes impuri
impudicique versantur. Hi pueri tam lepides ac delicati non
solum amare et amiari, neque cantare et psallere, sed etiam
sicas vibrare et spargere venena didicerunt; qui nisi eæunt,
ORATIO II.

nisi pereunt, etiam si Catilina perierit, scitote hoc in republica seminariiium Catilinianum futurum. Verumtamen quid sibi isti miseri volunt? Num suas secum mulierculas sunt in castra dueturi? Quemadmodum autem illis carere poterunt, his præsertim jam noctibus? Quo autem pacto illi Apenninum atque illas pruinas ac nives perferent? Nisi idcirco se facilius hiemem toleraturos putant, quod nudi in conviviiis saltare didicerunt.

XI. 24. O bellum magno opere pertimescendum, quam hanc sit habiturus Catilina scortorum cohortem pretioriam! Instruite nunc, Quirites, contra haec tam prœclaras Catilinæ copias vestra praesidia vestrosque exercitus; et primum gladiatori illi confecto et saucio consules imperatoresque vestros opponite: deinde contra illam naufragorum ejec tant ac debilitatam manum florem totius Italicæ ac robur educite. Jam vero urbes coloniarum ac municipiorum respondebunt Catilinae tumulis silvestribus. Neque ego ceteras copias, ornamenta, praesidia vestra, cum illius latronis inopia atque egestate conferre debo. 25. Sed, si, omissis his rebus omnibus, quibus nos suppleditur, eget ille, senatu, equitibus Romanis, populo, urbe, ærario, vectigalibus, cuncta Italia, provinciis omnibus, exteriis nationibus, si his rebus omissis, causas ipsas, quæ inter se confingunt, contendere velimus: ex eo ipso, quam valde illi ficeant, intelligere possimus. Ex hac enim parte pudor pugnat, illinc petulantia: hinc pudicitia, illinc stuprum: hinc fides, illinc fraudatio: hinc Pietas, illinc scelus: hinc constancia, illinc furor: hinc honestas, illinc turpitudo: hinc continentia, illinc libido: denique æquitas, temperantia, fortitudine, prudentia, virtutes omnes certant cum iniquitate, luxuria, ignavia, temeritate, cum vitii omnibus: postremo copia cum egestate, bona ratio cum perdita, mens sana cum amentia, bona denique spe cum omnium rerum desperatione configit. In hujusmodi certamine ac prœlio nonne, etiam si hominum studia deficiant, dixi ipsi immortales cogent ab his praeclerissimis virtutibus tot et tanta vita superari?

XII. 26. Quæ quam ita sint, Quirites, vos, quemadmodum jam antea, vestra tecta custodiiis vigiliiisque defendite: mihi, ut urbi sine vestro motu ac sine ullo tumultu satis esset præsidii, consultum atque provisum est. Coloni omnes municipesque vestri certiores a me facti de hac nocturna excursione Catilinæ facile urbes suas finesque defendent: gladiatores, quam sibi ille manum certissimam fore putavit, quamquam meliore animo sunt quam pars patriciorum, po-
IN CATILINAM, CAP. XIII.

testate tamen nostra continebuntur. Q. Metellus, quem ego hoc prospeciens in agrum Gallium Picenumque præmisit, aut opprimet hominem aut ejus omnes motus conatusque prohibebit. Reliquis autem de rebus cons tituendis maturandis agendis jam ad senatum referemus, quem vocari videtis.

27. Nunc illos, qui in urbe remanserunt atque adeo qui contra urbis salutem omniumque nostrum in urbe a Catilina relieti sunt, quamquam sunt hostes, tamen, quia nati sunt cives, monitos eos etiam atque etiam volo. Mea lenitas adhuc si cui solutior visa est, hoc exspectavit, ut id, quod latebat, erumperet. Quod reliquum est, jam non possum obhvisci meam banc esse patriam, me' horum esse consulem, mihi aut cum his vivendum aut pro his esse moriendum. Nullus est portis custos, nullus insidiator vire: si qui exire volunt, commovere possum: qui vero se in urbe commoverit, cujus ego non modo factum, sed inceptum ullum conatumve contra patriam deprehendero, sentiet in hac urbe esse consules vigilantes, esse egregios magistratus, esse fortém senatum, esse arma, esse carcerem, quem vindicem nefario rum ac manifestorum scelerum majores nostri esse voluerunt.

XIII. 28. Atque hæc omnia sic agentur, Quirites, ut res maxima minimo motu, pericula summa nullo tumultu, bellum intestinum ac domesticum post hominum memoriam crudelissimum et maximum me uno togato duce et imperatore sedetur. Quod ego sic administrabo, Quirites, ut, si ullo modò fieri poterit, ne improbus quidem quisquam in hac urbe pœnam sui sceleris sufferat. Sed si vis manifestè audacie, si impendens patriæ periculum me necessario de hac animi lenitate deduxerit, illud procto perficiam, quod in tanto et tam insidioso bello vix optandum videtur; ut neque bonus quisquam intereat paucorumque pœna vos jam omnes salvi esse possitis. 29. Quæ quidem ego neque mea prudentia neque humanis consiliis fretus polliceor vos, Quirites; sed multis et non dubiiis deorum immortalium significationibus, quibus ego ducibus in hanc spem sentiantiamque sum ingressus; qui jam non procul, ut quondam solebant, ab externo hostile atque longitu quo, sed hic presentes suo numine atque auxilio sua templaque atque urbis tela defendunt; quos vos, Quirites, precari, venerari [atque] implorare debitis, ut, quam urbem pulcherrimam, florentissimam potentissimamque esse voluerunt, hanc omnibus hostium copiis terra marique superatis a perditissimorum civium nefario scelere defendant.
IN

L. CATILINAM

ORATIO TERTIA

AD QUIRITES.

I. 1. REM PUBLICAM, Quirites, vitamque omnium vestrum, bona fortunas, conjuges liberosque vestros atque hoc domicilium clarissimi imperii, fortunatissam pulcherri-

mamque urbem hodierno die deorum immortalium summo

5 erga vos amore, laboribus consiliiis periculis meis ex flamma

atque ferro ac pæne ex faucibus fati ereptam et vobis con-
servatam ac restitutam videtis. 2. Et, si non minus nobis

jucundi atque illustres sunt ii dies, quibus conservamur,
quam illi, quibus nascimur, quod salutis certa laetitia est,

10 nascendi incerta conditio, et quod sine sensu nascimur, cum

voluptate servamur, profecto, quoniam illum, qui hanc ur-
bem condidit, ad deos immortales benevolentia famaque

sustulimus, esse apud vos posterosque vestros in honore
debeat is, qui eandem hanc urbem conditam amplificatam-

15que servavit. Nam toti urbi, templis delubris, tectis ac

moebius subjectos prope jam ignes circumdatosque re-

stinximus iudemque gladios in rem publicam destrictos retu-
dimus mucronesque eorum a jugulis vestris dejecimus. 3.

Quæ quoniam in senatu illustrata, patefacta, comperta sunt

20 per me, vobis jam exponam breviter, Quirites, ut et quanta

et quam manifesta et qua ratione investigata et comprehensa

sint, vos, qui ignoratis, ex actis seire possitis.

Principio, ut Catilina paucis ante diebus erupit ex urbe,
quum sceleris sui socios, hujusce nefarii belli acerrimos

25 duces Romæ reliquisset, semper vigilavi et providi, Quirites,
quemadmodum in tantis et tam abseendis insidiis salvi

esse possemus.
II. Nam tum, quam ex urbe Catilinam ejiciebam (non enim jam vereor hujus verbi invidiam, quam illa magis sit timenda, quod vivus exierit), sed tum, quam illum externi nari volebam, aut reliquam conjuratorum manum simul exituram aut eos, qui restitissent, infirmos sine illo ac debiles 5 fore putabam. 4. Atque ego, ut vidi, quos maxime furore et scelere esse inflammatos sciebam, eos nobiscum esse et Romae remansisse, in eo omnes dies noctesque consumpsi, ut, quid agerent, quid molirentur, sentirem ac viderem: ut, quoniam auribus vestris propter incredibilem magnitudinem 10 sceleris minorem fidem faceret oratio mea, rem ita comprehendorem, ut tum demum animis saluti vestrae provideretis, quam oculus maleficium ipsum videretis. 5. Itaque ut comperi legatos Allobrogum bellii Transalpini et tumultus Gallici excitandi causa a P. Lentulo esse sollicitatos eosque 15 in Galliam ad suos eives eodemque itinere cum literis mandatisque ad Catilinam esse missos comitemque iis adjunctum T. Volturciunm atque huic esse ad Catinam datas litteras, facultatem mihi oblatam putavi, ut, quod erat difficilimum quodque ego semper optabam a diis immortallibus, 20 ut tota res non solum a me, sed etiam a senatu et a vobis manifesto deprehenderetur. Itaque hesterno die L. Flaccum et C. Pomptinum, praetores, fortissimos atque amantissimos rei publicae viros, ad me vocavi; rem omnem exposui; quid fieri placeret, ostendi. Illi autem, qui omnia 25 de re publica praelara atque egregia sentirent, sine recusatione ac sine ulla mora negotium susceperunt et, quum advesperasceret, occulter ad pontem Mulvium pervenerunt atque ibi in proximis villis ita bipolaro fuerunt, ut Tiberis inter eos et pons interesset. Eodem autem et ipsi sine cu 30 jusquam suspicione multos fortes viros eduxerunt, et ego ex praefectura Reatina complures delectos adolescentes, quorum opera utor assidue in re publica, præsidio cum gladiis miseram. 6. Interim tertia fere vigilia exacta, quum jam pontem Mulvium magno comitatu legati Allobrogum ingredi 35 inciperent unaque Volturcius, fit in eos impetus; educuntur et ab illis gladii et a nostris. Res erat prætoribus nota solis; ignorabatur a ceteris.

III. Tum interventu Pomptini atque Flacci pugna, quæ erat commissa, sedatur. Literæ, quæcunque erant in eo 40 comitatu integrâ signis prætoribus traduntur; ipsi comprehensi ad me, quum jam dilucesceret, deducuntur. Atque horum omnium scelerum improbissimum machinatorum Cimbrum Gabinio statim ad me nihil dum suspicantem
vocavi. Deinde item arcessitur L. Statilius et post eum [C.] Cethegus. Tardissime autem Lentulus venit, credo quod in literis his dandis præter consuetudinem proxima nocte vigilaverat. 7. Quum vero summis et clarissimis 5 hujus civitatis viris, qui auditæ re frequentes ad me mane convenerant, literas a me prius aperiri quam ad senatum referri placaret, ne si nihil esset inventum, temere a me tantus tumultus injectus civitati videretur, negavi me esse facturum, ut de periculo publico non ad consilium publicum 10 rem integrum deferrem. Etenim, Quirites, si ea, quæ erant ad me delata, reperta non essent, tamen ego non arbitrabam in tantis rei publicæ periculis esse mihi nimiam diligentiam pertimescendum. Senatum frequentem celeriter, ut vidistis, coegi. 8. Atque interea statim admonitu Allobrogum C. 15 Sulpicium prætorem, fortem virum, misi, qui ex eedibus Cethegi, si quid telorum esset, efferret; ex quibus illæ maximum sicarum numeram et gladioiiim extulit.

IV. Introduxi Volturcium sine Gallis: fidem ei publicam jussu senatus dedi; hortatus sum, ut ea, quæ sciret, sine 20 metu indicaret. Tum ille dixit, quum vix se ex magno tione recreasset, a P. Lentulo se habere ad Catilinam mandata et literas, ut servorum præsidio utteretur et ad urbe quam primum cum exercitu accederet: id autem eo consilio, ut, quum urbe ex omnibus partibus, quemadmodum de 25 scriptum distributumque erat, incendissent cædemque infinitam civium fecissent, præstó esset ille, qui et fugientes exciperet et se cum his urbanis ducibus conjungeret. 9. Introduxiti autem Galli jurandum sibi et literas a Lentulo, Cethego, Statilio ad suam gentem datas esse dixerunt, atque 30 ita sibi ab his et a L. Cassio esse præscriptum, ut equitatum in Italiam quam primum mitterent: pedestres sibi copias non defuturas; Lentulum autem sibi confirmasse ex fatis Sibyllinis haruspicumque responsis esse se tertium illum Cornelium, ad quem regnum hujus urbis atque imperium 35 pervenire esset necesse; Cinnam ante se et Sullam fuisset; candumque dixisse fatalem hunc esse annum ad interitum hujus urbis atque imperii, qui esset decimus annus post Virginum absolventem, post Capitolii autem incensionem vicesimus. 10. Hanc autem Cethego cum ceteris contro 40 versiam fuisset dixerunt, quod Lentulo et aliis cædem Saturnalibus fieri atque urbem incendi placaret, Cethego nimium id longum videretur.

V. Ac, ne longum sit, Quirites, tabellas proferri jussimus, quæ a quoque diœcantur date. Primum ostendimus Ce-
thego signum; cognovit. Nos linum incidimus; legimus. Erat scriptum ipsius manu Allobrogum senatui et populo, sese, quæ eorum legatis confirmasset, facturum esse: orare, ut item. illi facerent, quæ sibi eorum legati recepissent. Tum Cethegus, qui paullo ante aliquid tamen de gladiis ac 5 sicis, quae apud ipsum erant deprehensæ, respondisset di-
xissetque se semper bonorum ferramentorum studiosum fuis-
se, recitatis literis debilitatus atque abjectus, conscientia
convictus, repente conticuisset. Introductus est Statiliius;
cognovit et signum et manum suam. Recitatae sunt tabellæ 1C
in eandem fere sententiam: confessus est. Tum ostendi
tabellas Lentulo et quæsivi, cognosceretne signum. Annuit.
—"Est vero, inquam, notum signum, imago avit tui, claris-
simi viri, qui amavit unice patriam et cives suos: quæ qui-
dem te a tanto scelere etiam muta revocare debut." 11. 15
Leguntur eadem ratione ad senatum Allobrogum populum-
que literæ. Si quid de his rebus dicere vellet, feci po-
statem. Atque ille primo quidem negavit; post autem ali-
quanto, toto jam indicio exposito atque edito; surrexit;
quæsivit a Gallis, quid sibi esset cum iis; quamobrem do-
mum suam venissent; itemque a Volturcio. Qui quum illi
breviter constanterque respondissent, per quem ad eum
quotiensque venissent, quæsissentque ab eo, nihilne secum
esse d e f atis Sibyllinis locutus, tum ille subito scelere de-
mens, quanta conscientia vir esset, ostendit. Nam, quum 25
id posset initiiari, repente præter opinionem omnium con-
fessus est. Ita cum non modo ingenium illud et dicendi
exercitatio, qua semper valuit, sed etiam propter vim sceleris
manifesti atque deprehensi impudentia, qua superabat
omnes, improbitasque défecit. 12. Volturcius vero subito 30
literas proferri atque aperiri jussit, quas sibi a Lentulo ad
Catilinam datas esse dicebat. Atque ibi vehementissime
perturbatus Lentulus, tamen et signum et manum suam
cognovit. Erant autem scriptæ sine nomine, sed ita: Qui
sim, scies ex eo, quem ad te misi. Cur a, ut vir sis, et cogita 35
quem in locum sis progressus, et vide, quid jam tibi sit ne-
cesse. Et cura, ut omnium tibi auxilia adjungas, etiam in-
fimorum. Gabiniius deinde introductus, quum primo im-
pudenter respondere coepisset, ad extremum nihil ex iis,
qua Galli insimulabant, negavit. 13. Ac mihi quidem, 40
Quirites, quum illa certissima sunt. Visa argumenta atque
indica sceleris tabellæ, signa, manus, denique unius cuju-
que confessio, tum multo certiora illa, color oculi, vultus
taciturnitas. Sic enim obstupuerant, sic terram intuebantur,
saepe, inveniendi nempe, quod se ab aliiis indicari, sed ipsi a se viderentur.

VI. Indiciis expositis atque editis, Quirites, senatum consului, de summa re publica quid fieri placeret. Dictae sunt a principibus acerrimae ac fortissimae sententiae, quas senatu sine ulla varietate est consecutus. Et quoniam nondum est perscriptum senatus consultum, ex memoria vobis, Quirites, quid senatus censuerit, exponam. 

14. Primum mihi gratiae verbis amplissimis aguntur, quod virtute consilio providentia mea res publica maxime periculis sit liberata; deinde L. Flaccus et C. Pomptinus, prætores, quod eorum opera fidelique usus essem, merito ac iure laudantur: atque etiam viri forte, coelestis meo, laus impertitur, quod eos, qui hujus conjurationis participes fuisse, a suis et rei publica consiliis removisset. Atque ita censuerunt, ut P. Lentulus, quum se praetura abdicasset, in custodiam tradetur: atque idem hoc decreto est in L. Cassium, qui sibi procurationem incendendo urbis depoposcerat: in M. Caeparum, qui ad sollicitandos pastores Apuliæ esse attribuisset. 

20. Ero, ut ex tantâ conjuratione tantaque vi ac multitudine domesticorum hostium novem hominum perditissimum poena, re publica conservata reliquorum mentes sanari posse arbitraretur. Atque etiam supplicatio diis immortalibus pro singulari eorum merito meo nomine decreta est, Quirites; quod mihi primum post hanc urbem conditam togata constigisti: et his decreta verbis est, Quod urbem incendias, cæde cives, Italiam bello liberasse. Quæ supplicatio si cum ceteris supplicationibus conferatur, Quirites, hoc 35 interstit, quod cetera bene gesta, haec una conservata re publica constituta est. Atque, illud, quod faciendum primum fuit, factum atque transactum est. Nam P. Lentulus, quamquam patefactus indicis et confessionibus suis, judicio senatus non modo praetoris jus, verum etiam civis, amiserat, tamen magistratu se abdicavit: ut, qua religio C. Mario, clarissimo viro, non fuerat, quo minus C. Glaucliam, de quo nihil nominam erat decreatum, praetorem occideret, ea nos religione in privato P. Lentulo puniendo liberaremur.

VII. 16. Nunc, quoniam, Quirites, sceleratissimi peri...
eulosissimique bellii nefarios duces captos jam et comprehensos tenetis, existimare debetis omnes Catilinae copias, omnes spes atque opes his depulsis urbis periculis conciisse. Quem quidem ego quam ex urbe pellebam, hoc providebam animo, Quirites, remoto Catilina non mihi esse P. Lentuli somnum, nec L. Cassii adipes, nec C. Cethegi furiosam temeritatem pertimescendam. Ille erat unus timentus ex his omnibus, sed tamdiu, dum mœnibus urbis continentur.

Omnia norat, omnium aditus tenebat; appellare, tentare, sollicitare poterat, audebat; erat ci consilium ad facinus aptum; consilio autem neque lingua neque manus deerat; jam ad certas res conficiendas certos homines delectos ac descriptos habebat; neque vero, quam aliquid mandaverat, confectum putabat. Nihil erat, quod non ipse obiret occurreret, vigilaret laboraret; frigus situm famem ferre poterat. 16. Hunc ego hominem tam acerem, tam paratum, tam audacem, tam callidum, tam in seclere vigilantem, tam in perditis rebus diligentem, nisi ex domesticis insidiis in castrense latrocinium compulsissem (dicam id, quod sentio, Quirites), non facile hanc tantam molem mali a cervicibus vestris depulissem. Non ille nobis Saturnalia constituissest neque tanto ante exitii ac fatti diem rei publice denuntiavisset nec commississet, ut signum, ut literae sua testes manifesti sceleris deprehenderentur. Quae nunc illo absente sic gesta sunt, ut nullum in privata domo furtum unquam sit tam palam inventum, quam hæc in tota re publica conjuratio manifesto inventa atque deprehensio est. Quod si Catilina in urbe ad hanc diem remanisset, quamquam, quoad fuit, omnibus ejus consiliiis occurri atque obstiti, tamen, ut levissime dicam, dimicandum nobis cum illo fuisset, neque nos unquam, 20 quem ille in urbe hostis esset, tantis periculis rem publicam tanta pace, tanto otio, tanto silentio liberassemos.

VIII. 18. Quamquam hæc omnia, Quirites, ita sunt a me administrata, ut deorum immortalium nutu atque consilio et gesta et provisa esse videantur. Idque quem conjectura consequi possimus, quod vix videtur humani consilii tantarum rerum gubernatio esse potuisse, tum vero ita presentes his temporibus opem et auxilium nobis tulerunt, ut eos pæne oculos videre possemus. Nam, ut illa omittam, visas nocturno tempore ab occidente faces ardoremque cæli, ut 40 fulminum jactus, ut terræ motus ceteraque, quæ tam multa nobis consulibus facta sunt, ut hæc, quæ nunc fiunt, canere dii immortales viderentur: hoc certe, Quirites, quod sum dicturus, neque prætermittendum neque relinquendum est.
19. Nam profecto memoria tenetis Cotta et Torquato consulis complures in Capitolio res de ceo esse percussas, quam et simulacra deorum immortalium depulsa sunt et statuæ veterum hominum dejectae et legum æra liquefacta; tactus est etiam ille, qui hanc urbem condidit, Romulus, quem inauratum in Capitolio parvum atque lactentem, ube-ribus lupinis inhiantem fuisse meministis. Quo quidem tempore quem haruspices ex tota Etruria convenissent, caedes atque incendia et legum interitum et bellum civile ac domesticum et totius urbis atque imperii occasum approquinquare dixerunt, nisi dii immortales omni ratione placati suo numine prope fata ipsa flexissent. 20. Itaque illorum responsis tunc et ludi facti sunt, neque res nulla, quae ad placandos deos pertineret, praetermissa est: loiidemque jussurunt simulacrum Jovis facere majus et in excelso collocare et contra, atque ante fuerat, ad orientem convertere: ac se sperare dixerunt, si illud signum, quod videtis, solis ortum et forum curiamque conspiceret, fore, ut ea consilia, quæ clam essent inita contra salutem urbis atque imperii, illustrarentur, ut a senatu populoque Romano perspicerent. Atque illud signum ita collocandum consules illi locaverunt, sed tanta fuit operis tarditas, ut neque a superioribus consulis neque a nobis ante hodiernum diem collocaretur.

21. Hie quis potest esse, Quirites, tam aversus a vero, tam præceps, tam mente captus, qui neget hæc omnia, quæ videmus, præcipueque hanc urbem deorum immortalium nutu ac potestate administrari? Etenim quum esset ita responsum, caedes, incendia interitumque rei publicae comparari, et ea per eives, quæ tum propter magnitudinem scelerum nonnullis incredibili videbantur, ea non modo cogitata a nefariis civibus, verum etiam suscepta esse sensistis. Illud vero nonne ita præsens est, ut nutu Jovis Optimi Maximi factum esse videatur, ut, quum hodierno die mane per forum meo jussu et conjurati et eorum indices in ædem Concordiæ ducerentur, eo ipso tempore signum statueretur? Quo collocato atque ad vos senatumque converso omnia et senatus et vos, quæ erant contra salutem omnium cogitata, illustrata et patefacta vidistis. 22. Quo etiam majore sunt isti odio supplicioque digni, qui non solum vestris domiciliis atque tectis, sed etiam deorum templis atque delubris sunt funestos ac nefarios ignes inferre conati. Quibus ego si me restitisse dicam, nimium mihi sumam et non sim ferendus: ille, ille Juppiter restitit: ille Capitolium,
illex anque templâ, illex hanc urbem, illex vos omnes salvos esse voluit. Diis ego immortalibus ducibus hanc mentem, Qui-rites, voluntatemque suscepi atque ad hae tanta indicia perveni. Jam vero illâ Allobrogum sollicitatum sic a P. Lentulo ceterisque domesticis hostibus tam dementer tanta 5 res credita et ignotis et barbaris commissâque literâe nun-
quam essent profecto, nisi ab diis immortalibus huic tantei audaciae consilium esset creptum. Quid vero? Ut homines Galli ex civitate male pacata, quæ gens una res, quæ bellum populò Romano facere et posse et non nolle videa-
tur, spem imperii ac rerum amplissimarum ultra sibi a pa-
treis hominibus oblatam negligentemque salutem sui opibus anteponerent, id non divinitus factum esse pu-
tatis? Præsertim qui nos non pugnando, sed tacendo superare potuerunt.

23. Quamobrem, Quirites, quoniam ad omnia pulvi-
naria supplicatio decreta est, celebratote illos dies cum
conjugibus ac libris vestris. Nam multi sepe honores
diis immortalibus justi habiti sunt ac debiti, sed profecto
justiores nunquam. Erepti enim estis ex crudelissimo ac
miserrimo interitu, et erepti sine eæde, sine sanguine, sine
exercitio, sine diœcione; togati me uno togato duce et
imperatore vicistis. 24. Etenim recordamini, Quirites, omnes
civiles dissensiones, non solum eas, quas audistis, sed eas,
quas vosmet ipsi meministis atque vidistis: L. Sulla P. 25
Sulpicium oppressit: ex urbe ejectit C. Marium, custodem
hujus urbis, multosque fortes viros partim ejectit ex civitate,
partim interemit. Cn. Octavius, consul, armis expulit ex
urbe collegam suum; omnis hic locus acertos corporum et
civium sanguine redundavit. Superavit [postea] Cinna 30
cum Mario. Tum vero clarissimis viris interfectis lumina
civitatis extincta sunt. Ultus est hujus victoriae crudeli-
tatem postea Sulla; ne dici quidem opus est, quanta de-
minatione civium et quanta calamitate rei publicae. Dissen-
sit M. Lepidus a clarissimo ac fortissimo viro, Q. Catulo. 35
Attulit non tam ipsius interitus rei publicae luctum, quam
ceterorum. 25. Atque illae tamen omnes dissensiones erant
ejusmodi, Quirites, quæ non ad debendam, sed ad commu-
tandam rem publicam pertinere; non illi nullam esse rem
publicam, sed in ea, quæ esset, se esse principes, neque 40
hane urbem conflagrare, sed se in hae urbe florere volue-
runt. Atque illae tamen omnes dissensiones, quorum nulla
exitium rei publicae quœsivit, ejusmodi fuerunt, ut non re-
zonciatione concordiae, sed internecione civium dijudicatae
sint. In hoc autem uno post hominum memoriam maximi crudelissimoque bello, quale bellum nulla unquam barbaria cum sua gente gessit, quo in bello lex haec a Lentulo, Catilina, Cethego et Cassio constituta, ut omnes, qui salva urbe salvi esse possent, in hostium numero ducerentur, ita me gessi, Quirites, ut omnes salvi conservaremini; et, quem hostes vestri tantum civium superfluiturum esset putassent, quantum infinitae caedi restitisset, tantum autem urbis, quantum flamma obire non potuisset, et urbem et cives integros incolumesque servavi.

XI. 26. Quibus pro tantis rebus, Quirites, nullum ego a vobis præmium virtutis, nullum insigne honoris, nullum monumentum laudis postulabo praeterquam hujus memoriam sempiternam. In animis ego vestris triumphos meos, omnia ornamenta honoris, monumenta gloriae, laudis insignia, condiri et collocari volo. Nihil me mutum potest delectare, nihil tacitum, nihilque ejusmodi, quod etiam minus digni assequi possint. Memoria vestra, Quirites, nostræ res alentur, sermonibus crescent, literarum monumentis inveterascent et corroborabuntur: eandemque diem intelligo, quam spero æternam fore et ad salutem urbis et ad memoriam consulatus mei propagatam unique tempore in hac re publica duos cives exstississe, quorum alter fines vestri imperii non terræ, sed ææ regionibus terminaret, alter ejusdem imperii domicilium sedemque servaret.

XII. 27. Sed, quoniam earum rerum, quas ego gessi, non eadem est fortuna atque conditio, quæ illorum, qui externa bella gesserunt: quod mihi cum iis vivendum est, quos vici ac subegi, illi hostes aut interfectos aut oppressos reliquerunt: vestrum est, Quirites, si ceteris recte facta sua prosunt, mihi mea ne quando obsint, providere. Mentes enim hominum audacissimorum sceletaræ ac nefariæ ne vobis nocere possent, ego providi: ne mihi noceant, vestrum est providere. Quamquam, Quirites, mihi quidem ipsi nihil ab istis jam noceri potest. Magnum enim est in bonis præsidium, quod mihi in perpetuum comparatum est; magna in re publica dignitas, quæ me semper tacita defendet; magna vis conscientiae, quam qui negligent, quum me violare volent, se ipsi indicabunt. 28. Est etiam in nobis is animus, Quirites, ut non modo nullius audaciae cedamus, sed etiam omnes improbis ultro semper lacessamus. Quod si omnis impetus domesticorum hostium depulsus a vobis se in me unum converterit, vobis erit viden-
dum, Quirites, qua conditione posthac eos esse velitis, qui se pro salute vestra obtulerint invidiæ periculisque omnibus. Mihi quidem ipsi quid est, quod jam ad vitae fructum possit acquiri, praesertim quum neque in honore vestro neque in gloria virtutis quidquam videam altius, quo mihi libeat ascendere? 29. Illud perficiam profecto, Quirites, ut ea, quae gessi in consulatu, privatus tuear atque ornem; ut, si qua est invidia in conservanda re publica suscepta, lædat invidos, mihi valeat ad gloriam. Deinde ita me in re publica tractabo, ut meminerim semper, quae gesserim, curemque, ut ea virtute, non casu gesta esse videantur. Vos, Quirites, quoniam jam nox est, veneramini illum Jovem, custodem hujus urbis ac vestrum, atque in vestra tecta discedite: et ea, quamquam jam periculum est depulsum, tamen æque ac priore nocte custodiiæ vigiliisque defendite. Id ne vobis diutius faciendum sit atque ut in perpetua pace esse possitis, providebo, Quirites.
I. 1. Video, Patres conscripti, in me omnium vestrum ora atque oculos esse conversos. Video vos non solum de vestro ac rei publicae, verum etiam, si id depulsum sit, de meo periculo esse sollicitos. Est mihi jucunda in malis et gratia in dolore vestra erga me voluntas: sed eam, per deos immortales! deponite atque oblitii salutis meae de vobis ac de vestris liberis cogitate. Mihi si haec conditio consulatur data est, ut omnes acerbitates, omnes dolores cruciatusque perferrem, feram non solum fortiter, verum etiam libenter, dummodo meis laboribus vobis populoque Romano dignitas salusque pariatur. 2. Ego sum ille consul, Patres conscripti, cui non forum, in quo omnis æquitas continetur, non campus consularibus auspiciis consecratus, non curia, summum auxilium omnium gentium, non domus, commune perfugium, non lectus ad quietem datus, non denique haec sedes honoris, sella curulis, unquam vacua mortis periculo atque insidiis fuit. Ego multa tacui, multa pertuli, multa concessi, multa meo quodam dolore in vestro timore sanavi. Nunc, si hunc exitum consulatus mei dii immortales esse voluerunt, ut vos, Patres conscripti, populumque Romanum ex caede miserrima, conjuges liberosque vestros virginesque Vestales ex acerbissima vexatione, tempta atque delubra, hanc pulcherrimam patriam omnium nostrum ex fœdissima flamma, totam Italiam ex bello et vastitate eriperem, quæ cuncte mihi uni proponetur fortuna, subeatur. Etenim, si P. Lentulus suum nomen, inductus a vatibus, fatale ad perniciem populi Romani fore putavit, cur ego non læter
meum consulatum ad salutem rei publicae prope fatalem exstitisse?

II. 3. Quare, Patres conscripti, consulite vobis, prospiciet patriae, conservate vos, conjuges, liberos fortunasque vestras, populi Romani nomen salutemque defendite, mihi parcere ac de me cogitare desinete. Nam primum debeo sperare omnes deos, qui huic urbi præsident, pro eo mihi, ac mereor, relatuos esse gratiam; deinde, si quid obtigerit, æquo animo paratoque moriar. Nam neque turpis morte fortior viro potest accidere neque immatura consulari nec misera sapienti. Neque tamen ego sum ille ferreus, qui fratris carissimi et amantissimi praestis magnoe non movear horuraque omnium lacrimis, a quibus me circumsessum videtis.

III. 5. Haec omnia indices detulerunt, rei confessi sunt; vos multis jam judiciis judicasti: primum, quod mihi gratias egistis singularibus verbis, et mea virtute atque diligentia perditorum hominum conjurationem patefactam esse decrevistis: deinde quod P. Lentulum, ut se abdicaret praetura, coegistis; tum quod sum et ceteros, de quibus judicasti, in custodiis dandos concessistis, maximeque, quod meo nomine supplicationem decrevistis, qui honos togato habitus ante me est nemini; postremo hesterno die praemia legatis Allobrogum Titoque Volturcio dedistis amplissima.
ORATIO IV.

Quae sunt omnia ejusmodi, ut ii, qui in custodiam nominatim dati sunt, sine ullâ dubitatione a vobis damnati esse videantur.

6. Sed ego institui referre ad vos, Patres conscripti, tamquam integrum et de facto, quid judicetis, et de poena, quid censeatis. Ila praedicam, quae sunt consulis. Ego magnum in re publica versari furorem et nova quâdam misceri et concitari mala jam pridem videbam; sed hanc tantam, tam exitiosam haberi conjugationem a civibus nun-

10 quam putavi. Nunc, quidquid est, quocunque vestrâ mens inclinât atque sententiae, statuendum vobis antee noctem est. Quantum facinus ad vos delatum sit, videtis. Huic si paucos putatis affines esse, vehementer erratis. Latius opinione disseminatum est hoc malum; manavit non solum per Italiam, verum etiam transscendit Alpes et obscure serpens multas jam provincias occupavit. Id opprîmi sustentando ac prolato novo pacto potest. Quacunque ratione placet, celeriter vobis vindicandum est.

IV. 7. Video duas adhuc esse sententias: unam D. Silani, qui censet, eos, qui haec delere conati sunt, morte esse multandos; alteram C. Caesaris, qui mortis poenam removet, ceterorum suppliciorum omnes acerbitates amplectitur. Uterque et pro sui dignitate et pro rerum magnitudine in summa severitate versatur. Alter eos, qui nos omnes, qui populum Romanum vita privare conati sunt, qui delere imperium, qui populi Romani nomen exstinguere, punctum temporis frui vita et hoc communi spiritu non putat oporete, atque hoc genus poenae sepe in improbos cives in haec re publica esse usurpatum recordatur. Alter

25 intellîgit mortem a diis immortalibus non esse supplici causa constitutam, sed aut necessitatem natura non laborum ac miseriarum quietae esse. Itaque eam sapientes nunquam inviti, fortes sepe etiam libenter appetiverunt. Vincula vero, et ea sempiterna, certe ad singularem poenam nefarii


10 Adjungit gravem poenam municipiis, si quis eorum vincula ruperit; horribiles custodias circumdat et digna scelere hominum perditorum sanxit, ne quis eorum poenam, quos condemnat, aut per senatum aut per populum levare possit; eripit etiam spem, quae sola homines in miseriis consolari
solet Bona præterea publicari jubet: vitam solam relinquat nefariis hominibus; quam si eripuisset, multos uno dolore animi atque corporis et omnes scelerum peenas ademisset. Itaque ut aliqua in vita formido improbis esset posita, apud inferos ejusmodi quædam illi antiqui supplicia i mpiis constituta esse voluerunt; quod videlicet intelligebant his remotis non esse mortem ipsam pertimescendam.


10. Video de istis, qui se popularum haberi volunt, abesse non neminem, ne de capite videlicet civium Romanorum sententiam ferat. Is et nudiustertius in custodiem cives Romanos dedit et supplicationem mihi decrevit et indices hesterno die maximis praemiis affecit. Jam hoc nemini dubium est, qui reo custodiem, quæsitori gratulationem, indici praemium decrevit, quid de tota re et causa judicarit. At vero C. Cæsar intelligit legem Semproniam esse de civibus Romanis constituam; qui autem rei publicae sit hostis, eum civem esse nullo modo posse: denique ipsum latorem Semproniae legis jussu populi peenas rei publicae dependisse. Idem ipsum largitorem Lentulum et prodigum non putat, quum de pernicie populi Romani, exitio hujus urbis tam acerbe tamque crudeliter cogitarit, etiam appellari posse populum. Itaque homo mitissimus atque lenissimus non dubitat P. Lentulum æternis tenebris vinculisque mandare et sancti in posterum, ne quis hujus supplicio levando se jactare et in pernicie populi Romani posthac popularis esse possit. Adjungit etiam publicationem bonorum, ut omnes animi cruociatus et corporis etiam egestas ac mendicitas consequatur.

VI. 11. Quamobrem sive hoc statueritis, dederitis mihi comitem ad concionem populo carum atque jucundum; sive Ŝilani sententiam sequi malueritis, facile me atque vos crudelitatis vituperatione populo Romano exsoletis atque
obtinebo eam multo leniorem fuisse. Quamquam, Patres conscripti, qua potest esse in tanti sceleris immanitate punienda crudelitas? Ego enim de meo sensu judico. Nam ita mihi salva re publica vobiscum perfrui liceat, ut ego, quod in hac causa vehementer sum, non atrocitate animi moveor, (quis enim est me mitior?) sed singulari quadam humanitate et misericordia. Videor enim mihi videre hanc urbem, lucem orbis terrarum atque arcem omnium gentium, subito uno incendio coincidentem; cerno animo scpultam patriam, miseros atque insepultos acervos civium; versatur mihi ante oculos ad spectus Cethegi et furor in vestra caede bacchantis. 12. Quum vero mihi proposui regnantem Lentulum, sicut ipse se ex fatis sperasse confessus est, purpuratura esse huiuc Gabinium, cum exercitu venisse Catilinam, tum lamentationem matrumfamilias, tum fugam virginum atque puerorum ac vexationem virginum Vestalium perhorresco: et, quia mihi vehementer haec videntur misera atque misera, idcirco in eos, qui ea perficere voluerunt, me severum vehementemque praebeo. 15 Etenim quero, si quis patersfamilias liberis suis a servo interfectis, uxore occisa, incensa domo supplicum de servis quam acerbissimum sumpserit, utrum is clemens ac misericors, an inhumanissimus et crudelissimus esse videatur? Mihi vero importunus ac ferreus, qui non dolore ac cruciatu nocentis suum cruciatumque lenierit. Sic nos in his hominibus, qui nos, qui conjuges, qui liberos nostros trucidare voluerunt, qui singulas unius cujusque nostrum domos et hoc universum rei publicae domicilium delere conati sunt, qui id egerunt, ut gentem Allobrogum in vestigiis hujus urbis atque in cinere desflagrati imperii collo- carent, si vehementissimi fuerimus, misericordes habebimur; sin remissiores esse voluerimus, summæ nobis crudelitatis in patriæ civiumque pernicie fama subeunda est. 13. Nisi vero cuipiam L. Cæsar, vir fortissimus et amantissimus rei publicæ, crudelior nudiustertius visus est, quom sororis suæ, feminae lectissimæ, virum præsentem et audientem vita privandum esse dixit, quem avum jussu consulis interfec tum filiumque ejus impuberem, legatum a patre missum, in carcere necatum esse dixit. Quorum quod simile factum? 35 40 quod initum delendæ rei publicæ consilium? Largitionis voluntas tum in re publica versata est et partium quædam contentio. Atque illo tempore hujus avus Lentuli, clarissimus vir, armatus Gracchum est prosecutus: ille etiam grave tum vulnus acceptit, ne quid de summa re publicæ
IN CATILINAM, CAP. VII.

minueretur: hic ad evertenda fundamenta rei publicae
Gallos arcessit, servitia concitat, Catilinam vocat, attribuit
nos trucidandos Cethego, ceteros cives interficiendos Gabi-

no, urbem inflammandam Cassio, totam Italianam vastandam
diripiendamque Catilinae. Vereamini, censo, ne in hoc 5
seclere tam immani ac nefando nimis aliquid severius sta-
tuisse videamini. Multo magis est vercndiim, nc
remissione poense crudeles in patriam, quam ne severitate
animadver-

VII. 14. Sed ea, quæ exaudio, Patres conscripti, dissis-
mulare non possum, f Jaciuntur enim voce,s, quæ perveniunt
ad aures meas, corum, qui vereri videntur, ut habeam satis
præsidii ad ea, quæ vos statueritis hodierno die, transi-
ganda. f Omnia et provisa et parata et constituta sunt, 15
Patres conscripti, quem mea summa cura atque
diligentia,
tum multo etiam majore populi Romani ad summum impe-
rium retinendum et ad communes fortunas conservandas
voluntate. Omnes adsunt omnium ordinum homines, omni-
um denique ætatum; plenum est forum, plena templum 20
circum forum, pleni omnes aditus hujus templi et loci.
Causa est enim post urbem conditam hæc inventa sola, in
qua omnes sentirent unum atque idem praeter eos, qui,
quum sibi viderent esse pereundum, cum omnibus potius
quam soli perire voluerunt. 15. Hosee ego homines excipio 25
et secerno libenter neque in improborum civium, sed in
acerbissimorum hostium numero habendos puto. Ceteri
vero, dii immortales! qua frequentia, quo studio, qua vir-
tute ad communem salutem dignitatemque consentiunt?
Quid ego hic equites Romanos commemorem? qui vobis 30
ita summam ordinis consiliique concedunt, ut vobiscum de
amore rei publicae certent; quos ex multorum annorum
dissensione hujus ordinis ad societatem concordiamque re-
vocatos hodiernus dies vobiscum atque hæc causa conjun-
git; quam si conjunctionem in consulatu confirmatam meo 35
perpetuum in re publica tenuerimus, confirmo vobis nullum
posthac malum civile ac domesticum ad ullam rei publicae
partem esse venturum. Pari studio defendendæ rei publicæ
convenisse video tribunos ærarios, fortissimos viros; scribas
item universos; quos quum casu hic dies ad æararium fre-
quentasset, video ab expectatione sortis ad salutem com-
munem esse conversos. 16. Omnis ingenuorum adest mul-
titudo, etiam tenuissimorum. Quis est enim, cui non hæc
mpla, adspectus urbis, possessio libertatis, lux denique
hæc ipsa et hoc commune patriæ solum quum sit carum, tum vero dulce atque jucundum?

VIII. Operæ pretium est, Patres conscripti, libertinorum hominum studia cognoscere; qui sua virtute fortunam hujus civitatis consecuti vere hanc suam patriam esse judicant, quam quidam hic nati et summo nati loco non patriam suam, sed urbem hostium esse judicaverunt. Sed quid ego hujusce ordinis homines commemoro, quos privatæ fortunæ, quos communis res publica, quos denique libertas, ea, quæ
dulcissima est, ad salutem patriæ defendendam excitavit?

Servus est nemo, qui modo tolerabili conditione sit servitutis, qui non audaciam civium periörescat; qui non haec stare cupidat; qui non quantum audet et quantum potest conferat ad communem salutem voluntatis.

Quare si quem vestrum forte commovet hoc, quod auditum est lenonemquendam Lentuli concursare circump tabernas, pretio sperare sollicitari posse animos egentium atque imperitorum, est id quidem coeptum atque tentatum; sed nulli sunt inventi tam aut fortuna miserì aut voluntate perditi, qui non illum ipsum sellæ atque operis
et quaestus quotidiani locum, qui non cubile ac lectulum suum, qui denique non cursum hunc otiosum vitæ suæ salvum esse velint. Multo vero maxima pars eorum, qui in tabernis sunt, nisi vero (id enim potius est dicendum) genus hoc universum amantissimum est otii.

Etenim omne instrumentum, omnis opera atque quaestus frequentia civium sustentatur, alitur otio: quorum si quaestus occlusis tabernis minui solet, quid tandem incensus futurum fuit?

IX. 18. Quæ quam ita sint, Patres conscripti, vobis populi Romani præsidia non desunt: vos ne populó Romano
deesse videaminì, providete. Habetis consulem ex plurimis periculis et insidiis atque ex media morte non ad vitam suam, sed ad salutem vestram reservatum; omnes ordinæ ad conservandam rem publicam mente, voluntate, studio, virtute, voce consentiunt; obsessa facibus et telis impiæ
conjunctionis vobis supplex manus tendit patria communis; vobis se, vobis vitam omnium civium, vobis arcem et Capitolium, vobis aras Penatium, vobis ignem illum Vestæ sempiternum, vobis omnia deorum templæ atque delubra, vobis muros et urbis tecta commendat. Præterea de vestra vita, de conjugum vestrarum atque liberorum anima, de fortunis omnium, de sedibus, de focis vestris hodierno die vobis judicandum est. 19. Habetis ducem memorem vestri, oblivitum sui, quæ non semper facultas datur; habetis omnes ordines, omnes homines, universum populum Roma-
num, id quod in civil i causa hodierno die primum videmus, unum atque idem sentientem. Cogitate, quantis laboribus fundatum imperium, quanta virtute stabilitam libertatem, quanta deorum benignitate auctas exaggeratasque fortunas una nox paene delerit. Id ne unquam posthaec non modo confici, sed ne cogitari quidem possit a civebus, hodierno die providendum est. Atque hicc, non ut vos, qui mihi studio poene praeDcurritis, excitarem, locutus sura, sed ut mea vox, quae debet esse in re publica princeps, officio functa consulari videretur.

X. 20. Nunc antequam, [Patres conscripti], ad sententiam redeo, de me pauca dicam. Ego, quanta manus est conjuratorum, quam videtis esse permagnum, tantam me inimicorum multitudinem suscipisse video, sed earn esse turpem judico, infirmam et abjectam. Quod si aliquando alicujus furore et scelere concitata manus ista plus valuerit quam vestra ac rei publicae dignitas, mea facula et consiliorum Patres conscripti, non credam. Etenim mors, quam mihi illi fortasse minitantur, omnibus est parata: vitae tantam laudem, quanta vos me vestris decrelis honestastis, nemo est assecutus. Ceteris enim bene gesta, mihi uni conservata re publica gratulationem decretavistis. 21. Sit Scipio clarus, ejus consilio atque virtute Hannibal in Africam redire atque Italia deedere coactus est; ornetur alter eximia laude Africanus, qui duas urbes huic imperio infestissimas Karthaginem Numaniamque delevit; habeatur vir egregius Paullus ille, cujus currum rex potentissimus quondam et nobilissimus Perses honestavit: sit aeterna gloria Marius, qui bis Italiam obsidione et metu servitutis liberavit; anteponatur omnibus Pompeius, cujus res gestae atque virtutes iisdem, quibus solis cursus, regionibus ac terminis continentur: erit profecto inter horum laudes aliquid loci nostrae gloriae; nisi forte majus est patetacere nobis provincias, quo exire possimus, quam curare, ut etiam illi, qui absunt, habeant, quo victores revertantur. 22. Quamquam est uno loco conditio melior externae victoriae quam domesticae, quod hostes alieni ne aut oppressi serviunt aut recepti beneficio se obligatos putant: qui autem ex numero civium dementia aliqua depravati hostes patriae semel esse cepserunt, eos, quum a pernici cie rei publicae repuleris, nec vi coercere nec beneficio placare possis; quare mihi cum perditis cibibus aeternum bellum susceptum esse video. Id ego vestro bonorumque omnium auxilio memoriaque tantorum periculo rum, quæ
non modo in hoc populo, qui servatus est, sed [etiam] in omnium gentium sermonibus ac mentibus semper hæredit, a me atque a meis facile propulsari posse confido. Nequeulla profecto tanta vis reperietur, quæ conjunctionem ve-
5 stram equitumque Romanorum et tantam conspirationem
honorum omnium constringere et labefactare possit.

XI. 23. Quæ quum ita sint, Patres conscripti, pro imperio, pro exercitu, pro provincia, quam neglexi, pro triumpho
10 vestræque salutis custodiam repudiata, pro clientelis hospitiisque provincialibus, quæ tamen urbanis opibus non minore
labore tueor, quam comparo: pro his igitur omnibus rebus,
pro meis in vos singularibus studiis, proque hac, quam
conspicitis, ad conservandam rem publicam diligentia nihil
15 a vobis nisi hujus temporis totiusque mei consulatus memo-
riam postulo, quæ dum erit in vestris fixa mentibus, tutissi-
mo me muro septum esse arbitrabor. Quod si meam spem
vis improborum fefellerit atque superaverit, commendo vo-
20 bis parvum meum filium; cui profecto satis erit præsidii
non solum ad salutem, verum etiam ad dignitatem, si ejus,
qui hæc omnia suo solius periculo conservaverit, illum filium
esse memineritis. 24. Quapropter de summa salute vestra
populique Romani, Patres conscripti, de vestris conjubibus
25 ac libris, de aris ac focis, de fanis atque templis, de totius
urbis tectis ac sedibus, de imperio ac libertate, de salute
Italicae, de universa re publica decernite diligentem, ut insti-
tuistis, ac fortiter. Habetis eum consulem, qui et parere
vestris decretis non dubitet et ea, quæ statueritis, quoad vivet, defendere et per se ipsum præstare possit.
ORATIO

DE

IMPERIO CN. POMPEII

SIVE

PRO LEGE MANILIA.

I. 1. Quaquam mihi semper frequens conspectus vestrum multo jucundissimus, hic autem locus ad amandum amplissimus, ad dicendum ornatissimus est visus, Quirites, tamen hoc aditu laudis, qui semper optimo cuique maxime patuit, non mea me voluntas adhue, sed vitae meae rationes ab ineunte ætate susceptræ prohibuerunt. Nam, quum antea per ætatem nondum hujus auctoritatem loci attingere auderem statueremque nihil hoc nisi perfectum ingenio, elaboratum industria affere oportere, omne meum tempus amicorum temporibus transmittendum putavi. 2. 10 Ita neque hic locus vacuus unquam fuit ab iis, qui vestram causam defenderent, et meus labor in privatorum periculis cæste integreque versatus ex vestro judicio fructum est amplissimum consequutus. Nam quum propter dilationem comitiorum ter prætor primus centuriis cunctis renuntiatus sum, facile intellexi, Quirites, et quid de me judicaretis et quid alius præscriberetis. Nunc quum et auctoritate in me tantum sit, quantum vos honoribus mandandis esse voluistis, et ad amandum facultatis tantum, quantum homini vigilanti ex forense usu prope quotidianam dicendi exercitatio potuit afferre; certe et si quid auctoritatis in me est, [ea] apud eos utar, quæ mihi dederunt; et si quid in dicendo consequi possum, iis ostendam potissimum, qui ei quoque rei fructum suo judicio tribuendum esse censuerunt. 3. Atque illud in primis mihi laetandum jure esse video, quod in hac insolita mihi ex hoc loco ratione dicendi causa talis oblata est, in qua oratio deesse nemini possit. Dicendum
est enim de Cn. Pompeii singulari eximiaque virtute; hujus autem orationis difficilior est exitum quam principium invenire. Ita mihi non tam copia, quam modus in dicendo quærendus est.

II. 4. Atque, ut inde oratio mea proficiscatur, unde hæc omnis causa ducitur, bellum grave et periculosum vestris vectigalibus ac sociis a duobus potentissimis regibus infertur, Mithridate et Tigrane; quorum alter relictus, alter lacessitus, occasionem sibi ad occupandam Asian oblatam esse arbitrantur. Equitibus Romanis, honestissimis viris, afferuntur ex Asia quotidian literæ, (quorum magnæ res aguntur in vestris vectigalibus exercendis occupatae; qui ad me pro necessitudine, quæ mihi est cum illo ordine, causam rei publicæ periculaque rerum suarum detulerunt):

5. Bithyniæ, quæ nunc vestra provincia est, vicos exustos esse complures; regnum Ariobarzaniæ, quod finitimum est vestris vectigalibus, totum esse in hostium potestate; Lucullum magnis rebus gestis ab eo bello discedere; huic qui successerit, non satís esse paratum ad tantum bellum administrandum; unum ab omnibus sociis et civibus ad id bellum imperatorem deposci atque expeti; eundem hunc unum ab hostibus metui, præterea neminem.

6. causa quæ sit, videtis: nunc quid agendum sit, considerate. Primum mihi videtur de genere belli, deinde de magnitudine, tum de imperatore deligendo esse dicendum. Genus est enim belli ejusmodi, quod maxime vestros animos excitare atque inflammare ad perseverandī studium debeat; in quo agitur populi Romani gloria, quæ vobis a majoribus quum magna in omnibus rebus, tum summa in re militari tradita est; agitur salus sociorum atque amicorum, pro qua multa majores vestri magnat et gravia bella gesserunt; aguntur certissima populi Romani vectigalia et maxima, quibus amissis et pacis ornamenta et subsidia bellii requiritis; aguntur bona multorum civium, quibus est a vobis et ipsorum et rei publicae causa consulendum.

III. 7. Et quoniam semper appetentes gloriæ præter ceteras gentes atque avidi laudis fuistis, delenda vobis est illa macula Mithridatico bello superiore concecta: quæ penitus jam insedit ac nimis inveteravit in populi Romani nomine: quod is, qui uno die, tota Asia, tot in civitatibus, uno nuntiö atque una significacione literarum cives Romanos necandos trucidandosque denotavit, non modo adhuc pœnam nullam suo dignam scelere suscipient, sed ab illo tempore annum jam tertium et vicesimum regnat, et ita regnat, ut
se non Ponto neque Cappadociae latebris occultare velit, sed emergere e patrio regno atque in vestris vectigalibus, hoe est, in Asiae luce versari. 8. Etenim adhuc ita nostri cum illo rege contenterunt imperatores, ut ab illo insigne victoriae, non victoriam reportarent. Triumphavit L. Sulla, triumphavit L. Murena de Mithridate, duo fortissimi viri et summi imperatores, sed ita triumpharunt, ut idem pulsus superatusque regnaret. Verumtamen illis imperatoribus laus est tribuenda, quod egerunt, venia danda, quod reliquerunt; propterea quod ab eo bello Sullam in Italiam res publica, Murenam Sulla revocavit.

IV. 9. Mithridates autem omne reliquum tempus non ad oblivionem vetetis bell, sed ad comparationem novi contulit: qui posteaquam maximas edificasset ornassetque classes, exercitusque permagnos, quibuscunque ex gentibus potuisset, comparasset et se Bosporanis, finitimis suis, bellum inferre simularet, usque in Hispaniam legatos ac literas misit ad eos duces, quibuscum tum bellum gerebat, ut quaeso, propterea quod ab eo bello Sullam in Italiam res publica, Murenam Sulla revocavit.

10. Sed tamen alterius partis periculum, Sertorianae atque Hispaniensis, quae rauro plus liramenti ac roboris habebat, Cn. Pompeii divino consilio ac singulari virtute depulsum est; in altera parte ita res a L. Lucullo, summum vino, est administrata, ut initia illa rerum gestarum magna atque praelara non felicitati ejus, sed virtuti, hae autem extrema, quae nuper acciderunt, non culpae, sed fortunae tribuenda esse videantur. Sed de Lucullo dictam alio loco, et ita dicam, Quirites, ut neque vera laus ei detracta oratione nostra neque falsa affecta esse videatur. 11. De vestra imperii dignitate atque gloria, quoniam is est exorsus orationis meae, videte, quem vobis animum suspiciendum putetis.

V. Majores nostri saepe mercatoribus aut naviculariis injuriosius tractatis bella gesserunt: vos tot milibus civium Romanorum uno nuntio atque uno tempore necatis quo tandem animo esse debitis? Legati quod erant appellati superbius, Corinthum patres vestri, totius Graeciae lumen extinctum esse voluerunt: vos eum regem inultum esse patiemini, qui legatum populi Romani consularem vinculis ac verberibus atque omni supplicio excruciatum necavit? Illi libertatem civium Romanorum imminutam non tulerunt; vos vitam ereptam negligetis? Jus legationis verbo viola-
tum illi persecuti sunt; vos legatum omni supplicio interfectum relinquetis? 12. Videte, ne, ut illis pulcherrimum fuit tantam vobis imperii gloriam tradere, sic vobis turpissimum sit, id, quod accepiistis, tueri et conservare non posse.

Quid, quod salus sociorum summae in periculum ac discriminem vocatur quo tandem animo ferre debetis? Regno est expulsus Ariobarzanes rex, socius populi Romani atque amicus; imminent duo reges toti Asiae non solum vobis inimicissimi, sed etiam vestris sociis atque amicis; civitates autem omnes cuncta Asia atque Graecia vestrum auxilium exspectare prophet periculi magnitudinem coguntur; imperatorem a vobis certum deprecere, quum praesertim vos alium miseritis, neque audent neque se id facere sine summo periculo posse arbitrantur. 13. Vident et sentiunt hoc idem, quod vos, unum virum esse, in quo summa sint omnia, et eum propter esse, quo etiam carent agrius: cujus adventu ipso atque nomine, tametsi ille ad maritimum bellum venerit, tamem impetus hostium repressos esse intelligunt ac retardatos. Hi vos, quoniam libere loqui non licet, tacite rogant, ut se quoque, sicut ceterarum provinciarum socios, dignos existimetis, quorum salutem tali vero commendetis; atque hoc etiam magis, quod ceteros in provinciam ejusmodi homines cum imperio ministis, ut, etiamsi ab hoste defendant, tamen ipsorum adventus in urbes sociorum non multum ab hostili expugnatione differant. Hunc audiebant antea, nunc præsentem vident tanta temperantia, tanta mansuetudine, tanta humanitate, ut ii beatissimi esse videantur, apud quos ille diuissiime commoratur.

30 VI. 14. Quare, si propter socios nulla ipsi injuria lacessiti, maiores nostri cum Antioco, cum Philippo, cum Ætolis, cum Pœnis bella gesserunt, quanto vos studio conscivit injuriis provocatos sociorum salutem una cum imperio vestri dignitate defendere? praesertim quum de maximis vestris vectigalibus agatur.

Nam ceterarum provinciarum vectigalia, Quirites, tanta sunt, ut iis ad ipsas provincias tutandas vix contenti esse possimus; Asia vero tam opima est ac fertis, ut et ubertate agrorum et varietate fructuum et magnitudine pastionis et multitudine earum rerum, quæ exportantur, facile omnibus terris antecellat. Itaque hæc vobis provincia, Quirites, si et belli utilitatem et pacis dignitatem retinere vultis, non modo a calamitate, sed etiam a metu calamitatis est defendenda. 15. Nam in ceteris rebus, quum venit calamitas,
tum detrimentum accipitur; at in vectigalibus non solum adventus mali, sed etiam metus ipse afferit calamitatem. Nam quum hostium copiae non longe absunt, etiam si irrumpio nulla facta est, tamen pecua relinquentur, agris cultura deseritur, mercatorum navigatio conquiescit. Ita neque ex portu neque ex decumis neque ex scriptura vectigal conservari potest; quare sape totius anni fructus uno rumoré periculi atque uno bellii terrore amittitur. 16. Quo tandem igitur animo esse existimatis aut eos, qui vectigalia nobis pensitant, aut eos, qui exercet atque exigunt, quum duo reges cum maximis copiis proptère adsint? quum una excursio equitatus perbrevis tempore totius anni vectigal auferre possit? quum publicani familias maximas, quas in salinis habent, quas in agris, quas in portibus atque custodiis, magnó periculo se habere arbitrentur? Putatisne vos illis rebus frui posse, nisi eos, qui vobis fructui sunt, conservatis, non solum (ut ante dixi) calamitate, sed etiam calamitatis formidine liberatos?

VII. 17. Ac ne illud quidem vobis negligendum est, quod mihi ego extremum proposueram, quum essem de belli genere dicturus, quod ad multorum bona civium Romanorum pertinent; quorum vobis pro vestra sapientia, Quirites, habenda est ratio diligenter. Nam et publicani, homines honestissimi atque ornatissimi, suas rationes et copias in illum provinciam contulerunt; quorum ipsorum per se res et fortuna vobis curae esse debent. Etenim si vectigalia nervos esse rei publicae semper duximus, eum certe ordinem, qui exercet illa, firmamentum ceterorum ordinum recte esse dicamus. 18. Deinde ex ceteris ordinibus homines navi atque industrii partim ipsi in Asia negotiantur, quibus vos absentibus consulere debitis, partim corum in ea provincia pecunias magnas collocatas habent. Est igitur humanitatis vestrae magnus numerum eorum civium calamitate prohibere, sapientiae, videre multorum civium calamitatem a re publica sejunctam esse non posse. Etenim primum illud parvi refert, nos publicanis amissis vectigalia postea victoria recuperare: neque enim iisdem redimendi facultas erit propter calamitatem, neque aliis voluntas propter timorem.

19. Deinde quod nos ceadem Asia atque idem iste Mithridates initio belli Asiatici docuit, certe id quidem calamitatem dociti memoria retnire debemus: nam tum, quum in Asia res magnas permulti amiserant, seimus, Romae solutione impedita fidem concidisse. Non enim possunt una in civitate multi rem atque fortunas amittere, ut non plures secum
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in eandem trahant calamitatem. A quo periculo prohibete rem publicam et mihi credite, id quod ipsi videtis: hæc fides atque hæc ratio pecuniarum, quæ Romæ, quæ in foro versatur, implicita est cum illis pecuniis Asiaticis et cohæret; 5 ruere illa non possunt, ut hæc non eodem labefacta motu concidant. Quare videte, num dubitantum vobis sit omni studio ad id bellum incumbere, in quo gloria nominis vestri, salus sociorum, vectigalia maxima, fortunæ plurimorum civium cum re publica defenduntur.

10 VIII. 20. Quoniam de genere belli dixi, nunc de magnitudine paucam dicam. Potest enim hoc dici: belli genus esse ita necessarium, ut sit gerendum; non esse ita magnum, ut sit pertimescendum. In quo maxime laborandum est, ne forte a vobis, quæ diligentissime prœvidenda sunt, con- 15 temnenda esse videantur. Atque ut omnes intelligant me L. Lucullo tantum impertire laudis, quantum fori viro et sapienti homini et magno imperatori debeatur, dico, ejus adventu maximas Mithridatis copias omnibus rebus ornatas atque instructas fussit, urbemque Asiæ clarissimam nobisque 20 amicissimam Cyzicenorum obsessam esse ab ipso rege maxima multitudine et oppugnatam vehementissime, quam L. Lucullus virtute assiduâ consilio summis obsidionis periculis liberavit ; 21. ab eodem imperatore classem magnam et ornatam, quæ ducibus Sertorianis ad Italiæ studiis atque odio inflammata raperetur, superatam esse atque depressam; magnas hostium praeterea copias multis proeliis esse deletas patefactumque nostris legionibus esse Pontum, qui ante populo Romano ex omnï aditu clausus fuisse; Sinopen atque Amisum, quibus in oppidis erant domicilia regis, 30 omnibus rebus ornatas atque refertas ceterasque urbes Ponti et Cappadociae permultas uno aditu adventuque esse captas; regem spoliatum regno patro atque avito ad alios se reges ad alas gentes supplecere contulisse: atque hæc omnia salvis populi Romani sociis atque integris vectigi- 35 galibus esse gesta. Satis opinor hoc esse laudis, atque ita, Quirites, ut hoc vos intelligatis, a nullo istorum, qui huic obtræcant legi atque causæ, L. Lucullum similiter ex hoc loco esse laudatum.

IX. 22. Requiretur fortasse nunc, quemadmodum, quum 10 hæc ita sint, reliquum possit magnum esse bellum. Cognoscite, Quirites, non enim hoc sine causa quæri videtur. Primum ex suo regno sic Mithridates profugit, ut ex eodem Ponto Medea illa quondam profugisse dicitur; quam prædicant in fuga fratris sui membra in iis locis, qua se pærens
pe-sequeretur, dissipavisse, ut eorum collectio dispersa mæ-
rorque patrius celeritatem persequendi retardaret. Sic
Mithridates fugiens maximam vim auri atque argenti pul-
cherrimarumque rerum omnium, quas et a majoribus acce-
perat, et ipse bello superiore ex tota Asia directas in suum 5
regnum congerrebat, in Ponto omnem reliquit. Hæc dum
nostri colligunt omnia diligentius, rex ipse e manibus effugit.
Ita illum a persequendo studio mæror, hos laetitia tardavit.
23. Hunc in illo timore et fugis Tigranis, rex Armenius,
exceptit diffidentemque rebus suis confirmavit et afflicatum 16
erexit perditumque recreavit: cujus in regnum posteaquam
L. Lucullus cum exercitu venit, plures etiam gentes contra
imperatorem nostrum concitatae sunt. Erat enim metus
injectus iis nationibus, quas nunquam populus Romanus
neque laecessendas bello neque tentandas putavit; erat etiam 15
alia gravis atque vehemens opinio, quæ per animos gentium
barbararum pervaserat, fani locupletissimi et religiosissimi
divipiendi causa in eas oras nostrum esse exercitum addu-
cet. Ita nationes multæ atque magnæ novo quodam
terore ac metu concitabantur. Noster autem exercitus, 20
tametsi urbem ex Tigrani regno ceperat et præliis usus
erat secundis, tamen nimia longinquitate locorum ac deside-
río suorum commovebatur. 24. Hic jam plura non dicam.
Fuit enim illud extremum, ut ex iis locis a militibus nostris
reditus magis maturus quam processio longior quæreretur: 25
Mithridates autem et suam manum jam confirmarat [et eo-
rum, qui se ex ipsius regno collegerant] et magnis ad-
venticiis auxiliis multorum regum et nationum juvabatur.
Jam hoc fere sic fieri solere acceptumus, ut regum afflictae
fortunæ facile multorum opes alliciant ad misericordiam, 30
maximeque eorum, qui aut reges sunt aut vivunt in regno:
ut [iis] nomen regale magnæ et sanctum esse videatur.
25. Itaque tantum victus efficere potuit, quantum incolumis
nunquam est ausus optare. Nam quam se in regnum suum
recepisset, non fuit eo contentus, quod ei præter spem 35
acciderat, ut illam, posteaquam pulsus erat, terram unquam
attingeret, sed in exercitum nostrum clarum atque victorem
impetum fecit. Sinite hoc loco, Quirites, sieunt poetæ so-
tent, qui res Romanas scribunt, præterire me nostram
salamitatem, quæ tanta fuit, ut cam ad aures imperatoris 40
non ex prælio nuntius, sed ex sermone rumor affерret. 26.
Hic in illo ipso malo gravissimamque belli offensione L.
Lucullus, qui tamen aliqua ex parte iis incommodis mederi
fortasse potuisset, vestro jussu coactus, quod imperii diu-
turritati modum statuendum vetere exemplo putavistis, partem militum, qui jam stipendiis confecti erant, dimisit, partem Glabrioni tradidit. Multa praetereo consulto: sed ea vos conjectura perspicite, quantum illud bellum factum putetis, quod conjungant reges potentissimi, renovent agitatæ nationes, suscipiant integrae gentes, novus imperator noster accipiat, vetere exercitu pulso.

X. 27. Satis mihi multa verba fecisse videor, quare esset hoc bellum genere ipso necessarium, magnitudine periculosum: restat, ut de imperatore ad id bellum deligendo ac tantis rebus praeficiendo dicendum esse videatur. Utinam, Quirites, virorum fortium atque innocentium copiam tantam habereatis, ut hæc vobis deliberatio difficilis esset, quæmam potissimum tantis rebus ac tanto bello praeficiendum putaretis.

28. Ego enim sic existirao, in summo imperatore quattuor has res inesse oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem. Quisigitur hoc homine scientior unquam aut fuit aut esse debuit? qui e ludo atque pueritiae disciplinis bello maximio atque acerrimis hostibus ad patris exercitum atque in militiæ disciplinam profectus est; qui extrema pueritia miles in exercitu fuit summì imperatoris, ineunte adolescentia maximæ ipse exercitus imperator; qui sápius cum hoste conflixit, quam quisquam cum inimico concertavit; plura bella gessit, quam ceteri legerunt; plures provincias confecit, quam alii concupiverunt; cujus adolescentia ad scientiam rei militaris non alienis praæceptis, sed suis imperii, non olessionibus belli, sed victoriis, non stipendiis, sed triumphis est erudita. Quod denique genus esse belli potest, in quo illum non exercerit fortuna rei publicæ? Civile, Africanum, Transalpinum, Hispaniense mixtum ex incitatis atque bellicosissimis nationibus, servile, navale bellum, varia et diversa genera et bellorum et hostium, non solum gesta ab hoc uno, sed etiam confecta, nullam rem esse declarant in usu positam militari, quæ hu­jus virti scientiam fugere possit.

40 XI. 29. Jam vero virtuti Cn. Pompeii quæ potest oratio par inveniri? Quid est, quod quisquam aut illo dignum aut vobis novum aut cuquam inauditum possit affere? Neque enim illæ sunt solæ virtutes imperatoris, quæ vulgo existimantur, labor in negotiis, fortitudo in periculis, industria

XII. Sed quid ego longinquaque commemoro? Fuit hoc quondam, fuit proprium populi Romani, longe a domo bel- pare et propugnaeulis imperii sociorum fortunas, non sua tecta defendere. Sociis ego nostris mare per hos annos clausum fuisset dicam, quam exercitus nostri nunquam a Brundisio nisi hieme summa transmiserint? Qui ad vos ab exteris nationibus venirent, captos querar, quam legati populi Romani redempti sint? Mercatoribus tutum mare non fuisset dicam, quam duodecim secures in praedonum potestatem pervenerint? 33. Cnidum aut Colophonem aut Samum, nobilissimas urbes, innumerabilesque alias captas esse commemorem, quum vestros portus, atque eos
portus quibus vitam et spiritum ducitis, in prædonum fuisse potestate sciatis? An vero ignoratis portum Caietæ celeberrimum atque plenissimum navium inspectante prætore a prædonibus esse direptum? ex Miseno autem ejus ipsius liberos, qui cum prædonibus antea ibi bellum gesserat, a prædonibus esse sublatos? Nam quid ego Ostiense in-commodum atque illum labem atque ignominiam rei publicae querar, quem prope inspectantibus vobis classis ea, cui consul populi Romani praepositus esset, a prædonibus capta atque oppressa est? Pro dii immortales! tantamne unius hominis incredibilis ac divina virtus tarn brevi tempore lucem affere rei publicae potuit, ut vos, qui modo ante ostium Tiberinum classem hostium inspectaveratis, praebet? 15 Atque hac qua celeritate gesta sint, quamquam videtis, tamen a me in dicendo prætercunda non sunt. Quis enim unquam aut obediendi negotii aut consequendi quæstus studio tam brevi tempore tot loca adire, tantos cursus conficere potuit, quam celeriter Cn. Pompeio duce tantis bellis impetus navigavit? qui nondum tempestivo ad navigandum mari Siciliam adit, Africam exploravit, inde Sardiniam cum classe venit atque hac tria frumentaria subsidia rei publicae firmis-simis præsidiis classibusque munivit. 25 Inde quæmque se in Italiam recepisset, duabus Hispanis et Gallia [Transalpina] presidiis ac navibus confirmata, missis item in oram Illirici maris et in Achaiam omnemque Græciam navibus Italiæ duo maria maximis classibus firmissimis praesidiis adornavit; ipse autem, ut Brundisio proiectus est, undequingue sese imperium populi Romani Ciliciam adjunxit: omnes, qui ubique prædones fuerunt, partim capti interfictique sunt, partim unius hujus se imperio ac potestate dediderunt. Idem Cretensibus, quum ad eum usque in Pamphyliam legatos deprecatoresque misissent, spem dedit, non ademit obsidesque imperavit. Ita tantum bellum, tam diuturnum, tam longe lateque dispersum, quo bello omnes gentes ac nationes premebantur, Cn. Pompeius extrema hieme apparavit, ineunte vere suscepit, media estate confecit.

XIII. 36. Est hæc divina atque incredibilis virtus imperatoris. Quid ceteræ, quas paulo ante commemorare ceparam, quantæ atque quam multæ sunt? Non enim bellandi virtus solum in summo ac perfecto imperatore quærenda est, sed multae sunt artes eximiae, hujus administræ comitesque virtutis. Ac primum quanta innocentia debent
esse imperatores! quanta deinde in omnibus rebus temperantia! quanta fide, quanta facilitate, quanto ingenio, quanta humanitate! quae breviter, qualia sint in Cn. Pompeio, consideremus. Summa enim omnia sunt, Quirites, sed ex magis ex aliorum contentione quam ipsa per sese cognosci atque intelligi possunt. 37. Quem enim imperatorem possumus ullo in numero putare, cujus in exercitu centuriant autque atque venient atque venierint? quid hunc hominem magnum aut amplum de re publica cogitare, qui pecuniam ex aliorum contentione quam ipsa per sese cognosci 5 et se quale se qualis intelligi possit. 38. Quem enim imperatorem possumus ullo in numero putare, cujus in exercitu centuriant atque venierint? quid hunc hominem magnum aut implum de re publica cogitare, qui pecuniam ex servario ad promitara ad bellum administrandum aut propter cupiendumque inter provincae magistratibus diviserit aut propter avarietatem Romae in quasquina relierrezat? Vestra admurmuratio facit, Quirites, ut agnosce videamini, qui haec fecerint: 10 ego autem nomino neminem; quare irasci mihi non poterit, nisi qui ante de se voluerit confiteri. 39. Itaque propter 15 hanc avaritiam imperatorum quantas calamitates, quocunque ventum sit, nostri exercitus ferant, quis ignorat? Itineria, que per hosce annos in Italia per agros atque oppida civium Romanorum nostri imperatores fecerint, recordami; tum facilius statuetis, quid apud exteras nationes fieri existimetis. Utrum plures arbitramini per hosce annos militum vestrorum armis hostium urbem, an hibernis sociorum civitates esse deletas? Neque enim potest exercitum is continuere imperator, qui se ipse non continet, neque severus esse in judicando, qui alios in se severos esse judices non 20 vult. 39. Hic miramur hunc hominem tantum excellere ceteris, cujus legiones sic in Asiam pervenerint, ut non modo manus tanti exercitus, sed ne vestigium quidem cuiquam pacato nocuisse dicatur? Jam vero, quemadmodum milites hibernent, quotidie sermones ac literæ perferuntur; 30 non modo, ut sumptum faciat in militem, nemini vis affertur, sed ne euptienti quidem cuiquam permittitur. Hiemis enim, non avaritia perfugium majores nostri in sociorum atque amicorum tectis esse voluerunt.

XIV. 40. Age vero, ceteris in rebus qua sit temperantia, 35 considerate. Unde illam tantam celeritatem et tam inediblem cursum inventum putatis? Non enim illum eximia vis remigum aut ans inaudita quaedam gubernandi aut venti aliqui novi tam celeriter in ultimas terras pertulerunt, sed eæ res, quee ceteros remorari solent, non retardare; non avaritia ab 40 instituto cursu ad praedam aliquam devovavit, non libido ad voluptatem, non amœnitas ad delectationem, non nobilitas urbis ad cognitionem, non denique labor ipse ad quietem. Postremo signa et tabulas ceteraque ornamenta Graecorum
oppidorum, quae ceteri tollenda esse arbitrantur, ea sibi ille ne visenda quidem existimavit. 41. Itaque omnes nunc in iis locis Cn. Pompeium sicut aliquid non ex hac urbe missum, sed de cælo delapsum intuentur; nunc denique incipient credere, suisse homines Romanos hac quondam continentia, quod jam nationibus exteris incredibile ac falsa memoria proditum videbatur. Nunc imperii vestri splendor illis gentibus lucet; nunc intelligunt non sine causa majores suos tum, quum ea temperantia magistratus habeamus, servire populo Romano quam imperare aliis maluisse. Jam vero ita faciles aditus ad eum privorum, ita liberæ querimoniae de aliisurum injuriis esse dicuntur, ut is, qui dignitate principibus excellit, facilitate insimis par esse videatur. 42. Jam quantum consilio, quantum dicendi gravitate et copia valeat, in quo ipso inest quaedam dignitas imperatoria, vos, Quirites, hoc ipso ex loco sæpe cognovistis. Fidem vero ejus quantam inter socios existimari putatis, quam hostes omnes omnium generum sanctissimam judicarint? Humanitate jam tanta est, ut difficile dictu sit, utrum hostes magis virtutem ejus pugnantes timuerint, an mansuetudinem victi dilexerint. Et quisquam dubitabit, quin huic hoc tum bellum transmittendum sit, qui ad omnia nostræ memoriae bella conficienda divino quodam consilio natus esse videatur? XV. 43. Et, quoniam auctoritas quoque in bellis ad ministrandis multum atque in imperio militari valet, certe nemini dubium est, quin ea re idem ille imperator plurimum possit. Vehementer autem pertinere ad bella administranda, quid hostes, quid socii de imperatoribus nostris existiment, quis ignorat, quum sciamus homines in tantis rebus, ut aut contemnant aut metuant aut oderint aut ament, opinione non minus et fama quam aliqua ratione certa commoveri? Quod igitur nomen unquam in orbis terrarum clarius fuit? cujus res gestæ pares? de quo homine vos, id quod maxime facit auctoritatem, tanta et tam præclara judicia fecistis?

35 44. An vero ullam usquam esse oram tam desertam putatis, quo non illius diei fama pervaserit, quum universus populus Romanus reftro foro complectisque omnibus templis, ex quibus hic locus conspici potest, unum sibi ad commune omnium gentium bellum Cn. Pompeium imperatorem de poposcit? Itaque, ut plura non dicam neque aliorum exemplis confirmem, quantum auctoritas valeat in bello, ab eodem Cn. Pompeio omnium rerum egregiarum exempla sumantur; qui quo die a vobis maritimo bello praepositus est imperator, tanta repente vilitas annoneæ ex summa
inopia et caritate rei frumentariae consecuta est unius hominis spe ac nomine, quantam vix ex summa ubertate agrorum diuturna pax efficie re potuisset. 45. Jam, accepta in Ponto calamitate ex eo praelio, de quo vos paulo ante invitus admonui, quam socii pertimuissest, hostium opes animique crevissent, satis firmum presidium provincia non haberet, amisissetis Asiam, Quirites, nisi ad ipsum discrimin ejus temporis divinitus Cn. Pompeium ad eas regiones fortuna populi Romani attulisset. Hujus adventus et Mithridatem insolita inflammatum victoria continuat et Tigranem magnis copiis minitantem Asiae retardavit. Et quisquam dubitabit, quid virtute perfecturus sit, qui tantum auctoritate perfecerit? aut quam facile imperio atque exercitu socios et vectigalia conservaturus sit, qui ipso nomine ac rumore defendit?

XVI. 46. Age vero, illa res quantam declarat ejusdem hominis apud hostes populi Romani auctoritatem, quod ex locis tam longinquis tamque diversis tam brevi tempore omnes huic se uni dediderunt! quod Cretensium legati, quum in eorum insula nostro imperator exercitusque esset, ad Cn. Pompeium in ultimas prope terras venerunt eique se omnes Cretensium civitates dedere velle dixerunt! Quid? idem iste Mithridates nonne ad Hispanicam misit eum, quem Pompeius legatum semper judicavit, ii, quibus erat semper molestura ad eum potissimum esse missum, speculatorem quam legissem judicari maluerunt. Potestis igitur jam constituere, Quirites, hanc auctoritatem multis postea rebus gestis magnisque vestris judiciis amplificatam quantum apud illos reges, quantum apud exteras nationes valitaram esse exspectari, multo apud ceteras.

47. Reliquum est, ut de felicitate, quam praestare de se ipso nemo potest, meminisse et commemorare de altero possumus, sicut aequum est homines de potestate deorum, timide et pauc a dicamus. Ego enim sic existimo: Maximo, Marcello, Scipioni, Mario et ceteris magnis imperatoribus non solum propter virtutem, sed etiam propter fortunam sæpius imperia mandata atque exercitus esse commissos. Fuit enim profecto quibusdam summis viris quaedam ad amplitudinem et ad gloriam et ad res magnas bene gerendas divinitus adjuncta fortuna. De hujus autem hominis felicitate, de quo nunc agimus, hac utar moderatione dicendi, non ut in illius potestate fortunam positam esse dicam, sed ut præterita meminisse, reliqua sperare videamur, ne aut invis a diis immortalibus oratio nostra aut ingrata esse vi-
deatur. 48. Itaque non sum praedicaturus, quantas ille res domi militiæ, terra marique quantaque felicitate gesserit; ut ejus semper voluntatibus non modo civis assenserit, socii obtemperarint, hostes obedierint, sed etiam venti tempestatesque obsecundarint: hoc brevissime dicam, neminem unquam tam impudentem fuisse, qui ab diis immortalibus tot et tantas res tacitus auderet optare, quot et quantas dì immortales ad Cn. Pompeium detulerunt: quod ut illi prūrium ac perpetuum sit, Quirites, quum communis salutis 10 atque imperii, tum ipsius hominis causa, sicuti facitis, velle et optare debetis.

49. Quare quum et bellum sit ita necessarium, ut negligi non possit, ita magnum, ut accuratissime sit administrandum, et quum ei imperatorem præficere possitis, in quo sit eximia belli scientia, singularis virtus, clarissima auctoritas, egregia fortuna, dubitabitis, Quirites, quin hoc tantum boni, quod vobis ab diis immortalibus oblatum et datum est, in rem publicam conservandam atque amplificandam conferatis?

XVII. 50. Quod si Romæ Cn. Pompeius privatius esset hoc tempore, tamen ad tantum bellum is erat deligendus atque mittendus. Nunc, quum ad ceteras summas utilitates haec quoque opportunitas adjungatur, ut in iis ipsis locis adsit, ut habeat exercitum, ut ab iis qui habent, accipere statim possit, quid exspectamus? aut cur non ducibus diis 25 immortalibus eadem, cui cetera summa cum salute rei publicæ commissa sunt, hoc quoque bellum regium committamus?

51. At enim vir clarissimus, amantissimus rei publicæ, vestris beneficiis amplissimis affectus, Q. Catulus, itemque 30 summis ornamentis honoris fortunae, virtutis ingenii praeditus, Q. Hortensius, ab hac ratione dissentient: quorum ego auctoritate apud vos multis locis plurimum valuisse et valere oportere confiteor; sed in hac causa, tametsi cognoscetis auctoritates contrarias virorum fortissimorum et clarissimorum, tamen omissis auctoritatis ipsa re ac ratione exquirere possumus veritatem; atque hoc facilius, quod ea omnia, quæ a me adhuc dicta sunt, ìdem isti vera esse concedunt, et necessarium bellum esse et magnum et in uno Cn. Pompeio summa esse omnia. 52. Quid igitur ait Hortensius? Si uni omnia tribuenda sint, [unum] dignissimum esse Pompeium; sed ad unum tamen omnia deferri non oporteret. Obsolevit jam ista oratio, re multo magis quam verbis refutata. Nam tu idem, Q. Hortensi, multa pro tua summa copia ac singulari facultate dicendi et in senatu
contra virum fortem, A. Gabinium, graviter ornateque dixisti, quum is de uno imperatore contra praedones constituto legem promulgasset, et ex hoc ipso loco permulta item contra legem eam verba fecisti. 53. Quid? tum, per deos immortales! si plus apud populum Romanum auctoritas tua quam ipsius populi Romani salus et vera causa valuisse, hodie hanc gloriam atque hoc orbis terrae imperium teneremus? An tibi tum imperium esse hoc videbatur, quum populi Romani legati, quse stores praetoresque capiebantur? quum ex omnibus provinciis commeatu et privato et publico prohibebamur? quum ita clausa nobis erant maria omnia, ut neque privatam rem transmarinam neque publicam jam obire possemus?

XVIII. 54. Quae civitas antea unquam fuit, non dico Atheniensium, quae satis late quondam mare tenuisse dicitur; non Karthaginicensum, qui permultum classe ac mari timis rebus valuerunt; non Rhodiorum, quorum usque ad nostram memoriam disciplina navalis et gloria remansit: quae civitas unquam tam tenuis, quae tam parva insula fuit, quae non portus suos et agros et aliquam partem regionis atque orae maritimae per se ipsa defenderet? At hercule aliquot annos continuos ante legem Gabiniam ille populus Romanus, cujus usque ad nostram memoriam nomen inveterum in navalibus pugnis permanserat, magna ac multo maxima parte non modo utilitatis, sed dignitatis et imperii caruit. 55. Nos, quorum majores Antiochum regem classe Persenque superarunt, omnibusque navalibus pugnis Karthaginienses, homines in mari timis rebus exercitatisimosa, vicerunt, ii nullo in loco jam praedonibus pares esse poteramus. Nos, qui antea non modo Italiam tutam habebamus, sed omnes socios in ultimis oris auctoritate nostri imperii salvos praestare poteramus, tum, quum insula Delos tam procul a nobis in Aegeo mari posita, quo omnes undique cum mercibus atque oneribus commebant, referta divitiis, parva, sine muro nihil timebat, iidem non modo provinciis atque oris Italiae maritimis ac portibus nostris, sed etiam Appia jam via carebamus: et his temporibus non pudebat magistratus populi Romani in hunc ipsum locum ascendere, quam eum nobis majores nostri exuviiis nauticiis et classium spoliis ornatum reliquissent!

XIX. 56. Bono te animo, Q. Hortensi, populus Romanus et ectoros, qui erant in eadem sententia, dicere existimavit ea, quae sentiebatis: sed tamen in salute communi idem populus Romanus dolori suo maluit quam auctoritati
vestrae obtemperare. Itaque una lex, unus vir, unus annus non modo nos illa miseria ac turpitudine liberavit, sed etiam effeciit, ut aliquando vere videremur omnibus gentibus ac nationibus terra marique imperare.

5 57. Quo mihi etiam indignius videtur obtrectatum esse adhuc, Gabinio dicam, anne Pompeio, an utrique? id quod est verius; ne legaretur A. Gabinius Cn. Pompeio expetenti ac postulanti. Útrum ille, qui postulat ad tantum bellum legatum, quem velit, idoneus non est, qui impetret, quum ceteri ad expilandos socios diripiendasque provincias, quos voluerunt, legatos eduxerint; an ipse, cujus lege salus ac dignitas populo Romano atque omnibus gentibus constituta est, exprs esse debet ejus gloriae imperatoris atque ejus exercitus, qui consilio ipsius ac periculo est constitutus?

15 58. An C. Falcidius, Q. Metellus, Q. Coelius Latiniensis, Cn. Lentulus, quos omnes honoris causa nominor, quum tribuni plebi fuissent, anno proximo legati esse potuerunt; in uno Gabinio sunt tam diligentiores? qui in hoc bello, quod lege Gabinia geritur, in hoc imperatore atque exercitu, quem per vos ipse constituit, etiam praecipuojure esse deberet? De quo legando consules spero ad senatum relatuos. Qui si dubitabant aut gravabuntur, ego me profiteor esse poterint, neque me impediet cujusquam inimicum edictum, quo minus vobis fretus, vestrum jus beneficiumque defendam; neque praeter intercessionem quidquam audiam; de qua, ut arbitror, isti ipsi, qui minantur, etiam atque etiam, quid liceat, considerabunt. Mea quidem sententia, Quirites, unus A. Gabinius belli maritimi rerumque gestarum Cn. Pompeio socius adscribitur; propterea quod alter uni illud bellum suscipliendum vestris suffragiis detulit, alter Ædilisusceptumque confecit.

XX. 59. Reliquum est, ut de Q. Catuli auctoritate et sententia dicendum esse videatur. Quia quum ex vobis quaereret, si in uno Cn. Pompeio omnia ponertis, si quid eo factum esset, in quo spem essetis habituri, cepit magnum suæ virtutis fructum ac dignitatis, quum omnes una prope voce in ipso vos spem habituros esse dixistis. Etenim talis est vir, ut nulla res tanta sit ac tam difficilis, quam ille non et consilio regere et integritate tucri et virtute conficere possit. Sed in hoc ipso ab eo vehementissime dissentio, quod, quo minus certa est hominum ac minus diuturna vita, hoc magis res publica, dum per deos immortales licet, frui debet summi viri vita atque virtute.—

40 60. At enim ne quid novi fiat contra exempla atque instituta majorum.—Non
dicam hoc loco maiores nostros semper in pace consuetudini, in bello utilitati paruisse; semper ad novos casus temporum novorum consiliorum rationes accommodasse; non dicam duo bella maxima, Punicum atque Hispianiense, ab uno imperatore esse confecta; duasque urbes potentialissimas, quae huic imperio maxime minitabantur, Karthaginam atque Numantiam, ab eodem Scipione esse deletas: non commorabo nuper ita vobis patribusque vestris esse visum, ut in uno C. Mario spes imperii poneretur, ut idem cum Jugurtha, idem cum Cimbris, idem cum Teutonis bellum administraret: 61. in ipso Cn. Pompeo, in quo novi constuit nihil vult Q. Catulus, quam multa sint nova summa Q. Catali voluntate constituta, recordamini.

XXII. Quare videant, ne sit periniquum et non ferendum illorum auctoritatem de Cn. Pompeii dignitate a vobis comprobatum semper esse, vestrum ab illis de eodem homine judicium populique Romani auctoritatem improbari; præsertim quam jam suo jure populus Romanus in hoc homine suam auctoritatem vel contra omnes, qui dissentient, possit defendere; propter ea quod, isdem istis reclamantibus, vos unum illum ex omnibus delegistis, quem illo praedonum praeponeretis. 64. Hoc si vos temere fecistis et rei publicae parum consuluistis, recte 65. Hoc si vos temere fecistis et rei publicae parum consuluistis, recte 65. Hoc si vos temere fecistis et rei publicae parum consuluistis, recte

10 parum consuluistis, recte isti studia vestra suis consiliis regere conantur; sin autem vos plus tum in re publica vidistis, vos his repugnantibus per vosmet ipsos dignitatem huic imperio, salutem orbi terrarum attulistis; aliquando isti principes et sibi et ceteris populi Romani universi 15 auctoritati parendum esse fateantur! [Atque in hoc bello Asiatico et regio non solum militaris illa virtus, quæ est in Cn. Pompeio singularis, sed aliae quoque virtutes animae magnæ et multæ requiruntur. Difficile est in Asia, Cilicia, Syria regnisque interiorum nationum ita versari nostrum 20 imperatorem, ut nihil aliud nisi de hoste ac de laude cogitaret. Deinde etiam si qui sunt pudore ac temperantia moderatiiores, tamen eos esse tales, propter multitudinem cupidorum hominum nemo arbitratur. 65. Difficile est dictu, Quirites, quanto in odio simus apud exterar nationes propter eorum, 25 quos ad eas per hos annos cum imperio misimus, libidines et injurias. Quod enim fanum putatis in illis terris nostris magistratibus religiosum, quam civitatem sanctam, quam domum satis clausam ac munitam fuisset? Urbes jam locuplettes ac copiosae requiruntur, quibus causa bellum propter 30 diripendi cupiditatem inferatur. 66. Libenter hec coram eum Q. Catulo et Q. Hortensio summis et clarissimis viris, disputarem; noverunt enim sociorum vulnera, vident eorum calamitates, querimonias audiant. Pro sociis vos contra hostes exercitum mittere putatis, an hostium simulatione 35 contra socios atque amicos? quæ civitas est in Asia, quæ non modo imperatoris aut legati, sed unus tribuni militum animos ac spiritus capere possit?

XXIII. Quare, etiam si quem habetis, qui collatis signis exercitus regios superare posse videatur, tamen, nisi erit 40 idem, qui se a pecuniis sociorum, qui ab eorum conjugibus ac liberis, qui ab ornamentis fanorum atque oppidorum, qui ab auro gazeque regia manus oculos animum cohibere possit, non erit idoneus, qui ad bellum Asiaticum regiumque mittatur. 67. Ecquam putatis civitatem pacatam fuisse,
praebet enim praetores locupletarii, quorum pacatis 5
esse videantur? Ora maritima, Quirites, Cn. Pompeium non
solum propter rei publicae, praetor pauco; neque eos quidem
quam alius sequei classium nomine, nisi ut detrimentis
accipiendis majore affici turpitudine videremur. Nunc qua
cupiditate homines in provincias, quibus quieturis, quibus
conditionibus profisciantur, ignorant videlicet isti, qui ad
unum deferenda omnia esse non arbitrantur: quasi vero Cn. 10
Pompeium non quum suis virtutibus, tum etiam alienis vitis
magnum esse videamus.

68. Quare nolite dubitare, quin huic uni credatis omnia,
quique inter tot annos inventus sit, quem socii in urbes
suas cum exercitu venisse gaudeant. Quod si auctoritatibus
hanc causam, Quirites, confirmandam putatis, est lobis
auctor vir bellorum omnium maximarumque rerum peritis-
simus P. Servilius, cujus tamen res gestae terra marique
exstiterunt, ut, quum de bello deliberetis, auctor vos gravi-
nemo esse debeat; est C. Curio summis vestris beneficis
maximisique rebus gestis, summo ingenio et prudentia
præditus; est Cn. Lentulus, in quo omnes pro amplissimis
vestris honoribus summum consilium, summam gravitatem
esse cognovistis; est C. Cassius, integritate virtute con-
stantia singularis. Quare videste, ut horum auctoritatibus
illorum orationi, qui dissentient, respondere posse videamus.

XXIV. 69. Quae quum ita sint, C. Manili, primum
istam tuam et legem et voluntatem et sentientiam laudo
vehementissimeque comprobo: deinde te hortor, ut auctore
populo Romano maneas in sententia ne cuiusquam vim
aut minas pertimescas. Primum in te saties esse animi
perseverantiaeque arbitror; deinde quem tantam multitudi-
num cum tanto studio adesse videamus, quantum nunc
iterum in eodem homine praeficiendo videmus, quid est,
quod aut de re aut de periciendi facultate dubitemus? 35
Ego autem, quidquid est in me studii consilii, laboris ingenii,
quidquid hoc beneficio populi Romani atque hac potestate
praetoria, quidquid auctoritate fidei constantia possum, id
omne ad hanc rem conficiendam tibi et populo Romano
polliceor ac defero: 70. testisque omnes deos, et eos maxime, qui huic loco temploque praesident, qui omnium
mentes eorum, qui ad rem publicam adeunt, maxime per-
spicient, me hoc neque rogatu facere cujusquam neque quo
Cn. Pompeii gratiam mihi per hanc causam conciliari putem
neque quo mihi ex cujusquam amplitudine aut præsidia
periculis aut adjumenta honoribus quaeram; propterea quod
pericula facile, ut hominem præstare oportet, innocentia
tecti repellemus; honorem autem neque ab uno neque ex
5 hoc loco, sed eadem illa nostra laboriosissima ratione vitæ,
si vestra voluntas feret, consequemur. 71. Quamobrem,
quidquid in hac causa mihi susceptum est, Quirites, id ego
omne me rei publicæ causa suscepisse confirmo; tantumque
abest, ut aliquam mihi bonam gratiam quæsisse videar, ut
10 multas me etiam simultates partim obscuras, partim apertas
intelligam mihi non necessarias, vobis non inutiles suscepisse.
Sed ego me hoc honore præditum, tantis vestris beneficiis
affectum statui, Quirites, vestram voluntatem et rei publicæ
dignitatem et salutem provinciarum atque sociorum meis
15 omnibus commodis et rationibus præferre oportere.
I. 1. Diuturni silentii, Patres conscripti, quo eram his temporibus usus, non timere aliquo, sed partim dolore, partim verecundia, finem hodiernus dies attulit, idemque iniunum rerum modum, tam denique incredibilem sapientiam ac paene divinam tacitus praeterire nullo modo possum. 2. M. enim Marcello vobis, Patres conscripti, rei publicae red-dito, non illius solum, sed etiam meam vocem et auctoritatem et vobis et rei publicae conservatam ac restitutam puto. Dolebam enim, Patres conscripti, et vehementer angebar, quum viderem, virum talem, qui in eadem causa esset, in qua ego fuissse, non in eadem esse fortuna: nec mihi persuadere poteram nec fas esse ducebam, versari me in nostro vetere curriculo, illo aemulo atque imitatore studiorum et laborum meorum quasi quodam socio a me et comite distracto. Ergo et mihi meae pristinae vitae consuetudinem, C. Caesar, interelusam aperuisti et his omnibus ad bene de omni re publica sperandum quasi signum aliquod sustulisti.

3. Intellectum est enim mihi quidem in multis et maxime in me ipso, sed paulo ante omnibus, quum M. Marcellum senatui reique publicae concessisti, commemoratis praesertim offensionibus, te auctoritatem hujus ordinis dignitatemque rei publicae tuis vel doloribus vel suspicionibus anteferre. Ille quidem fructum omnis ante actae vitae hodierno die maximum cepit, quem summo consensus senatus tum praeterea judicio tuo gravissimo et maximo. Ex quo profecto intelligis, quanta in dato beneficio sit laus, quam in accepto sit tanta gloria. Est vero fortunatus ille, cujus
ex salute non minor pæne ad omnes, quam ad illum ventura
sit, laetitia pervenerit: 4. quod quidem ci merito atque
optimo jure contigit. Quis enim est illo aut nobilitate aut
probitate aut optimarum artium studio aut innocentia aut
ullo laudis genere præstantior?

II. Nullius tantum flumen est ingenii, nullius dicendi aut
scribendi tanta vis, tanta copia, quæ non dicam exornare,
sed enarrare, C. Cæsar, res tuas gestas possit. Tamen
affirmo et hoc pace dicam tua: nullam in his laudem esse
ampliorem, quam eam, quam hodierno die consecutus es.

5. Soleo scepe ante oculos ponere idque libenter crebris
usurpare sermonibus: omnes nostrorum imperatorum, omnes
exterarum gentium potentissimorumque populorum, omnes
clarissimorum regum res gestas cum tuis nec contentionum
magnitudine nec numero praeliorum nec varietate regionum
nec celeritate conficiendi nec dissimilitudine bellorum posse
conferri; nec vero disjunctissimas terras ciusibus passibus
cujusquam potuisse peragrari, quam tuis non dicam cur-
sibus, sed victoriis illustratæ sunt. 6. Quæ quidem ego
nisi tam magna esse fatetar, ut ea vix cujusquam mens aut
cogitatio capere possit, amens sim, sed tamen sunt alia
majora. Nam bellicas laudes solent quidam extenuare
verbis easque detrahere ducibus, communicare cum multis,
ne proprie sint imperatorum. Et certe in armis militum
virtus, locorum opportunitas, auxilia sociorum, classes, com-
meatus multum juvant, maximam vero partem quasi suo
jure fortuna sibi indicat et quidquid prospera gestum est,
id pæne omne ductum. 7. At vero hujus gloriae, C.
Cæsar, quam es paulo ante adeptus, socium habes neminem:
totum hoc quantumcumque est, quod certe maximum est,
totum est, inquam, tuum. Nihil sibi ex ista laude centurio,
nihil praefectus, nihil cohors, nihil turma decerpit: quin
etiam illa ipsa rerum humanarum domina, Fortuna, in istius
societatem glorie se non offerit, tibi cedit, tuam se esse
totam et propriam fatetur. Nunquam enim tenuitas cum
sapientia commisceetur neque ad consilium casus admissitur.

III. 8. Domuisti gentes immanitate barbaras, multitudo
innumerabiles, locis infinitas, omni copiarum genere
abundantes: sed tamen ea vicisti, quæ et naturam et condi-
tionem, ut vinci possent, habebant. Nulla est enim tanta
vis, quæ non ferro et viribus debilitari frangique possit.
Animam vincere, iracundiam colibere, victoriam temperare,
adversarium nobilitate, ingenio, virtute præstantem non
modo extollere jacentem, sed etiam amplificare ejus pristi-
am dignitatem, hæc qui facit, non ego eum cum summis viris comparo, sed simillimum deo judico. 9. Itaque, C. Cæsar, bellicæ tuæ laudes celebrabuntur illæ quidem non solis nostris, sed pæne omnium gentium literis atque linguæ, nec ualla unquam ætas de tuis laudibus conticescet: sed 5 amen ejusmodi res nescio quomodo etiam quum leguntur, ostrepi clamore militum videntur et tubarum sono. At vero quum aliquid elementer, mansuetæ, justæ, moderate, apienter factum, in iracundia presertim, quæ est inimica consilio, et in victoria, quæ naturæ insolens et superba est, 10 audimus aut legitimus, quo studium incendimur, non modo in estis rebus, sed etiam in fictis, ut eos sæpe, quos nunquam vidimus, diligamus! 10. Te vero, quem praesentem intue- nitur, cujus mentem sensusque et os cernimus, ut quidquid fortuna relinquam, id esse salvum, idibus aene ab interitu vindicasti. 11. Hunc tuigitur diem tuis laximis et innumerabilibus gratulationibus jure anteponis. lose enim res unius est propria Cæsaris: ceteræ duce te gestæ, magnæ illæ quidem, sed tamen multo magnoque omitterat. Hujus autem rei tu idem es et dux et comes, 30 quæ quidem tanta est, ut nulla tropæis et monumentis tuis illatura finem sit ætas: nihil est enim opere et manu factum, quod non liquido conficiat et consumat vetustas: 12. at æque tua justitia et lenitas animi florescit quotidie magis, ita ut quantum tuis operibus diuturnitas detrahet, tantum affe- at laudibus. Et ceteros quidem omnes victores bellorum civilium jam ante æquitate et misericordia viceras: hodierno vero die te ipsum vicisti. Vereor ut hoc, quod dicam, serinde intelligi auditu possit atque ipse cogitans sentio: psam victoriam vicisse videris, quum ea, quæ illa erat 40 depta, victis remisisti. Nam quum ipsius victoriae condizione omnes victi occidissemus, elegantia tuæ judicio conservati sumus. Recte igitur unus invictus es, a quo etiam psius victoriae conditio visque devicta est.
V. 13. Atque hoc C. Cæsaris judicium, Patres con-
scripti, quam late patet attendite: omnes enim, qui ad illa arma fato sumus nescio quo rei publicæ misero funestoque compulsi, etsi aliqua culpa tenemur erroris humani, a scelere certe liberati sumus. Nam quem M. Marcellum depre-
cantibus vobis rei publicæ conservavit: memet mili et item rei publicæ nullo deprecante reliquos amplissimos viros et sibi ipsos et patriÆ reddidit: quorum et frequentiam et dignitatem hoc ipso in consessu videtis. Non ille hostes
induxit in curiam, sed judicavit a plerisque ignoratione potius et falso atque inani, quam cupiditate aut cru-
delitate bellum esse susceptum. 14. Quo quidem in bello semper de pace audiendum putavi semperque dolui non modo pacem, sed etiam orationem civium pacem flagitan-
tium repudiari. Neque enim ego illa nec una unquam secutus sum arma civilia semperque mea consilia pacis et toge social, non belli atque armorum fuerunt. Hominem
sum secutus privato consilio, non publico: tantumque apud me grati animi fidelis memoria valuit, ut nulla non modo
20 cupiditate, sed ne spe quidem prudens et sciens tamquam ad interitum ruerem voluntarium. 15. Quod quidem meum consilium minime obscurum fuit. Nam et in hoc ordine inte-
gra re multa de pace dixi et in ipso bello cadem etiam cum capitis mei periculo sensi. Ex quo nemo jam erit tam
25 injustus existimator rerum qui dubitet, quæ Cæsaris de
bello voluntas fuerit, quæ pacis auctores conservandos statim consuerit, ceteris fuerit irator. Atque id minus fortasse mirum tum, quum esset incertus exitus et aniceps
fortuna belli: qui vero victor pacis auctores diligít, is pro-
30 fecto declarat se maluisse non dimicare quam vincere.
VI. 16. Atque hujus quidem rei M. Marcello sum
testis. Nostri enim sensus, ut in pace semper, sic tum etiam in bello congruebant. Quoties ego eum et quanto
cum dolore vidi, quum insolentiam certorum hominum tum
35 etiam ipsius victoriae ferocitatem extimescentem! Quo
gratior tua liberalitas, C. Cæsar, nobis, qui illa vidimus, debet esse. Non enim jam cause sunt inter se, sed victo-
riae comparandæ. 17. Vidimus tuam victoriam præliorum exitu terminatam: gladium vagina vacuum in urbe nor
40 vidimus. Quos amisisimus cives, eos Martis vis percult, nor ira victoriae, ut dubitare debet nemo quin multos si fier posset, C. Cæsar ab inferis excitaret, quoniam ex eadem acie conservat, quos potest. Alterius vero partis níhi
amplius dicam quam id, quod omnes verebamur, nìmis ira
cundam futuramuisse victoriam. 18. Quidam enim non modo armatis, sed interdum etiam otiosis minabantur, nec quid quisque sensisset, sed ubi fuisset, cogitandum esse dicebant: ut mihi quidem videantur dii immortales, etiam si pœnas a populo Romano ob aliquod delictum expetive-runt, qui civile bellum tantum et tam luctuosum excitave-runt, vel placati jam vel satiati aliquando omnem salutis ad Clementiam victoris et sapientiam contulisse.

19. Quare gaude tuo isto tam excellenti bono: et fruere quum fortuna et gloria tum etiam natura et moribus tuis: ex quo quidem maximus est fructus jucunditasque sapienti. Cetera quum tua recordabere, etsi persaepe virtuti, tamen plerumque felicitati tuse gratulabile: de nobis, quos in re publica tecum simul salvos esse voluisti, quoties cogitabis, toties de maximis tuis beneficiis, toties de incredibili libe-ralisate, toties de singulari sapientia tua cogitabis: que non modo summa bona, sed nimium audelo vel sola dicere. Tantus est enim splendor in laude vera, tanta in magnitudo animi et consilii dignitas, ut haec a virtute donata, cetera a fortuna commodata esse videantur. 20. Noliigitur in conservandis bonis viris defatigari, non cupiditate presertim aliquas praetatu lapsis, sed opinione officii stulta fortasse, certe non improba, et specie quadam rei publicae; non enim tua ulla culpa est, si te alii timuerunt, contraque summa laus, quod minime timendum fuisse senserunt.

VII. 21. Nunc venio ad gravissimam querelam et atro-cissimam suspicicionem tuam; quae non tibi ipsi magis quam quum omnibus civibus tum maxime nobis, qui a te conservavi sumus, providenda est: quam etsi spero falsam esse, tamen nunquam extenuabo verbis. Tua enim cautio nostra cautio est, ut si in alterutro peccandum sit, malum videri nimis timidus, quam parum prudentis. Sed quisnam est iste tam demens? De tuisne?—tametsi qui magis sunt tui, quam quibus tu salutem insperantibus reddidisti? an ex hoc numero, qui una tecum fuerunt? Non est eredibilis tantus in ullo furor, ut quo duce omnia summa sit adeptus, hujus vitam non anteponat sua. An si nihil tui cogitans sceлерis, cavendum est ne quid inimici? Qui? omnes enim, qui fuerunt, aut sua pertinacia vitam amiserunt aut tua miseri-cordia retinuerunt, ut aut nulli supersint de inimicis aut qui superferuerunt sint amicissimi. 22. Sed tamen quum in animis hominum tante latebrate sint et tanti recessus, augeamus sane suspicione tuam: simul enim augebimus dili-
gentiam. Nam quis est omnium tam ignorans rerum, tam rudis in re publica, tam nihil unquam nec de sua nec de communi salute cogitans, qui non intelligat tua salute contineri suam et ex unius tua vita pendere omnium? Equidem de te dies noctesque, ut debo, cogitans casus dumtaxat humanos et incertos eventus valetudinis et nature communis fragilitatem extimesco, doleoque, quam res publica immortalis esse debeat, eam in unius mortalis anima consistere.

23. Si vero ad humanos casus incertosque motus valetudinis sceleris etiam accedit insidiarumque consensio: quem deum, si cupiat, posse opitulari rei publicae credamus?

VIII. Omnia sunt excitanda tibi, C. Caesar, uni, quae jacere sentis, bellii ipsius impetu, quod necessè fuit, prostrata atque perculsa; constiuenda judicia, revocanda fides, comprimendae libidines, propaganda suboles, omnia, quae delapsa jam defluxerunt, severis legibus vincienda sunt.

24. Non fuit recusandum in tanto civili bello, tanto animorum ardore et armorum, quin quassata res publica, quicunque bellii eventus fuisset, multa perderet et ornamenta dignitatis et præsidia stabilitatis suæ: multaque uterque dux faceret armatus, quæ idem togatus fieri prohibuisset. Quæ quidem tibi nunc omnia bellii vulnera sananda, multa perderet et ornamento dignitate et presidiis stabilitatis sua:

PRO M. MARCELLO, CAP. IX, X.

queres, in quo nunc est: vide, quæso, ne tua divina virtus admirationis plus sit habitura quam gloriae: siquidem gloria est illustriæ ac pervagata magnorum vel in suos cives vel in patriam vel in omne genus hominum fama meritorum. IX. 27. Hæc igitur tibi reliqua pars est: hic restat actus, in hæc elaborandum est, ut rem publicam constituas eaque tu in primis summa tranquillitate et otio perfruare: tum te, si voles, quam patriæ, quod debes, solveris, et naturam ipsam expleveris satietate vivendi, satis diu vivisse dico. Quid enim est omnino hoc ipsum diu, in quo est aliquid extremum? quod quum venit, omnis voluptas praeterita pro nihilæ est, quia postea nulla est futura. Quamquam iste tuus animus nunquam his angustiis, quas natura nobis ad vivendum dedit, contentus fuit, semper immortalitatis amore flagravit. 28. Nec vero hæc tua vita dicenda est, quœ corpore et spiritu continetur. Ilia, inquam, illa vita est tua, quæ vigebit memoria seculorum annium, quam posteritas efferent, alii laudibus ad coelum res tuas gestas effecerint, alii fortasse aliquid requirent, idque vel maximum, nisi bellorum incendio salute patriæ restinxeris: ut illud fatis suisse videatur, hoc consiliæ. Servi igitur iis etiam judicibus, qui multæ post seculis de te judicabunt et quidem haud scio an incorruptius, quam nos: nam et sine amore et sine cupiditate et rursus sine odio et sine invidia judicabunt. 30. Id autem etiam si tum ad te, ut quidam falso putant, non pertinebit: nunc certe pertinet esse te talem, ut tuas laudes obscuratur nulla unquam sit oblivio.

X. Diversæ voluntates civium fuerunt distractæque sententæ. Non enim consiliis solum et studiis, sed armis et castris dissidebamus, erat enim obscuritas quædam: erat certamen inter clarissimos duces: multi dubitabant, quid optimum esset, multi quid sibi expediret, multi quid fecerint, nonnulli etiam quid liceret. 31. Perfuncta res
publica est hoc misero fatalique bello: victis, qui non fortuna inflammaret odium suum, sed bonitate leniret: nec qui omnes, quibus iratus esset, eosdem etiam exsilium aut morte dignaret. Arma ab aliis posita, ab aliis 5 erepta sunt. Ingratus est injustusque civis, qui armorum periculo liberatus, animum tamen retinet armatum, ut etiam ille melior sit, qui in acie cecidit, qui in causa animam profudit. Quae enim pertinacia quibusdam, eadem aliis constántia videri potest. 32. Sed jam omnis fracta dissensio est armis, exstincta a;quitate victoris: restat ut omnes unum velint, qui modo habent aliquid non solum sapientiae, sed etiam sanitatis. Nisi te, C. Cæsar, salvo et in ista sententia, qua quum antea tum hodie vel maxime usus es, manente, salvi esse non possimus. Quare omnes te, qui 15 hæc salva esse volumus, et hortamur et obscuramus, ut vitae tuæ et salutis consulams, omnesque tibi, (ut pro aliis etiam loquar, quod de me ipse sentio), quoniam subesse aliquid putas, quod cavendum sit, non modo excubias et custodias, sed etiam laterum nostrorum oppositus et corporum polli-

20cemur.

XI. 33. Sed ut unde est orsa, in codem terminetur oratio: maximas tibi omnes gratias agimus, C. Cæsar, maiores etiam habemus. Nam omnes idem sentiunt, quod ex omnium precibus et lacrimis sentire potuisti: sed quia 25 non est omnibus stantibus necesse dicere, a me certe dici volunt, cui nesses est quodammodo, et quod fieri decet M. Marcello a te huic ordinis populoque Romano et rci publica reddito, fieri id intelligo. Nam lætari omnes non de unius solum, sed de communi salute sentio. 34. Quod autem 30summae benevolentiae est, quæ mea erga illum omnibus semper nota fuit, ut vix C. Marcello, optimo et amantissimo fratri, præter eum quidem cederem nemini, quum id sollicitudine, cura, labore tamdui praestiterim, quamdui est de illius salute dubitatum, certe hoc tempore, magnis curis 35molestiis, doloribus liberatus, præstare debeo. Itaque, C Cæsar, si tibi gratias ago, ut omnibus me rebus a te non conservato solum, sed etiam ornato, tamen ad tua in me unum innumerabilia merita, quod fieri jam posse non arbitrar, maximus hoc tuo facto cumulus accesserit.
ORATIO

PRO Q. LIGARIO.

I. 1. Novum crimen, C. Cæsar, et ante hunc diem inauditum propinquus meus ad te Q. Tubero detulit, Q. Ligarium in Africa fuisse; idque C. Pansa, præstanti vir ingenio, fretus fortasse familiaritate ea, quæ est ei tecum, ausus est confiteri. Itaque, quo me vertam, nescio. Paratus 5 enim veneram, quum tu id neque per te scires neque audire aliunde potuisses, ut ignorance te ad hominis miseri salutem abuterer. Sed quoniam diligentia inimici investigatum est, quod latebat, confitendum est, ut opinor; præsertim quum meus necessarius Pansa fecerit, ut id integrum 10 jam non esset: omissaque controversia, omnis oratio ad misericordiam tuam conferenda est, qua plurimi sunt conservati, quum a te non liberationem culpæ, sed errati veniam impetravissent. 2. Habes igitur, Tubero, quod est accusatori maxime optandum, confitentem reum: sed tamen hoc 15 confitentem, se in ea parte fuisse, qua te, qua virum omni laude dignum, patrem tuum. Itaque prius de vestro delicto confiteamini necesse est, quam Ligarii ullam culpam reprehendatis.

Q. enim Ligarius, quum esset nulla belli suspicio, legatus 20 in Africam cum C. Considio prefectus est; qua in legatione et civibus et sociis ita se probavit, ut decedens Considius provincia satisfacere hominibus non posset, si quemquam alium provinciæ præfecisset. Itaque Ligarius, quum diu recusans nihil profecisset, provinciam accepit invitus; cui 25 sic praefuit in pace, ut et civibus et sociis gratissima esset ejus integritas ac fides. 3. Bellum subito exarsit: quod, qui erant in Africa, ante audierunt geri quam parari. Quo audito, partim cupiditate inconsiderata, partim caeco quodam simore, primo salutis, post etiam studii sui quærebant ali-
ORATIO

quem ducem; quum Ligarius domum spectans, ad suos redire cupiens, nullo se implicari negotio passus est. Interim P. Atius Varus, qui praetor Africam obtinuerat, Uticam venit: ad eum statim concursum est. Atque ille non mediocri cupiditate arripuit imperium, si illud imperium esse potuit, quod ad privatum clamore multitudinis imperitae, nullo publico consilio deferebatur. 4. Itaque Ligarius, qui omne tale negotium cuperet effugere, paulum adventu Vari conquievit.

5 II. Adhuc, C. Cæsar, Q. Ligarius omni culpa vacat. Domo est egressus non modo nullum ad bellum, sed ne ad minimam quidem suspicionem belli: legatus in pace profectus, in provincia pacatissima ita se gessit, ut ei pacem esse expediret. Profectio certe animum tuum non debet offendere: num igitur remansio? Multo minus; nam profectio voluntatem habuit non turpem, remansio necessitatem etiam honestam. Ergo hoc duo tempora carent crimine: unum, quum est legatus profectus; alterum, quum efflagitatus a provincia, praepositus Africæ est. 5. Tertium temporibus est, quo post adventum Vari in Africa restitit: quod si est criminosa, necessitas crimen est, non voluntatis. An ille, si potuisset ullo modo evadere, Uticæ quam Romæ, cum P. Atio quam cum concordissimis fratribus, cum alienis esse quam cum suis maluisset? Quum ipsa legatio plena desiderii ac sollicitudinis fuisset propter incommode quendam fratrum amorem, hic aequo animo esse potuit bellum discidio distractus a fratribus? 6. Nullum igitur habes, Cæsar, adhuc in Q. Ligario signum alienæ a te voluntatis. Cujus ego causam, animadverte, quæso, qua fide defendam:

30 prodo meam. O clementiam admirablem atque omnium laudem, prædicationem, literis monumentisque decorandam! M. Cicero apud te defendit alium in ea voluntate non fuisset, in qua se ipsum confitetur fuisset, nec tuas tacitas cogitationes extimescit nec, quid tibi de alio audienti de se ipso occurrat, reformidat.

III. Vide, quam non reformidem! vide, quanta lux liberalitatis et sapientiae tua mihi apud te dicenti oboriatur! Quantum potero, voce contendam, ut hoc populus Romanus exaudiat. 7. Suscepo bello, Cæsar, gesto etiam ex parte magna, nulla vi coactus, judicio ac voluntate ad ea arma profectus sum, quæ erant sumpta contra te. Apud quem igitur hoc dico? Nempe apud eum, qui, quum hoc sciret, tamen me, antequam vidit, rei publicæ reddidit: qui ad me ex Ægypto literas misit, ut essem idem, qui fuisset: quæ


7*
modo. Ipse jubebat occidi, nullo postulante; præmiis etiam invitatbat; quæ tamen crudelitas ab hoc eodem aliquot annis post, quem tu nunc crudelem esse vis, vindicata est.

VI. 17. Ac primus aditus et postulatio Tuberonis hæc, ut opinor, fuit, velle se de Q. Ligarii scelere dicere. Non dubito, quin admiratus sis, vel quod de nullo alio quisquam vel quod is, qui in eadem causa fuisse, vel quidam novi sceleris afferret. Scelus tu illud vocas, Tubero? cur? 5 Isto enim nomine illa adhuc causa caruit. Alii errorem appellant; alii timorem; qui durius, spem, cupiditatem, odium, pertinaciam; qui gravissime, temeritatem: scelus præter te adhuc nemo. Ac mihi quidem, si proprium et verum nomen nostri mali quærītur, fatalis quædam calamitas 10 incidisse videtur et imprōvidas homīnum mentes occupavisse; ut nemo mirari debeat humana consilia divina necessitatem esse superata. 18. Liceat esse miseros; quamquam hoc victore esse non possimus: sed non loquor de nobis; de illis loquer, qui occiderunt. Fuerint cupidi, fue-15 rint irati, fuerint pertinaces: sceleros vero crimine, furoris, parricidii liceat Cn. Pompeio mortuo, liceat multis aliis carere. Quando hoc quisquam ex te, Cæsar, audīvit? aut tua quid aliud arma voluerunt nisi a te contumeliam propulsare? quid egit tuus ille invictus exercitus, nisi ut suum 20 jus tuaret et dignitatem tuam? Quid? tu, quum pacem esse cupiebas, idne agebas, ut tibi cum sceleratis, an ut cum bonis civibus conveniret? 19. Mihi vero, Cæsar, tua in me maxima merita tanta certe non viderentur, si me ut sceleratum a te conservatum putarem. Quomodo autem 25 tu de re publica bene meritus esses, quum tot sceleratos incolumi dignitate esse voluisses? Secessionem tu illum existimavisti, Cæsar, initio, non bellum; neque opportune odium, sed civile dissidium; utrisque cupientibus rem publicam salvam, sed partim consiliis, partim studiis a communi 30 utile in ecclesiis aberrantibus. Principum dignitas erat pæne par; non par fortasse eorum, qui sequabantur: causa tum dubia, quod erat aliquid in utraque parte, quod probari posset: nunc melior ea judicanda est, quam etiam dii adjuverunt. Cognita vero clementia tua, quis non eam victoriarum probet, 35 in qua occiderit nemo nisi armatus?

licuit aliter vestro generi, nomini, familiae, disciplinae. Sed hoc non concedo, ut, quibus rebus gloriemini in vobis, easdem in aliis reprehendatis. 21. Tuberonis sors conjecta est ex senatus consulto, quum ipse non adesset, morbo etiam impediretur: statuerat excusare. 


provincia venissetis. Venistis ad Pompeium. Quæ est ergo apud Cæsarem querela, quum eum accusetis, a quo queramini prohibitos vos contra Cæsarem gerere bellum? Atque in hoc quidem vel cum mendacio, si vultis, gloriemini per me licet vos provinciam fuisse Cæsari tradituros. Etiam: si a Varo et a quibusdam aliis prohibit estis, ego tamen confitebor culpam esse Ligarii, qui vos tantæ laudis occassio privaverit.

IX. 26. Sed vide, quæso, Cæsar, constantiam ornatisse viri, L. Tuberonis: quam ego, quamvis ipse probarem, ut probo, tamen non commemorarem, nisi a te cognovisse in primis eam virtutem solere laudari. Quæ fuit igitur unquam in ullo homine tanta constantia? constantiam dico? nescio, an melius patientiam possim dicere. Quotus enim instud quisque fessisset, ut, a quibus in dissensione civili non esset receptus, esset etiam cum crudelitate rejectus, ad eos ipsos rediret? Magni cujusdam animi atque ejus viri, quem de suscpta causa propositaque sententia nulla contumelia, nulla vis, nullum periculum spectisse debellere. 27. Ut enim cetera paria Tuberoni cum Varo fuissent, honos, nobilitas, splendor, ingenium, quæ nequaquam fuerunt; hoc certe præcipuum Tuberonis, quod justo cum imperio ex senatus consulto in provinciam suam venerat. Hinc prohibitus non ad Cæsarem, ne iratus, ne domum, ne iners, non in aliquam regionem, ne condemnare causam illam, quam secutus esset, videretur: in Macedoniam ad Cn. Pompeii castra venit, in eam ipsam causam, a qua erat rejectus cum injuria. 28. Quid? quæ ista res nihil commovisset ejus animum, ad quem veneratis, languidiore, credo, studio in causa fuisitis: tantummodo in præsidis eratis, animi vero a causa abhorrebet: an, ut fit in civilibus bellis nec in vobis magis quam in reliquis; omnes enim vincendi studio tenebamur. Pacis equidem semper auctor fui: sed tum sero; erat enim amentis, quam aciem videres, pacem cogitare. Omnes, inquam, vincere volebamus: tu certa praeci puc, qui in eum locum venisses, ubi tibi esset pereundum, nisi vicisses: quamquam, ut nunc se res habet, non dubito, quin hanc salutem anteponas illi victoriam.

X. 29. Hec ego non dicerem, Tubero, si aut vos constantiae vestæ, aut Cæsarem beneficii sui pœniteret. Nunc quæro, utrum vestras injurias, an rei publicæ persequamini? Si rei publicæ: quid de vestra in illa causa perseverantia respondebitis? si vestras, videte, ne erretis, qui Cæsarem vestris inimicos iratum fore putetis, quem ignoverit suis.
Itaque num tibi videor in causa Ligarii esse occupatus? num de ejus facto dicere? Quidquid dixi, ad unam summam referri volo vel humanitatis vel clementiae vel misericordiae. 30. Causas, Cæsar, egi multas, et quidem tecum, dum te in foro tenuit ratio honorum tuorum; certe nunquam hoc modo: Ignoscite, judices; erravit; lapsus est; non putavit: si unquam posthac. Apud parentem sic agi solet: ad judices, Non fecit, non cogitavit; falsi testes, fictum crimem. Die te, Cæsar, de facto Ligarii judicem esse: quibus in præsidiiis fuerit, quære. Taceo; ne haec quidem colligo, quæ fortasse valerent etiam apud judicem; "Legatus ante bellum prosectus, relictus in pace, bello oppressus, in eo ipso non acerbus, † totus animo ac studio tuus." Ad judicem sic agi solet; sed ego ad parentem loquor: Erravit, temere fecit, pœnitet: ad clementiam tuam confugio, delicti veniam peto; ut ignoscas, oro. Si nemo impetravit, arrogaunter; si plurimi, tu idem fer opem, qui spem dedisti. 31. An sperandi Ligario causa non sit, quam mihi apud te locus sit etiam pro altero deprecandi? Quamquam neque in hac oratione spes est posita causa nec in eorum studiis, qui a te pro Ligario petunt, tui necessarii.

XI. Vidi enim et cognovi, quid maxime spectares, quum pro alicuius salute multi laboraret: causas apud te rogantium gratiosiores esse quam vultus: neque te spectare, quam tuus esset necessarius is, qui te oraret, sed quam illius, pro quo laboraret. Itaque tribuis tu quidem tuis ita multa, ut mihi beatiore illi videantur interdum, qui tua liberalitate fruantu, quam tu ipse, qui illis tam multa concedas. Sed video tamen apud te causas, ut dixi, valere plus quam preces, ab iisque te moveri maxime, quorum justissimum video delicium in petendo. 32. In Q. Ligario conservando multis tu quidem gratum facies necessariis tuis; sed hoc, quæso, considera, quod soles. Possum fortissimos viros, Sabinos, tibi probatissimos, totumque agrum Sabinum, florem Italiae, robur rei publicae proponere. Nosti optime homines: animadverte horum omnium maestitiam et dolorum. Hujus T. Brochi, de quo non dubito quid existimem, lacrinas squaloremque ipsius et filii vides. 33. Quid de fratibus dicam? Noli, Cæsar, putare, de unius capite nos agere: aut tres tibi Ligarii retinendi in civitate sunt aut tres ex civitate exterminandi. Quodvis exsilium his est optatus, quam patria, quam domus, quam dii penates, uno illo exsulante. Si fraterne, si pie, si cum dolore faciunt, moveant te horum lacrimae, moveat pietas,

XII. 34. Quod si penitus perspicere posses concordiam Ligarium, omnes fratres tæcum judicares fuisses. An potest quisquarum dubitare, quin, si Q. Ligarius in Italia esse potuisset, in eadem sententìa fuisset futurus, in qua fratres 15 fuerunt? Quis est, qui horum consensum conspirantem et pene conflatum in hac prope æqualitate fraterna non noverit? qui hoc non sentiat, quidvis prius futurum fuisset, quam ut hi fratres diversas sententias fortunasse sequerentur? Voluntate igitur omnes tæcum fuerunt: tempestate abræptus 20 est unus; qui si consilio id fecisset, esset eorum similis, quos tu tamen salvos esse voluisti. 35. Sed igitur ad bellum, discesserit non a te solum, verum etiam a fratribus, hi te orant tui. Equidem, quam tuis omnibus negotiis interessem, memoria teneo, qualis tum T. Ligarius 25 quæstor urbanus fuerit erga te et dignitatem tuam. Sed parum est me hoc meminisse: spem etiam te, qui obliviisti nihil soles nisi injurias, quoniam hoc est animi, quoniam etiam ingenii tui, te aliquid de hujus illo quæstorio officio, etiam de aliis quibusdam quæstoribus reminiscemtem 30 recordari. 36. Hic igitur T. Ligarius, qui tum nihil egit aliud (neque enim hæc divinabat), nisi ut tu eum tui studium et bonum virum judicares, nunc a te supplex fratris salutem petit. Quam hujus admonitus officio quem utrisque his dederis, tres fratres optimos et integerrimos non 35 solum sibi ipsos neque his tot ac talibus viris neque nobis necessarìis, sed etiam rei publicæ condonaveris. 37. Fac igitur, quod de homine nobilissimo et clarissimo fecisti nuper in curia, nunc idem in foro de optimis et huic omni frequentiæ probatissimis fratibus. Ut concessisti illum 40 senatui, sic da hunc populo, cujus voluntatem carissimam semper habuisti: et, si ille dies tibi gloriosissimus, populo Romano gratissimus fuit; noli, obscuro, dubitare, C. Cæsar, similem illi gloriae laudem quam sæpissime quærecte. Nihil
est tam populare quam bonitas; nulla de virtutibus tuis plurimis nec admirabilior nec gratior misericordia est; homines enim ad deos nulla re propius accedunt quam salutem hominibus dando. 38. Nihil habet nec fortuna tua majus, quam ut possis, nec natura melius, quam ut velis servare quam plurimos. Longiorem orationem causa forsitan postulat, tua certe natura breviorem. Quare, quum utilius esse arbitrer te ipsum quam me aut quemquam loqui tecum, finem jam faciam: tantum te admonebo, si illi absenti 10 salutem dederis, præsentibus his omnibus te daturum.
PRO
REGE DEIOTARO
AD
CAESAREM
ORATIO.

I. 1. Quum in omnibus causis gravioribus, C. Caesar, initio dicendi commoveri soleam vehementius, quam videatur vel usus vel ætas mea postulare, tum in hac causa ita me multa perturbant, ut, quantum mea fides studii mihi afferat ad salutem regis Deiotari defendendam, tantum facultatis timor detrahant. Primum dico pro capite fortunisque regis; quod ipsum etsi non iniquum est in tuo dumtaxat periculo, tamen est ita inusitatum, regem reum capitis esse, ut ante hoc tempus non sit auditum. 2. Deinde eum regem, quem ornare antea cuncto cum senatu solebam pro perpetuis ejus in nostram rem publicam meritis, nunc contra atrocissimum crimen cogor defendere. Ace- dit, ut accusatorum alterius crudelitate, alterius indignitate conturber. Crudelis Castor, ne dicam sceleratum et impium; qui nepos avum in capitis discrimen adduxerit ad 15 lescentiaeque suæ terrorem intulerit ei, cujus senectutem tueri et tegere debebat, commendationemque ineuntis ætatis ab impietate et scelere duxerit; avi servum, corruptum premiis, ad accusandum dominum impulerit, a legatorum pedibus abduxerit. 3. Fugitivi autem dominum accusantis, 20 et dominum absentem et dominum amiciissimum nostræ rei publicæ, quem os videbam, quem verba audiebam, non tam afflictam regiam conditionem dolebam, quam de fortunis communibus extimescebam. Nam quum mo re majorum de servo in dominum ne tormentis quidem quæri liceat, in
qua quaestione dolor elicere veram vocem possit etiam ab invito: exortus est servus, qui quem in equuleo appellare non posset, eum accuset solutus.

II. 4. Perturbat me, C. Cæsar, etiam illud interdum; quod tamen, quum te penitus recognovi, timere desino: re enim iniquum est, sed tua sapientia fit æquissimum. Nam dicere apud eum de facinore, contra cujus vitam consilium facinoris inisse arguare, si per se ipsum consideres, grave est; nemo enim fere est, qui sui periculi judicet, non sibi se æquorem quam reo praebat. Sed tua, Cæsar, praestans singularisque natura hunc mihi metum minuit; non enim tam timeo, quid tu de rege Deiotaro, quam intelligi, quid de te ceteros velis judicare. 5. Moveor etiam loci ipsius insolentia, quod tantam causam, quanta nulla unquam in disputatione versata est, dico intrà domesticos parietes, dico extra conventum et eam frequentiam, in quâ oratorum studia niti solent: in tuis oculis, in tuo ore vultuque acquisco; te unum intueor; ad te unum omnis mea spectat oratio. Quæ mihi ad spem obtinendæ veritatis gravissima sunt, ad motum animi et ad omnem impetum dicendi contentionemque leviorsa. 6. Hanc enim, C. Cæsar, causam si in foro dicerem, codem audiente et disceptante te, quantam mihi alacritatem populi Romani concursus affert! Quis enim civis ei regi non favorit, cujus omnem ætatem in populi Romani bellis consumptam esse meminisset? Spectarem curiam, intuerer forum, cœulum denique testarer ipsum. Sic, quum et deorum immortalium et populi Romani et senatus beneficia in regem Deiotarum recordarer, nullo modo mihi deesse posset oratio. 7. Quæ quoniam angustiorem parietes faciunt, aetioque maxima cause debilitatur loco, tuum est, Cæsar, qui pro multis sæpe dixisti, quid mihi nunc animi sit, ad te ipsum referre; quo facilius quum æquitas tua, tum audiendi diligentia minuat hanc perturbationem meam. Sed antequam de accusatione ipsa dico, de accusatorum spe paucâ dicam. Quæ, quum videantur nec ingenio nec usu atque exercitatione rerum valere, tamen ad hanc causam non sine aliqua spe et cogitatione venerunt.

III. 8. Irratum te regi Deiotaro fuisset non erant nescii; affectum illum quibusdam incommodis et detrimentis propter
offensionem animi tui meminerant; [teque quum huic iratum, tum sibi amicum esse cognoverant;] quumque apud ipsum te de tuo periculo dicerent, fore putabant, ut in exulcerato animo facile sint crimem insideret. Quamobrem hoc nos primum, Cæsar, metu, per fidem et constantiam et per clemen-
tiam tuam, libera, ne residere in te ullam partem iracundiae suspicemur. Per dexteram istam te oro, quam regi Deiotaro hospes hospitii porrexisti: istam, inquam, dexteram, non tam in bellis nec in preliis quam in promissis et fide firmiorem. Tu illius domum inire, tu vetus hospitium renovare voluisti; te ejus dii penates acceperunt; te amicum et placatum Deiotari regis aræ focique viderunt. 9. Quam facile [exorari], Caesar, tum semel exorari soles; nemo unquam te placavit inimicus, qui uallas resedisse in te simul-tatis reliquas senserit. Quamquam cui sunt inauditas cum Deiotaro querelae tuge? Nunquam tu illius accusavisti ut hostem, sed Qt amicum officio parum functum, quod propensior in Cn. Pompeii amicitia quam in tuam. Cui tamen ipsi rei veniam te daturum fuisse dicitbas, si tantum auxilia Pompeio vel si etiam filium misisset, ipse jetatis excusatione usus esset. Ita quum maximis eum rebus liberares, perparvam amicitiae culpam relinquebas. 10. Itaque non Solum in eum non animadvertisti, sed orani metu liberavisti, hospitem agnovisti, regem reliquisti. IV. Neque enim illae odio tuo progressus, sed errore communi lapsus est. Is rex, quem senatus hoc nomine saepi honorificissimis decretis appellavisset, quique quum illium ordinem ab adolescentia gravissimum sanctissimumque duxisset, iisdem rebus est perturbatus, homo longinquus et alienigena, quamvis nos in media re publica nati semperque versati, 11. quum audiret senatus consentientis auctoritate arma sumpta; consulibus, praetoribus, tribunis plebi, nobis imperatoribus re publicam defendendam datam, movebatur animo et vir huic imperio amicissimus de salute populi Romani extimescebat, in qua etiam suam esse inclusam videbat; in summo tamen timore quiescendum sibi esse arbitrabatur. Maxime vero perturbatus est, ut audivit, consules ex Italia profugisse, omnesque consulares (sic enim ci nunciabatur), cunctum senatum, totam Italiam esse effusam: talibus enim nuntius et rumoribus patebat ad Orientem via, nec ulli veri subsequebantur. Nihil ille de conditionibus tuis, nihil de studiis concordiis et pacis, nihil de conspiratione audiebat certorum hominum contra dignitatem tuam. Quae quum ita essent, tamen usque eo se tenuit, quoad a Cn. Pompeio legati ad eum literæque venerunt. 12. Ignosce, ignosce, Caesar, si ejus viri auctoritati rex Deiotarus cessit, quem nos omnes secuti sumus; ad quem quum dii atque homines omnia ornamenta concessissent, tum tu ipse plurima et maxima. Neque enim, si tuæ res gestæ cetero-
rum laudibus obscuritatem attulerunt, idcirco Cn. Pompeii memoriae amisimus. Quantum nomen ejus fuerit, quantae opes, quanta in omni genere bellorum gloria, quanti honores populi Romani, quanti senatus, quanti tui, quis ignorat? 

Tanto ille superiores vicerat gloria, quanto tu omnibus praestitisti. Itaque Cn. Pompeii bella, victorias, triumphos, consulatus admirantes numerabamus; tuos enumerare non possumus.

V. 13. Ad eum igitur rex Deiotarus venit hoc misero fatalique bello, quem antea justis hostilibusque bellis adjuverat, quocum erat non hospitio solum, verum etiam familiariitate conjunctus; et venit vel rogatus, ut amicus, vel arcessitus, ut socius, vel evocatus, ut is, qui senatui parere didicisset; postremo venit ut ad fugientem, non ut ad

15 insecuentem, id est ad periculi, non ad victoriae societatem. Itaque Pharsalico praelio facto a Pompeio discessit; quantum nomen ejus fuerit, quantae opes, quantae in omnibus genere bellorum gloria, quanti honores populi Romani, quanti senatus, quanti tui, quis ignorat?

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VI. 16. At, credo, hæc homo inconsulta et temerarius non videbat.—Quis consideration illo? quis tector? quis prudentior? quamquam hoc loco Deiotarum non tam ingeni et prudentia quam fide et religione vitae defendendum puto. Nota tibi est hominis probitas, C. Cæsar, noti mores, 5 nota constantia. Cui porro, qui modo populi Romani non- men audivit, Deiotari integritas, gravitas, virtus, fides non auditæ est? Quod igitur facinus nec in hominem imprudentem cadere posset propter metum presentis exitiæ, nec in facinorosum, nisi esset idem amensissimus, id vos et a 10 viro optimo et ab homine minime stulto cogitatum esse constringitis. 17. At quam non modo non credibiliter, sed ne suspiciouso quidem! Quum, inquit, in castellum Luceium venisses et domum regis, hospitis tui, devrisses, locus erat quidam, in quo erat ea composita, quibus te rex 15 munerare constituerat. Huc te e balneo, prius quum acumberes, dure volebat: ibi enim erant armati, qui te interficerent, in eo ipso loco collocasti. En crimen, en causa, cur regem fugitivus, dominum servus accuset. Ego me- herceules, Cæsar, initio, quam est ad me ista causa delata, 20 Phidippum medicum, servum regium, qui cum legatis missus esset, ab isto adolescente esse corruptum, hæc sum suspicione percussus: medicum indicem subornavit; finget videlicet aliquod crimen veneni. Etsi a veritate longe, tamen a consuetudine criminandi non multum res abhorre-25 bat. 18. Quid ait medicus? Nihil de veneno. At id fieri potuit primo occultius in potionem, in cibo; deinde etiam impunius fit, quod quam est factum, negari potest. Si palam te interemisset, omnium in se gentium non solum odiæ, sed etiam arma convertisset; si veneno, Jovis ille 30 quidem hospitalis numen nonquæm celare potuisset, homines fortasse celasset. Quod igitur et conari occultius et efficere cautius potuit, id tibi, et medico callido et servo, ut putabat, fidei, non credidit? de armis, de ferro, de insidiis celare te noluit? 19. At quam festive crimen contexitur! 35 Tua te, inquit, eadem, quæ semper, fortuna servavit: negavisti tum te inspicere velle.

VII. Quid postea? an Deiotarus re illo tempore non perfecta continuo dimisit exercitum? nullus erat alius insidiandi locus? At eodem te, quum cœnavisses, rediturus 4C dixeras: itaque fecisti. Horam unam aut duas eodem loco armatos, ut collocati fuerant, retinere magnum fuist? Quum in convivio comiter et jucunde fuisses, tum illuc isti, ut dixeras. Quo in loco Deiotarum talem erga te cognovisti,

VIII. Reliqua pars accusationis duplex fuit: una, regem semper in speculis fuisset, quem a te animo esset alieno; altera, exercitum eum contra te magnum comparasse. De exercitu dicam breviter, ut cetera. Nunquam eas copias rex Deiotarus habuit, quibus inferre bellum populo Romano posset; sed quibus fines suos ab excursionibus et latrocinibus tueretur et imperatoribus nostris auxilia mitteret. Atque antea quidem majores copias alere poterat; nunc exiguis vix tueri potest. 23. At misit ad Cæcilium nescio quem: sed eos, quos misit, quod ire noluerunt, in vincula conjecit. Non quæro, quam veri simile sit aut non habuisse regem, quos mitteret, aut eos, quos misisset, non paruisse; aut qui dicto audientes in tanta re non fuissent, eos vincere potius quam necatos. Sed tamen quum ad Cæcilium mittebat,
utrum causam illam victam esse nesciebat, an Cæcilium istum magnum hominem putabat? quem profecto is, qui optime nostros homines novit, vel quia nosset vel quia non nosset, contemneret. 24. Addit etiam illud, equites non optimos misisse. Credo, Cæsar; nihil ad tuum equitatum; sed misit ex iis, quos habuit, delectos. At nescio quem ex eo numero servum judicatum. Non arbitror, non audivi; sed in eo, etiam si accidisset, culpam regis nullam fuisse arbitraber.

IX. Alieno autem a te animo quomodo? Speravit, credo, difficiles tibi Alexandræ fore exitus propter regionum naturam et fluminis. At eo tempore ipso pecuniam dedit, exercitum aluit; ei, quem Asiae præfecerat, nulla in re defuit; tibi victori non solum ad hospitium, sed ad periculum etiam atque ad aem praesto fuit. 25. Secutum est bellum Africanum; graves de te rumores; qui etiam furiosum illum Cæcilium excitaverunt. Quo tum rex animo fuit? qui auctionatus sit sesque spoliare maluerit quam tibi pecuniam non subministrare. At eo, inquit, tempore ipso Nicseam Ephesumque mittebat, qui rumores Africanos exciperent et celeriter ad se referrent. Itaque quum esset ei nunciatum, Domitium naufragio perisse, te in castello circumsederi, de Domitio dixit versum Graecum eadem sententia, qua etiam nos habemus Latinum:

Peréant amici, dum una innicii intercidant quod ille, si esset tibi inimicissimus, nunquam tamen dixisset: ipse enim mansuetus, versus immanis. Qui autem Domitio poterat esse amicus, qui tibi esset inimicus? Tibi porro inimicus cur esset, a quo quum vel interfici belli lege potuisset, regem et se et filium suum constitutos esse nisset? 26. Quid deinde? furcifer quo prograditur? Ait, hac lætitia Deiotarum elatum vino se obruisse, in convivioque nudum saltavisse. Quæ crux huic fugitivo potest satis supplicii afferre? Deiotarum saltantem quisquam aut ebrium vidit unquam? Omnes in illo sunt rege virtutes, quod te, Cæsar, ignorare non arbitror, sed praecipue singularis et admiranda frugalitas: etsi hoc verbo scio laudari regem non solere. Frugi hominem dici non multum habet laudis in rege; fortæm, justum, severum, gravem, magnanimum, largum, beneficum, liberalem, hæ sunt regiæ laudes; illa privata est. Ut volet quisque accipiat; ego tamen frugalitatem, id est, modestiam et temperantiam, virtutem maximam judico. Hæ in illo est ab ineunte ætate quam
a cuncta Asia, tum a magistratibus legatisque nostris, tum ab equitibus Romanis qui in Asia negotiati sunt, perspecta et cognita. 27. Multis ille quidem gradibus officiorum erga rem publicam nostram ad hoc regium nomen ascendit; sed tamen quidquid a bellis populi Romani vacabat, cum hominibus nostris consuetudines, amicitias, res rationesque jungerat, ut non solum tetrarches nobilis, sed etiam optimus paterfamilias et diligentissimus agricola et pecuarius habe-retur. Qui igitur adolescentes, nondum tanta gloria praeditus, nihil unquam nisi severissime et gravissime fecerit, is ea existimatione eaque aetate saltavit?

X. 28. Imitari, Castor, potius avi tui mores disciplinamque debebas quam optimo et clarissimo viro fugitivo orare. Quod si saltatorem avum habuisses, neque eum virum, unde pudoris pudicitiaeque peterentur, sed hoc maledictum minime in illam aetatem conveniret. Quibus illi studiis ab ineunte aetate se imbuerat, non saltandi, sed bene ut armis, optime ut equis uteretur, ea tamen ilium cuncta jam exacta et aetate defecerant. Itaque Deiotarum quum plures in equum sustulissent, quod herere in eo senex posset, admirari solebamus. Hic vero adolescents, qui meus in Cilicia miles, in Graecia commilito fuit, quum in illo nostro exercitu equitaret cum suis delectis equitibus, quos una cum eo ad Pompeium pater miserat, quos concursus facere solebat! quam se jactare! quam ostentare! quam nemini in illa causa studio et cupiditate concedere! 29. Quum vero exercitu amississimo, qui pacis semper auctor, post Pharsalicum praelium suasor fuit armorum non deponendorum, sed abjiciendorum: hunc ad meam auctoritatem non potui adducere, quod et ipse ardebat studio ipsius belli, et patri satisfaciendum esse arbitrabatur. Felix ista domus, quae non impunitatem solum adepta sit, sed accusandi etiam licentiam; calamitosus Deiotarus, qui ab eo, qui in iisdem castris fuerit, non modo apud te, sed etiam a suis accusetur. Vos vestra secunda fortuna, Castor, non potestis sine propinquorum calamitate esse contenti?

XI. 30. Sint sane inimicitiae, quae esse non deebant: rex enim Deiotarus vestram familiam abjectam et obsecuram c tenebris in lucem evocavit. Quis tuum patrem antea qui esset, quam cujus gener esset audivit? Sed quamvis ingrate et impie necessitudinis nomen repudiaretis, tamen inimicitias hominum more gerere poteratis, non facto crimine insectari, non expetere vitam, non capitis arcessere. Esto:
concedatur hæc quoque acerbitas et odio magnitudo: adeo-
one, ut omnia vitæ salutisque communis atque etiam hu-
manitatis jura violentur? Servum sollicitare verbis, spe
promissisque corrumpere, abducere domum, contra dominum
armare, hoc est non uni propinquo, sed omnibus familiis
necari bellum indicere. Nam ista corruptela servi, si
non modo impunita fuerit, sed etiam a tanta auctoritate
approbata, nulli parietes nostram salutem, nullæ leges,
nulla jura custodient. Ubis enim id, quod intus est atque
nostrum, impune evolare potest contraque nos pugnare,
fit in dominatu servitus, in servitute dominatus. 31. O tem-
pora, o mores! Cn. Domitius ille, quem nos pueri consulem,
censorem, pontificem maximum vidimus, quum tribunus
plebi M. Scaurum principem civitatis in judicium populi
vocasset Scaurique servus ad eum clam domum venisset
et crimina in dominum delaturum se esse dixisset,
preliendi hominem jussit ad Scaurumque deduci. Vide,
quid intersit; etsi inique Castorem cum Domitio comparo:
sed tamen ille inimico servum remisit, tu ab avo abduxisti;
ille incor-
ruptum audire noluit, tu corruptisti; ille adjutorem servum
conta domum repudiavit, tu etiam accusatorem adhibu-
isti. 32. At semel iste est corruptus a vobis? Nonne
quum esset productus et quem tecum fuisse, refugit ad
legatos? Nonne etiam ad hunc Cn. Domitium venit? Nonne
audiente hoc Ser. Sulpicio clarissimo viro, qui tum casu
apud Domitium œenabat, et hoc T. Torquato, optimo
adolescente, se a te corruptum, tuis promissis in fraudem
impulsum esse confessus est?
XII. Quæ est ista tam impotens, tam crudelis, tam
immoderata inhumanitas? idecirco in hanc urbem venisti, ut
hujus urbis jura et exempla corrumperes, domesticaque
immanitate nostræ civitatis humanitatem inquinare?
Quæ est ista tam acuta collecta crimina! Blesamius, inquit, (ejus
enim nomine, optimi viri nec tibi ignoti, maledicebat tibi,)
ad regem scribere solet te in invidia esse, tyrannum
ad regem scribere solet te in invidia esse, tyrannum
vixistimari; statua inter reges posta animos hominum ve-
nementer offensos; plaudi tibi non solere. Nonne intelli-
gis, Cæsar, ex urbanis malevolentorum sermunculis hæc ab
isti esse collecta? Blesamius tyrannum Cæsarem scribep-
et? Mutlorum enim capita civium viderat; multos jussu
Cæsaris vexatos, verberatos, necatos; multas afflictas et
eversas domos; armatis militibus referturn forum. Quae
semper in civili victoria sensimus, ea te victore non vidimus.
34. Solus, inquam, es, C. Cæsar, cujus in victoria ceciderit
nemo nisi armatus. Et quem nos liberi, in summa populi
Romani libertate nati, non modo non tyrannum sed etiam
elementissimum in victoria ducimus, is Blesamio, qui vivit
in regno, tyrannus videri potest? Nam de statua quis
5  
quam, obstupefactis hominibus, ipsa admiratione compressus
et fortasse eo praetermissus, quia nihil vulgare te dignum
videri potest.  

XIII. 35. Nihil a me arbitror praetermissum, sed aliquid
ad extremam causae partem reservatum. Id autem aliquid
15 est, te ut plane Deiotaro reconciliet oratio mea: non enim
jam metuo, ne illi tu succenseas; illud vereor, ne tibi illum
succensere aliquid suspiciere. Quod abest magis, mihi
crede, Caesar: quid enim retineat per te, meminit, non quid
amiserit; neque se a te multatum arbitratur; sed quum
20 existimares multis tibi multa esse tribuenda, quomominus a
se, qui in altera parte fuisset, ea sumeres, non recusavit.
36. Etenim si Antiochus magnus ille, rex Asiae, postea-
quam a L. Scipione devictus Tauro tenus regnare jussus
esse omnemque hanc Asiam, quae est nunc nostra pro-
vincia, amisisset, dicere est solitus, benigne sibi a populo
Romano esse factum, quod nimirum magna procuratione libe-
ratus modici regni terminis uteretur, potest multo facilius
se Deiotarum consolari. Ille enim furoris multam sustulerat,
hic erroris. Omnia tu Deiotaro, Caesar, tribuisisti, quum et
30 ipsi et filio nomen regium concessisti. Hoc nomine retente
atque servato nullum beneficium populi Romani, nullum
judicium de se senatus imminutum putat; magno animo et
erecto est, nec unquam succumbet inimicus, ne fortunae
quidem. 37. Multa se arbitratur et peperisse ante factis et
35 habere in ano atque virtute, quae nullo modo possit amit-
tere. Quae enim fortuna aut quis casus aut quae tanta pos-
sit injuria omnium imperatorum de Deiotaro decreta delere?
ab omnibus est enim iis oratus, qui, postea quam in castris
esse potuit per aetatem, in Asia, Cappadocia, Ponto, Cilicia,
40 Syria bella gesserunt. Senatus vero judicia de illo tam
multa tamque honorifica, quae publicis populi Romani literis
monumentisque consignata sunt, quae unquam vetustas
obrueat aut qua tanta delebit oblivio? Quid de virtute
ejus dicam? de magnitudine animi, gravitate, constantia?
quae omnes docti atque sapientes summa, quidam etiam sola bona esse dixerunt, hisque non modo ad bene, sed etiam ad beate vivendum contentam esse virtutem. 38. Hæc ille reputans, et dies noxtesque cogitans, non modo tibi non succenset, (esset enim non solum ingratus, sed etiam amens), verum omnem tranquillitatem et quietem senectutis acceptam refert clementiae tuae.

XIV. Quo quidem animo quam antea fuit, tum non dubito, quin tuis literis, quorum exemplum legi, quas ad eum Tarraconem huic Blesamio dedisti, se magis etiam esse bona dixerunt, hisque non modo ad bene, sed etiam ad beate vivendum contentam esse virtutem. 39. Laboro equidem regis Deiotari causa, quocum mihi amicitiam res publica conciliavit, hospitium voluntas utriusque conjunxit, familiaritatem consuetudo attulit, summam vero necessitatem magna ejus officia et in me et in exercitum meum effecerunt; sed quum de illo laboro, tum de multis amplissimis viris, qua quodam a te liberati timorem, qui sint semel a te commoveres. 40. Non debeo, C. Cæsar, quod fieri solet in tantis periculis, tentare, ecquonam modo dicendo misereri, ut quisquam te timere incipiatur, nee beneficium tuum in dubium vocari, nee hæredes in animis hominum sollicitudinem semper inveniant, sed maxime eorum incolumitates, quibus salutem dedisti. Quae si in privatis gloriosa sunt, multo magis commodabantur in regibus. Semper regium nomen in hac civitate sanctum fuit; sociorum vero regum et amicorum sanctissimum.

XV. 41. Quod nomen hi reges ne amitterent, te victore timuerunt; retentum vero et a te confirmatum posteris etiam suis tradituros esse confido. Corpora sua pro salute regum suorum hi legati tibi regi tradunt, Hieras et Blesamius et Antigonus, tibi nobisque omnibus jamdiu noti, eademque fide et virtute præditus Dorylaus, qui nuper cum Hiera legatus est ad te missus, quum regum amicissimi, tibi etiam, ut spero, probati. 42. Exquire de Blesamio, numquid ad regem contra dignitatem tuam scripserit. Hieras
ORATIO PRO REGE DEIOTARO, CAP. XV.

quidem causam omnem suscipit et criminibus illis pro rege se supponit reum; memoriam tuam implorat, qua vales plurimum; negat unquam se a te in Deiotari tetrarchia pedem discississe; in primis finibus tibi se praestouisse dicit, usque ad ultimos prosecutum; quum e balneo exisses, tecum se fuisses, quum illa munera inspexisses cenatus, quum in cubiculo recubuisses; eandemque assiduitatem tibi se præbuisse postridie. Quamobrem si quid eorum, quae objecta sunt, cogitatum sit, non recusat, quin id suum facinus judices. Quocirca, C. Cæsar, velim existimes, hodierno die sententiam tuam aut cum summo dedecore miserrimam pestem importaturam esse regibus, aut incolam famam cum salute, quorum alterum optare illorum crudelitatis est, alterum conservare clementiæ tuæ.
PRO

A. LICINIO ARCHIA

POETA

ORATIO.

I. 1. Si quid est in me ingenii, judices, quod secuti quam sit exiguum, aut si qua exercitatio dicendi, in qua me non initior mediusitter esse versatum, aut si hujussec ratio aliqua ab optimarum artium studiis ac disciplina profecta, a qua ego nullum confiteor aetatis meae tempus abhorruisse: eorum rerum omnium vel in primis hic A. Licinius fructum a me repetere prope suo jure debet. Nam quoad longissime potest mens mea respicere spatium praeteriti temporis et pueritiae memoriam recordari optimam, inde usque repetens hune video mihi principem et ad susci piandam et ad ingrediendam rationem horum studiorum exstitisse. Quodsi hae vox hujus hortatuae praecessisse conformata nonnullis aliquando salutis fuit; a quo id accepimus, quo ceteris opitulari et alios servare possimus, huic profecto ipsi, quantum est situm in nobis, et opem et salutem ferre debemus. 2. Ac ne quis a nobis hoc ita dicere forte miretur, quod alia quaedam in hoc facultas sit ingenii neque hae dicendi ratio aut disciplina, ne nos quidem huic uni studio penitus unquam dediti fuimus! Etenim omnem artes, quae ad humanitatem pertinent, habent quoddam commune vinculum et quasi cognatione quadam inter se continentur.

II. 3. Sed ne cur vestrum mirum esse videatur me in quaequantum legitiima et in judio publico, quam res agatur apud praetorem populi Romani, rectissimum virum, et apud severissimos judices tanto converti hominum ac frequentia,
ORATIO

hoc uti genere dicendi, quod non modo a consuetudine judiciae, verum etiam a consensi sermonae abhorrebat: quae a vosis, ut in hac causa mihi detis hanc veniam, accommodatam huc reo, vosis, quemadmodum spero, non molestam, ut me pro summo poeta atque eruditissimo homine dicitem hoc concursi hominum literatissimorum, hac vestra humanitate, hoc donique praetore exercente judicium, patiamini de studiis humanis ac literarum paulo loqui liberius et in ejusmodi persona, quae propter otium ac studium minimum in judicioibus perpetuisque tractata est, uti prope novum quodam et inusitato genere dicitur. 4. Quod si mihi a vosis tributumque consentiam, perficiam profecto, ut hunc Licinium non modo non segregandum, quae sit eius, a numero eorum, verum etiam, si non esset, 15 putetis adseiscendum.

III. Nam ut primum ex puere excessit Archias atque ab iis artibus, quibus aetate puellis ad humanitatem informari solet, se ad scribendum studium contulit, primum Antochia (nam ibi natus est loco nobili), celebrat quodam urbe et co-20 piosa atque eruditissima hominibus liberalissimisque studiis affluens, celeriter antecellere omnibus ingenii gloria contigit. Post in ceteris Asiae partibus euctaque Graecia sic ejus adventus celebrabantur, ut famam ingenii exspectatio hominis, exspectationem ipsius adventus admiratioque superaret. 5. 25 Erat Italia tunc plena Graecarum artium ac disciplinarum studiaque hae et in Latium vehemensius tum colebantur quam nunc isdem in oppidis, et hic Roma propter tranquillitatem ref publicam non negligebantur. Itaque hunc et Tarentinum et Rhegi et Neapolitani cævitate ceterisque præmissis donaverunt; e. omnés, qui aliquid de ingenii poterant judicare, cognitione atque hospitio dignum existimariunt. Hac tanta celebritate famæ quum esset jam absensibus nostris, Romam venit Marius consule et Catulo. Naetus est primum consu-30 lès eos, quorum alter res ad scribendum maximas, alter quam res gestas, tum etiam studium atque aurès adhibere posset. Statim Lucullus, quum praetextatus etiam tum Archias esset, eum domum suam recipereunt. Sed etiam hoc non solum ingeniī ac literarum, verum etiam nautae atque virtutis, ut domus, quæ hujus adolescentiae prima 35 patuit, eadem esset familiarissima sensam. 6. Erat temporibus illis jucundus Metello illi Numidico et ejus Pio filio; audiebatur M. Emilio; vivebat cum Q. Catulo et patre et filio; a L. Crasso coebatur; Lucullus vero et Drusum et Octavius et Catonem et totam Hortensiorum
domum devinetam consuetudine quem tenaret, afficiēbatur
summo honore, quod eum non solum colabant, qui aliquid
percipere atque audire studabant, verum etiam, si qui forte
simulabant.

IV. Interim satis longo intervallō, quum esset cum L. 5
Lucullo in Sicilliam profectus et quum ex ea provinciā cum
eōdem Lucullo decederet, venit Heracliam. Quae quum
esset civitas aequissimō jūre ac fœdere, adscribi se in eam
civitātem voluit: idque, quum ipse per se dignus putaret,
tum auctoritate et grātiā Luculli ab Heraclensibus impe-
travit. 7. Data est civitas Silvāni lēge et Carbōnis, St quī
fœderatis civitātibus adscripti fuissent, si tum, quum
lex ferebatur, in Itālia domicilium habuissent, et, si
sexāgintā diebus apud prātōrem essent prōfessī. 8.
Quum hic domicilium Rōmae multōs jam annōs habēret, 15
professus est apud prātōrem, Q. Metellum, familiārissimum
suum. Si nihil aliud nisi de civitate ac lēge dícimus, nihil
dico amplius: causa dicta est. Quid enim hōrum infirmāri,
Grātī, potest? Heraclīnē esse tum adscriptum negabīs?
Adest vir summa auctoritāte et religione et idem, L. Līc-
ulus, qui sē non opinārī, sed sōre, non audīrīsse, sed vīdisse,
non interfuisse, sed ēgisse dīcit. Adsunt Heraclīnēs
legāti, nobilissimī homīnes; hūjus jūdiciē causa cum man-
dātās et cum públicō testimōnio vēnerunt, quō hunc ad-
scriptum Heraclīnēm dīcunt. Hic tū tabulas désiderās 25
Heraclīnium pūblicās, quās Italicō bellō incenso tabularīo
interisse scimus omnēs. Est ridiculum ad ea, quae hābēmus,
nihil dicerē, quaerere, quae habēre non possūmus, et de
hominum memoria tacere, litterārum memoriam fīgūrāre;
et, quae hābeās amplissimī virō religiōnem, integerrimī
municipī īūs jūrāndum idemque, ea, quā ē deprāvāri nullō
modo possunt, repuādīre, tabulas, quās idem dīcis solēre
corrumpī, dēsiderāre. 9. An domicilium [Rōmae] nōn ha-
buit? quī tot annōs ante civitātem datam sēdem omnium
rerum ac fortūnārum suārum Rōmāe collocāvit? An nōn 35
est professus? Immō vero īūs tabulis professus, quae sōlē
ex ills profissiōne collegiōque prātōrum obtinent públicā-
rum tabularīum auctoritātem.

V. Nam quum Appii tabulae negligēntius asservāte
dicenterunt, Gabinīi, quāmdui incolumis fuit, levitas, post 40
damnationem calamītas, omnem tabularīum fidem resignā-
set, Metellus, homo sanctissimus modestissimusque omnium,
tanta diligentia fuit, ut ad L. Lentulum prātōrem et ad
judices vēnerit et unius nominis lūtura se commotum esse
dixerit. His igitur tabulis nullam lituram in nomine A Licinii videtis. 10. Quae quum ita sint, quid est, quod de ejus civitate dubitetis, præsertim quum aliiis quoque in civitatibus fuerit adscriptus? Etenim quum mediocribus multis et aut nulla aut humili aliqua artifice dictis gratuito civitatem in Græcia homines impertiebant, incolos credo aut Locrenses aut Neapolitanos aut Tarentinos, quod scenici artificibus largiri solebant, id huic summa ingenii praedito gloria noluisse. Quid? quum ceteri non modo post 10 civitatem datam, sed etiam post legem Papiam aliquo modo in eorum municipiòrum tabulas irrepsérunt, hic, qui ne utitur quidem illis, in quibus est scriptus, quod semper se Heracliensem esse volui^, rejicietur? 11. Census nostros requiris. Scilicet: est enim obscurum proximis censoribus hunc cum clarissimo imperatore, L. Lucullo, apud exercitum fuisse, superioribus cum eodem quœstore fuisse in Asia, primis, Julio et Crasso, nullam populi partem esse censam. Sed, quoniam census non jus civitatis confirmat ac tantummodo indicat cum, qui sit census, ita se jam tum gessisse pro cive: iis temporibus, quem tu criminaris ne ipsius quidem judicio in civium Romanorum jure esse versatum, et testamentum sæpe fecit nostris legibus et adiit hereditates civium Romanorum et in beneficiis ad āerarium delatus est a L. Lucullo proconsule.

25 VI. Quære argumenta, si quæ potes. Nunquam enim hic neque suo neque amicorum judicio revincetur.

12. Quæres a nobis, Grati, cur tantopere hoc homine delectemur. Quia suppediïát nobis, ubi et animus ex hoc forènsi strepitu reficiatur et aures convicio defessae escant. An tu existimias aut suppetere nobis posse, quod quotidian dicamus, in tanta varietate rerum, nisi animos nostras doctrina excolamus, aut ferre animos tantam posse contentionem, nisi eos doctrina eadem relaxemus? Ego vero fætor me his studiis esse deditum. Ceteros pudeat, 30 si qui se ita literis abdiderunt, ut nihil possint ex iis neque ad communem afferrœ fructum neque in adspectum lucemque proferre. Me autem quid pudeat, qui tot annos ita vivo, judices, ut a nullius unquam me tempore aut commodo aut otium meum abstraxerit aut voluptas avocarit aut denique somnum retardarit? 13. Quare quis tandem me reprehendat aut quis mihi jure succenseat, si, quantum ceteris ad suas res obeundas, quantum ad festos diœs ludorum celebrandos, quantum ad alias voluptates et ad ipsam requiem animi et corporis conceditur temporum; quantum
alii tribuunt tempestivis convivis, quantum denique alveolo, quantum pilae, tantum mihi egomet ad haec studia recolenda sumpsero? Atque hoc adeo mihi concedendum est magis, quod ex his studiis haec quoque crescit oratio et facultas; quae, quantas haec est in me, nunquam amicorum periculis defuit. Quae si qui levior videtur, illa quidem certe, quae summa sunt, ex quo fonte hauriam, sentio. 14. Nam nisi multorum praeceptis multisque literis mihi ab adolescentia suasissem nihil esse in vita magnopere expetendum nisi laudem atque honestatem; in ea autem perseuenda omnes cruciatus corporis, omnia pericula mortis atque exsilia parvi esse ducenda, nunquam me pro salute vestra in tot ac tantas dimicationes atque in hos proligeratorum hominum quotidianos impetus objecisset. Sed pleni sunt omnibus libri, plens sapientium voces, plena exsilia vetustas; quae jacerent in tenebris omnia, nisi literarum lumen accedereat. Quam multas nobis imagines non solus ad intuentum, verum etiam ad imitandum fortissimorum virorum expressas scriptores et Graeci et Latini reliquerunt? Quas ego mihi semper in administranda re publica proponens animum et mentem ipsa cogitatione hominum excellentium conformabam. 15. Quaeret quispiam: Quid? illi ipsi summum virum, quorum virtutes litteris prodita sunt, istane doctrina, quam tu effers laudibus, eruditi fuerunt? Difficile est hoc de omnibus confermare: sed tamen est certum, quid responderem. Ego multos homines excellenti animo ac virtute fuisse et sine doctrina naturae ipsius habitu prope divino per se ipsos et moderatos et graves exstitisse fateor: etiam ilud adjungo, saepius ad laudem atque virtutem naturam sine doctrina quam sine natura valuisse doctrinam. Atque idem ego hoc contendo, quum ad naturam eximiam et illustrem accesserit ratio quodam conformatique doctrinae, tum illud nescio quid praelarum ac singulari solere existeret; 16. ex hoc esse hunc numero, quem patres nostri viderunt, divinum hominem, Africannum; ex hoc C. Lælium, L. Furium, moderatissimos homines et continentissimos; ex hoc fortissimum virum et illis temporibus doctissimum, Catonem illum senem, qui profecto, si nihil ad perciendam colendamque virtutem litteris adjuvarentur, nunquam se ad earum studium contulissent. Quod si non hic tantus fructus ostenderetur et si ex his studiis delectatio sola pateretur, tamen, ut opinor, hane animi adversionem humanissimam ac liberalissimam judicaretis. Nam cetera neque temporum
sunt neque ætatum omnium neque locorum; at hæc studia adolescenciam acuent, senectutem oblectant, secundas res ornant, adversis perfungium ac solatium praebent; delectant domi, non impediant foris, pernoctant nobiscum, peregrinantur, rusticantur.

17. Quod si ipsi hæc neque attingere neque sensu nostro gustare possemus, tamen ea mirari debéremus, etiam quum in aliis vidéremus.

VIII. Quis nostrum tam animo agresti ac duro fuit, ut Rösci morte nuper non commoveretur? qui quum esset senex mortuus, tamen propter excellentem artem ac veneratum videbatur omnino non debuisse. Ergó ille corporis motu tantum amorem sibi conciliarat a nobis omnibus: hos animorum incredibles motus et celeritatem ingeniorum neglectus?

18. Quoties ego hunc Archiam vidi, judices, (ut enim vestra benignitate, quoniam mé in hoc novo genere dicendi tam diligenter attenditis,) quoties ego hunc vidi, quum literam scripsisset nullam, magnum numerum optimórum versus de ís ipsis rebus, quae tum agerentur, dicere ex tempore! quoties revocatum eandem rem dicere commutatibus verbis atque sententias! Quae vero accurate cogitataque scripsisset, ea sè vidi prohibi, ut ad veterum scriptórum laudem pervenirent. Hunc ego non diligam? non admirer? non omni ratione défendendum putem?

Atque sìc a summis hominibus erudíssimisque accepimus, ceterárum rerum studia et doctrina et præeptis et arte constàre, poetam natura ipsa valere et méns viribus excitàri et quasi divino quodam spiritu inflari. Quare suo jure noster ille Ennius sanctos appellat poetas, quod quasi deorum aliquo dono atque munere commendati nobis esse videantur. 19. Sit igitur, judices, sanctum apud vos, humanissimos homines, hoc poëtæ nomen, quod nulla unquam barbaria violat. Saxa et solitudines vocè respondent; bestiæ sêpe immanes cantu flectuntur atque consístunt: nos institutó rebus optimis non poëtarum voce moveamur? Homerum Colophonì civem esse dicunt suum, Chii suum vindicant, Salaminii repetunt, Smyrnæi vero suum esse confirmant; itaque etiam delubrum ejus in oppido dedicaverunt: permulti alii præterea pugnant inter se atque contendunt.

IX. Ergo illi alienum, quia poëta fuit, post mortem etiam expetunt: nos hunc vivum, qui et voluntate et legibus noster est, repudiabimus? præsertim quum omne studium atque omne ingenium contulerit Archias ad populi
Romani gloriam laudemque celebrandam. Nam et Cimiricas res adolescens attigit et ipsi illi C. Mario, qui durior ad haec studia videbatur, jucundus fuit. 20. Neque enim quisquam est tam aversus a Musis, qui non mandari versibus aeternum suorum laborum facile praeconium patiatur. The mistoclem illum, summum Athenis virum, dixisse aiunt, quam ex eo quæseretur, "quod acroama aut cujus vocem libentissim qaudiret: ejus, a quo sua virtus optime praedecare tur." Itaque ille Marius item eximie L. Plotium dilexit, cujus ingenio putabat, ea, quae gesserat, posse celebrari. 10 21. Mithridaticum vero bellum magnum atque difficile et in multa varietate terra marique versatum totum ab hoc expressum est: qui libri non modo L. Lucullum, fortissimum et clarissimum virum, verum etiam populi Romani nomen illustrant. Populus enim Romanus apertit Lucullo imperante Pontum et regiis quondam opibus et ipsa natura regionis vallatum: populi Romani exercitus eodem duce non maxima manu innumerabiles Armeniorum copias fudit: populi Romani laus est urbem amicissimam Cyzicenorum ejusdem consilio ex omni impetu regio atque totius bellorum ac faucibus ereptam esse et servatam: nostra semper feretur et praedicabitur L. Lucullo dimicante cum interfictis ducibus depressa hostium classis et incredibilis apud Tenedum pugna illa navalis: nostra sunt tropæa, nostra monumenta, nostri triumphi; quæ quorum ingeniiis efferuntur, ab iis populi Romani fama celebratur. 22. Carus fuit Africano superiori noster Ennius; itaque etiam in sepulcro Scipionum putatur is esse constitutus ex marmore. At iis laudibus certe non solum ipse, qui laudatur, sed etiam populi Romani nomen ornatur. In coelum hujus praesus Cato tollit: magnus honos populi Romani rebus adjunctur. Omnes denique illi Maximi, Marcelli, Fulvii non sine communi omnium nostrum laude decorantur. 30 X. Ergo illum, qui haec feecerat, Rudinum hominem, majores nostri in civitatem receperunt: nos hunc Heraclium ad sunt tropæa, nostra monumenta, nostri triumphi, quæ quorum ingeniiis efferuntur, ab iis populi Romani fama celebratur. 22. Carus fuit Africano superiori noster Ennius; itaque etiam in sepulcro Scipionum putatur is esse constitutus ex marmore. At iis laudibus certe non solum ipse, qui laudatur, sed etiam populi Romani nomen ornatur. In coelum hujus praesus Cato tollit: magnus honos populi Romani rebus adjunctur. Omnes denique illi Maximi, Marcelli, Fulvii non sine communi omnium nostrum laude decorantur. 30 X. Ergo illum, qui haec feecerat, Rudinum hominem, majores nostri in civitatem receperunt: nos hunc Heraclium ad sunt tropæa, nostra monumenta, nostri triumphi, quæ quorum ingeniiis efferuntur, ab iis populi Romani fama celebratur. 22. Carus fuit Africano superiori noster Ennius; itaque etiam in sepulcro Scipionum putatur is esse constitutus ex marmore. At iis laudibus certe non solum ipse, qui laudatur, sed etiam populi Romani nomen ornatur. In coelum hujus praesus Cato tollit: magnus honos populi Romani rebus adjunctur. Omnes denique illi Maximi, Marcelli, Fulvii non sine communi omnium nostrum laude decorantur.
populis, de quorum rebus scribitur, hoc ampla sunt, tum iis certe, qui de vita gloriae causa dimicant, hoc maximum et periculorum incitamentum est et laborum. 24. Quam multis scriptores rerum suarum magnus ille Alexander secum habuisse dicitur! Atque is tamen, quam in Sigeo ad Achillis tumulum adstitisset, O fortunata, inquit, adolescens, qui tua virtutis Homerum praconem inveneris! Et vere: nam, nisi Ilias illa exstitisset, idem tumulus, qui corpus ejus contexterat, nomen etiam obruisset. Quid?

10 noster hic Magnus, qui cum virtute fortunam adaequavit, nonne Theophanem Mitylenæum, scriptorem rerum suarum, in concione militum civitate donavit; et nostri illi fortres viri, sed rustici ac milites, dulcedine quadam gloriae commoti, quasi participes ejusdem laudis, magno illud clamore approbaverunt? 25. Itaque, credo, si civis Romanus Archias legibus non esset, ut ab aliquo imperatore civitate donaretur, perficere non potuit. Sulla, quam Hispanos donaret et Gallos, credo, hunc petentem repudiasset; quem nos in concione vidimus, quem ei libellum malus poeta de populo subjecisset, quod epigramma in eum fecisset tantummodo alternis versibus longiusculis, statim ex iis rebus, quas tunc vendebat, jubere et premium tribui, sed ea conditione, ne quid postea scriberet. Qui sedulitatem mali poetae duxerit aliquo tamen præmio dignam, hujus ingenium

15 et virtutem in scribendo et copiam non expetisset? 26. Quid? a Q. Metello Pio, familiarissimo suo, qui civitate multos donavit, neque se neque per Lucullos impetravisset? qui præsertim usque eo de suis rebus scribi cuperet, ut etiam Cordubæ natis poetis pingue quiddam sonantibus atque peregrinum tamen aures suas dederit. XI. Neque enim est hoc dissimulandum, quod obscurari non potest, sed praeb nobis ferendum: trahimur omnes studio laudis et optimus quisque maxime gloria ducitur. Ipsi illi philosophi etiam in iis libellis, quos de contemnenda gloria scribunt, nomen suum inscribunt: in eo ipso, in quo prædicationem nobilitatemque despiciunt, prædicari de se ac nominari volunt. 27. Decimus quidem Brutus, summus vir et imperator, Accii, amicissimi sui, carminibus templorum ac monumentorum aditus exornavit suorum. Jam vero ille, qui cum Ætolis Ennio comite bellavit Fulvius non dubitavit Martis manubias Musis consecrare. Quare, in qua urbe imperatores prope armati poetarum nomen et Musarum delubra coluerunt, in ea non debent togati judices a Musarum honore et a poetarum salute abhorrere.
28. Atque, ut id libentius faciatis, jam me vobis, judices, indicabo et de meo quodam amore gloriae nimirum acri for-
tasse, verumtamen honesto vobis confitebor. Nam, quas
res nos in consulatu nostro vobiscum simul pro salute hujus
urbis atque imperii et pro vita civium proque universa re
publica gessimus, attigit hic versibus atque inchoavit; qui-
bus auditis, quod mihi magna res et jucunda visa est, hunc
ad perficiendum adjuci. Nullam enim virtus aliam mere-
dem laborum periculorumque desiderat præter hanc laudis
et gloriae; qua quidem detracta, judices, quid est, quod in
ehoc tam exiguo vitae curriculo et tam brevi transit nos
in laboribus exercemus? 29. Certe, si nihil animus praesen-
tiret in posterum et si, quibus regionibus vitae spatium
circumscriptum est, eisdem omnes cogitationes terminaret
suas nec tantis se laboribus frangeret neque totis curis
etisque angeretur nee toties de ipsa vita dimicaret. Nunc
insidet quaedam in optimo quoque virtus, quæ noctes ac
dies animum gloriae stimulis concitat et admonet non
cum vitae tempore esse dimittendam commemorationem
nominis nostri, sed cum omni posteritate adæquandam.

XII. 30. An vero tam parvi animi videamur esse omnes,
qui in re publica atque in his vitæ periculis laboribusque
versamur, ut, quam usque ad extremum spatium nullum
transquam atque otiosum spiritum duxerimus, nobiscum
simul moritura omnia arbitremur? An statuas et imaginum
non animorum simulacra, sed corporum, studiose multi
summi homines reliquerunt, consiliorum relinquere ac vir-
tum nostrarum effigiem nonne multo malle debemus summis
ingeniis expressam et politam? Ego vero omnia, quae
gerebam, jam tum in gerendo spargere me ac disseminare
arbitrabar in orbis terræ memoriam sempiternam. Hæc
vero] sive a meo sensu post mortem futura est sive, ut
sapientissimi homines putaverunt, ad aliquam animi mei
partem pertinebit, nunc quidem certe cogitatione quadam
speque defector.

31. Quare conservate, judices, hominem pudore eo, quem
amicorum videtis comprobati quem dignitate, tum etiam
vetustate, ingenio autem tanto, quantum id convenit existi-
mari, quod summorum hominum ingenii expetitum esse
videatis; causa vero ejusmodi, quæ beneficio legis, auctorit-
tate municipii, testimonio Luculli, tabulis Metelli compro-
betur. Quæ quum ita sint, petimus a vobis, judices, si qua
non modo humana, verum etiam divina in tantis ingenii
commendatio debet esse, ut cum, qui vos, qui vestros impe-
ratores, qui populi Romani res gestas semper ornavit; qui etiam his recentibus nostris vestrisque domesticis periculis æternum se testimonium laudis daturum esse profitetur; isque est eo numero, qui semper apud omnes sancti sunt habitu itaque dicti, sic in vestram accipiatis fidem, ut humanitate vestra levatus potius quam acerbitate violatus esse videatur. 32. Quae de causa pro mea consuetudine breviter simpliciterque dixi, judices, ea confido probata esse omnibus: quae non fori neque judiciali consuetudine et de hominis ingenio et communiter de ipsius studio locutus sum, ea, judices, a vobis spero esse in bonam partem accepta; ab eo, qui judicium exercet, certe scio.
I. 1. Etsi vereor, judices, ne turpe sit, pro fortissimo viro dicere incipientem timere, minimeque deceat, quum T. Annius ipse magis de rei publicae salute quam de sua per-
turbetur, me ad ejus causam parem animi magnitudinem
aferre non posse, tamen hae novi judicii nova forma terret
oculos, qui, quocunque inciderunt, consuetudinem fori et
pristinum morem judiciorium requirunt. Non enim corona
consessus vester cinctus est, ut solet; 2. non usitata
frequentia stipati sumus; nec illa præsidia, quae pro templis
omnibus cernitis, etsi contra vim collocata sunt, non affe-
runt tamen oratori aliquid, ut in foro et in judicio, quam-
quam præsidiiis salutaribus et necessariis sæpti sumus, tamen
ne non timere quidem sine aliquo timore possimus. Quæ
si opposita Miloni putarem, cederem tempori, judices, nec
inter tantam vim armorum existimarem esse orationi locum.
Sed me recreat et reficit Cn. Pompeii, sapientissimi et ju-
stissimi viri, consilium, qui profecto nec justitiae suae putaret
esse, quem reum sententis judicium tradisset, eundem
telis militum dedere, nec sapientiae, temeritatem concitate
multitudinis auctoritate publica armare. 3. Quamobrem
illa arma, centuriones, cohortes non periculum nobis, sed
præsidium denuntiant, neque solum, ut quieto, sed etiam,
ut magno animo simus, hortantur, neque auxilium modo
defensioni meæ, verum etiam silentium pollicentur. Refi-
qua vero multitudine, quæ quidem est civium, tota nostra
est, neque eorum quisquam, quos undique intuentes, unde
alia fori pars adspici potest, et hujus exitum judicii
exspectantes videtis, non quum virtuti Milonis favet, tum
de se, de liberis suis, de patria, de fortunis hodierno die
decertari putat.
II. Unum genus est adversum infestumque nobis eorum, quos P. Clodii furor rapinis et incidiiis et omnibus exitiiis publicis pavit; qui hesterna etiam concione incitati sunt, ut vobis voce premirent, quid judicaretis. Quorum clamor, si qui forte fecerit, admonere vos debebit, ut eum civem retineatis, qui semper genus illud hominum clamoresque maximos pro vestra salute neglexit. 4. Quamobrem adeste animis, judices, et timorera, si quem habetis, deponite. Nam, si unquam de bonis et fortibus viris, si unquam de bene meritis civibus potestas vobis judicandi fuit, si denique unquam locus amplissimorum ordinarum delectis viris datus est, ut sua studia erga fortes et bonos cives, quae vultu et verbis saepe significassent, re et sententiis declararent, hoc profecto tempore eam potestatem omnem vobis habetis, ut statuatis, utrum nos, qui semper vestrae auctoritati dediti fuit, semper miseris higeamus, an, divi vexati a perditissimis civibus, aliquando per vos ac per vestram fidem, virtutem sapientiamque recrueemur. 5. Quid enim nobis dubus, judices, laboriosius, quid magis sollicitum, magis exercitum dici aut fingi potest, qui, saepe amplissimorum praemiorum ad rem publicam adducti, metu crudelissimorum suppliciorum carere non possumus? Equidem ceteras tempestates et procellas in illis dumtaxat fluetibus concionum semper putavi Miloni esse subeundas, quia semper pro bonis contra improbus senserat; in judicio vero et in eo consilio, in quo ex cunctis ordinibus amplissimi viri judicarent, nunquam existimavi spem ullam esse habituros Milonis inimicos ad ejus non modo salutem exstinguendam, sed etiam gloriam per tales viros infringendam. 6. Quamquam in hac causa, judices, T. Anni tribunatu rebusque omnibus pro salute rei publicae gestis ad hujus criminis defensionem non abutemur. Nisi oculos videritis insidias Miloni a Clodio factas, nec deprecaturi sumus, ut crimen hoc nobis propter multa praecitra in rem publicam merita condonetis, nec postulaturi, ut, si mors P. Clodii salus vestra fuerit, idcirco eam virtutis Milonis potius quam populi Romani felicitati assignetis. Sin illius insidiae clariores hac luce fuerint, tum denique obsecrabo obtestaborque vos, judices, si cetera amisimus, hoc saltum nobis ut reliquatur, vitam ab inimicorum au- 40 dacia telisque ut impune liceat defendere.

III. 7. Sed antequam ad eam orationem venio, quae est propria vestra questionis, videntur ea esse refutanda, quae et in senatu ab inimicis saepe jactata sunt et in concione ab improbis et paulo ante ab accusatoribus, ut, omni errore
sublato, rem plane, quæ veniat in judicium, videre possitis. Negant intueri lucem esse fas ci, qui a se hominem occisum esse fateatur. In qua tandem urbe hoc homines stultissimi disputant? Nempe in ea, quæ primum judicium de capite vidit M. Horatii, fortissimi viri, qui, nondum libera civitate, tamen populi Romani comitibus liberatus est, quam sua manu sororem esse interfectam fateretur. 8. An est quisquam, qui hoc ignoret, quem de homine occiso queratur, aut nescari solere omnino esse factum, aut recte et jure factum esse defendi? Nisi vero existimatis, dementem P. Afri- canum fuisse, qui, quum a C. Carbone, tribuno plebis, seditione in concione interrogaretur, quid de Ti. Gracchi morte sentiret, responderit, jure causam videri. Neque enim posset aut Ahala ille Servilius aut P. Nasica aut L. Optimus aut C. Marius aut, me consule, senatus non nefarius haberii, si sceleratos cives interfici nefas esset. Itaque hoc, judices, non sine causa etiam fictis fabulis doctissimi homines memoriae prodiderunt, eum, qui patris ulciscendi causa materia necavisset, variatis hominum sententiis, non solum divina, sed etiam sapientissimæ deæ sententia liberatum. 9. Quod si duodecim tabule nocturnum furem quoquo modo, diurnum autem, si se telo defenderet, interfici impune voluerunt, quid est, qui, quoquo modo quis interfecus sit, puniendum putet, quem vident aliquando gladium nobis ad hominem occidendum ab ipsis porrige legibus? 

IV. Atqui si tempus est ullum jure hominis necandi, quæ multa sunt, certe illud est non modo justum, verum etiam necessarium, quum vi vis illata defenditur. Pudicitiam quum eriperet militi tribunus militaris in exercitu C. Marii, propinquus ejus imperatoris, interfecus ab eo est, cui vim afferBAT. Facere enim probus adolescens periculose quam perpeti turpiter maluit. Atque hunc ille summus vir, scelere solutum, periculo liberavit. 10. Insidiatori vero et latroni quæ potest inferri injusta nex? Quid comitatus nostri, quid gladii volunt? quos habere certe non liceret, si uti illis nullo pacto liceret. Est igitur haec, judices, non scripta, sed nata lex, quam non didicimus, acceperimus, legimus, verum ex natura ipse arripuimus, hausimus, expressimus, ad quam non docit, sed facti, non instituti, sed imbuti sumus, ut, si vita nostra in aliquis insidias, si in vim et in tela aut latronum aut inimicorum incidisset, omnis honesta ratio esset expedienda salutis. Silent enim leges inter arma nec se exspectari jubent, quam ei, qui exspectare velit, ante injusta poena luenda sit quam justa repetenda.
11. Etsi persapienter et quodammodo tacite dat ipsa lex potestatem defendendi, quae non hominem occidi, sed esse cum telo hominis occidendi causa vetat, ut, quem causa, non telum quæreretur, qui sui defendendi causa telo esset usus, non hominis occidendi causa habuisse telum judicaretur. Quapropter hoc maneât in causa, judices; non enim dubito, quin probaturus sim vobis defensionem meam, si id memineritis, quod oblivisci non potestis, insidiatorem interficere jure posse.

12. Sequitur illud, quod a Milonis inimicis sêpissime dicitur, cãdem, in qua P. Clodius occisus est, senatum judicasse, contra rem publicam esse factam. Illam vero senatum non sententiis suis solum, sed etiam studiis comprobavit. Quoties enim est illa causa a nobis acta in senatu? quibus assensionibus universi ordinis? quam nec tacitis nec occultis? Quando enim frequentissimo senatu quattuor aut summum quinque sunt inventi, qui Milonis causam non probarent? Declarant hujus ambusti tribuni plebis ille intermortuœ conciones, quibus quotidie meam potentiam usus, non hominis occidendi causa habuisse judicaretur. Quapropter hoc maneât in causa, judices; non enim dubito, quin probaturus sim vobis defensionem meam, si id memineritis, quod oblivisci non potestis, insidiatorem interficere jure posse.

15. Sequitur illud, quod a Milonis inimicis sêpissime dicitur, cãdem, in qua P. Clodius occisus est, senatum judicasse, contra rem publicam esse factam. Illam vero senatus non sententiis suis solum, sed etiam studiis comprobavit. Quoties enim est illa causa a nobis acta in senatu? quibus assensionibus universi ordinis? quam nec tacitis nec occultis? Quando enim frequentissimo senatu quattuor aut summum quinque sunt inventi, qui Milonis causam non probarent? Declarant hujus ambusti tribuni plebis ille intermortuœ conciones, quibus quotidie meam potentiam usus, non hominis occidendi causa habuisse judicaretur. Quapropter hoc maneât in causa, judices; non enim dubito, quin probaturus sim vobis defensionem meam, si id memineritis, quod oblivisci non potestis, insidiatorem interficere jure posse.

16. Itaque ego ipse decrevi, quem cãdem in Appia factam esse constaret, non cum, qui se defendisset, contra
rem publicam fecisse; sed, quam inessent in re vis et insidiae, crimen judicio reservavi, rem notavi. Quod si per furiosum illum tribunum senatui, quod sentiebat, perficere licisset, novam quaestionem nullam haberemus. Decernebat enim, ut veteribus legibus, tantummodo extra ordinem, quae rereretur. Divisa sententia est, postulante nescio quo; nihil enim necesse est omnium me flagitia proferre. Sic reliqua auctoritas senatus empta intercessione sublata est.


VII. Domi suo nobilissimus vir, senatus propugnator atque illis quidem temporibus pæne patronus, avunculus hujus judicis nostri, fortissimi viri, M. Catonis, tribunus plebis M. Drusus occisisus est. Nihil de ejus morte populus consultus, nulla quaestio decretae a senatu est. Quantum luctum in hac urbe fuisset a nostris patribus acceptum, quem P. Africano, domi suo quasi etiam illa nocturna vis esset illata, quis tum non gemuit? quis non arsit dolore, quem immortalem, si fieri posset, omnes esse cuperent, ejus ne necessarium quidem exspectatam esse mortem? Num igitur ualla quaestio de Africani morte lata est? Certe nulla. Quia non alio facinore clari homines, alio obscuri necantur. Inter sit inter vitae dignitatem summorum atque infirmorum; mors quidem illata per seclusam et poenis teneatur et legibus. Nisi forte magis erit parricida, si qui consularem patrem, quam si quis humilem necaverit, aut eo mors atrocior erit P. Clodii, quod is in monumentis majorum suorum sit interfactus. Hoc enim ab istis sœpe dicitur; proinde quasi Appius ille Cæcus viam muniverit, non qua populus uteretur, sed ubi impune
18. Itaque in eadem ista Appia via quam ornatissimam equitem Romanum P. Clodius M. Papirium occiderisset, non fuit illud facinus puniendum; homo enim nobilis in suis monumentis equitem Romanum occiderat; nunc ejusdem Appiae nomen quantas tragœdias excitat! Quæ cruentata anteæ caede honesti atque inno-centis viri silebatur, eadem nunc crebro usurpatur, postea-quam latronis et parricidæ sanguine imbuta est. Sed quid ego illa commemoro? Comprehensus est in templo Castoris servus P. Clodii, quem ille ad Cn. Pompeium interficiendum collocarat; extorta est confitenti sica de manibus; caruit foro postea Pompeium, caruit senatu, caruit publico; janua se ac parietibus, non jure legum judiciorumque texit. 19. Num quæ rogatio lata, num quæ nova quæstio decreta est?

15 Atqui, si res, si vir, si tempus ullum dignum fuit, certe hæc in illa causa summa omnia fuerunt. Insidiator erat in foro collocatus atque in vestibulo ipso senatus; ei viro autem mors parabatur, cujus in vita nitebatur salus civitatis; eo porro rei publicæ tempore, quo, si unus ille occidisset, non hæc solum civitas, sed gentes omnes concisissent. Nisi vero, quia perfecta res non est, non fuit punienda; proinde quasi exitus rerum, non hominum consilia legibus vindicen-tur. Minus dolendum fuit, re non perfecta, sed puniendum certe nihil minus. 20. Quoties ego ipse, judices, ex P.

25 Clodii telis et ex cruentis ejus manibus effugi? ex quibus si me non vel mea vel rei publicæ fortuna servasset, quia tandem de interitu meo questionem tulisset?

VIII. Sed stulti sumus, qui Drusum, qui Africanum, Pompeium, nosmet ipsos cum P. Clodio conferre audeamus. 30 Tolerabilia fuerunt illa; P. Clodii mortem nemo æquo animo ferre potest. Luget senatus, mæret equester ordo, tota civitas confecta senio est, squalent municipia, afflictan-tur coloniae, agri denique ipsi tam beneficium, tam salutarem, tam mansuetum civem desiderant. 21. Non fuit ea causa, 35 judices, profecto, non fuit, cur sibi censeret Pompeius qua-estionem ferendam; sed homo sapiens atque alta et divina quadam mente præditus multa vidit; fuisse illum sibi ini-micium, familiarem Milomen; in communi omnium lætitia si etiam ipse gauderet, timuit, ne videretur insfírmior fides re-conciliaæ gratiæ; multa etiam alia vidit, sed illud maxime, quamvis atrociter ipse tulisset, vos tamen fortiter judicatu-ros. Itaque delegit e florentissimis ordinibus ipsa lumina. Neque vero, quod nonnulli dictitant, secrèvit in judicibus legendis amicos meos. Neque enim hoc cogitavit vir justis-
simus, neque in bonis viris legendis id assequi potuisset, etiam si cupisset. Non enim mea gratia familiariitatibus continetur, quae late patere non possunt, propterea quod consuetudines victus non possunt esse cum multis; sed, si quid possumus, ex eo possumus, quod res publica nos conjunxit cum bonis; ex quibus ille quum optimos viros legaret, idque maxime ad fidem suam pertinere arbitraretur, non potuit legere non studiosos mei. 22. Quod vero te, L. Domiti, huic quaestioni praeesse maxime voluit, nihil quae- sivit aliud, nisi justitiam, gravitatem, humanitatem, fidem. 10 Tulit, ut consularem necesse esset; credo, quod principum munus esse ducere et recepisse, quod res publica nos con- junxit cum bonis; ex quibus ille quum optimos viros legi- 

IX. 23. Quamobrem, judices, ut aliquando ad causam crimineque veniamur, si neque omnis confessio facti est insitata, neque de causa nostra quidquam aliter, ac nos rellemus, a senatu judicatum est, et laotor ipse legis, quum esset controversia nulla facti, juris tamen disceptationem esse voluit, et 
edicti judices isque praepositus quaestionis, qui haec juste sapienterque disceptet, reliquum est, judices, ut nihil jam querere aliud debeatis, nisi, uter utri insidias fecerit. Quod quo facilius argumentis perspicere possitis, rem gestam vobis dum breviter expono, quaesumus, diligenter attendite. 24. P. Clodius quem statuisset omni scelere in praetura vexare rem publicam, videretque ita tracta esse comitia anno superiore, ut non multos menses praeturam gerere posset, qui non honoris gradum spectaret, ut ceteri, sed et L. Paullum collegam effugere vellet, singulari virtute 30  eivem, et annum integrum ad dilacerandam rem publicam quaeret, subito reliquit annum suum sesque in proximum annum transtulit, non, ut fit, religione aliqua, sed ut haberet, quod ipse dicebat, ad praeturam gerendum, hoc est, ad overtendam rem publicam, plenum annum atque integrum. 35 25. Occurrebat ei, mancam ac debilem praeturam suam futuram, conosce Milone; cun porro summum consensum populi Romani consulem fieri videbat. Contulit se ad ejus competitores, sed ita, totam ut petitionem ipse solus, etiam invitus illis, gubernaret; tota ut comitia suis, ut dictitabat, 40 humeris sustineret. Convocabat tribus; se interponebat; Collinam novam delectu perditissimorum civium conscri- 

Ubi vidit homo ad omne facinus paratissi-
mus, fortissimum virum, inimicissimum suum, certissimum, consulém, idque intellexit non solum sermonibus, sed etiam suffragiús populi Romani sæpe esse declaratum, palam agere eöpit et aperte dicere, occidendum Milonem. 26. Servos agrestes et barbaros, quibus silvas publicas depopulatus erat Etruriamque vexarat, ex Apennino deduxerat, quos videbatis. Res erat minime obscura. Etenim dictitabat palam, consulatum eripi Miloni non posse, vitam posse. Significavit hoc sæpe in senatu; dixit in concione; quin etiam M. Favonio, fortissimo viro, quifcrenti ex eo, qua fureret, Milone vivo, respondit, triduo ilium aut summum esse periturum; quam vocem ejus ad liunc M. Catonera statim Favonius detulit.

X. 27. Interim, quum sciret Clodius (neque enim erat difficile scire), iter sollemne, legitimum, necessarium, ante diem XIII. Kalendas Feb. Miloni esse Lanuvium ad flaminem prodendum, quod erat dictator Lanuvii Milo, Roma subito ipse profectus pridie est, ut ante suum fundum (quod re intellectum est) Miloni insidias collocaret. Atque ita profectus est, ut concionem turbulentam, in qua ejus furor desideratus est, quae illo ipso die habita est, relinqueret, quam, nisi obire facinoris locum tempusque voluisset, nunc quam reliquisset. 28. Milo autem quam in senatu fuisset eo die, quoad senatus est dimissus, domum venit; calceos et vestimenta mutavit; paulisper, dum se uxor (ut fit) comparat, commoratus est, deinde profectus id temporis, quum jam Clodius, si quidem eo die Romam venturus erat, redire potuisset. Obviam fit ei Clodius, expeditus, in equo, nulla rheda, nullis impedimentis, nullis Græcis comitibus, ut solebat, sine uxore, quod nuncam fere, quum hic insidiator, qui iter illud ad caem faciendam apparasset, cum uxore veheretur in rheda, pænulatus, magno et impedito et muliebri ac delicato ancillarum puerorumque comitatu. 29. Fit obviam Clodio ante fundum ejus hora fere unde-cima aut non multo secus. Statim complures cum telis in hunc faciunt de loco superiore impetum; adversi rhedarium occidunt; quum autem hic de rheda, rejecta pænula, desiluisset seque acri animo defenderet, illi, qui erant cum Clodio, gladiis eductis, partim recurrere ad rhedam, ut a tergo Milonem adorirentur, partim, quod hunc jam inter-fectum putarent, cedere incipiunt ejus servos, qui post erant, ex quibus qui animo fideli in dominum et presenti fuerunt, partim occisi sunt, partim, quum ad rhedam pu-gnari viderent, domino succurrere prohiberentur, Milonem
occisum ex ipso Clodio audirent et re vera putarent, fece-
runt id servi Milonis (dicam enim aperte non derivandi
eriminis causa, sed ut factum est), nec imperante nec sciente
nec præsente domino, quod suos quisque servos in tali re
facere voluisset.

XI. 30. Hæc, sicut exposui, ita gesta sunt, judices; insi-
diator superatus est; vi victa vis vel potius oppressa virtute
audacia est. Nihil dico, quid res publica consecuta sit,
nihil, quid vos, nihil, quid omnes boni. Nihil sane id prosit
Miloni qui hoc fato natus est, ut ne se quidem servare
potuerit, quin una rem publicam vosque servaret. Si id
jure fieri non potuit, nihil habeo, quod defendam. Sin hoc
et ratio doctis et necessitas barbaris et mos gentibus et feris
etiam bellius natura ipsa prescrispsit, ut omnem semper
vim, quaunque ope possent, a corpore, a capite, a vita sua
propulsarent, non potestis hoc facinus improbum judicare,
quim simul judicetis, omnibus, qui in latrones inciderint, aut
ilium telis aut vestris sententiis esse perundum. 31. Quod si ita putasset, certe optabilius Miloni fuit dare
jugulum P. Cladio, non semel ab illo neque tum primum
petitum, quam jugulari a vobis, quia se non jugulandum
illi tradidisset. Sin hoc nemo vestrum ita sentit, illud jam
in judicium venit, non, occiuisne sit, quod fatemur, sed
jure an injuria, quod multis in causis sæpe quæsitum est.
Insidas factas esse constat, et id est, quod senatus contra
rem publicam factum judicavit; ab utro factæ sint, incertum
est. De hoc igitur latum est ut quaereretur. Ita et senatus
rem, non hominem, notavit, et Pompeius de jure, non de
facto, quaestionem tulit.

XII. Numquid igitur aliud in judicium venit, nisi, utor
utri insidias fecerit? Profecto nihil; si hic illi, ut ne sit
impune; si ille huic, tum nos scelere solvamur.

32. Quonam igitur pacto probari potest, insidias Miloni
feceisse Clodium? Satis est in illa quidem tam audaci, tam
nefaria bellua docere, magnam ei causam, magnam spem in
Milonis morte propositam, magnas utilitatesuisse. Itaque
illud Cassianum, cui dono fuerit, in his personis valeat;
etsi boni nullo emolumento impellantur in fraudem, improbi
sæpe parvo. Atqui, Milone interfecto, Clodius hoc asse-
quebatur, non modo ut praetor esset non eo consule, quo
sceleris facere nihil posset, sed etiam, ut iiis consulibus
praetor esset, quibus si non adjuvantibus, at conniventibus
certe, speraret, se posse eludere in illis suis cogitatis furori-
bus; cujus illi conatus, ut ipse ratiocinabatur, nec euperent
reprimere, si possent, quem tantum beneficium ei se debere arbitrarentur, et, si vellent, fortasse vix possent frangere hominis sceleratissimi corroboratam jam vetustate audaciam. 33. An vero, judices, vos soli ignoratis, vos hospites in hac
5 urbe versamini? vestrae peregrinantur aures neque in hoc pervagato civitatis sermone versantur, quas ille leges (si leges nominandae sunt, ac non faces urbis, pestes rei publicae) fuerit impositurus nobis omnibus atque inusturus? Exhibe, queso, Sexte Clodi, exhube librarium illustrum legum 10 vestrarum, quod te ait spuerisse e domo et ex mediis armis turbaque nocturna tamquam Palladium extulisse, ut praeclarum videlicet munus atque instrumentum tribunatus ad aliquem, si nactus esses, qui tuo arbitrio tribunatum gereret, deferre posses. Atque per **. An hujus ille 15 legis, quam Sex. Clodius a se inventam gloriatur, mentionem facere ausus esset, vivo Milone, ne dicam consule? De nostrum omnium—non audéo totum dicere. Videte, quid ea vitii lex habitura fuerit, cujus periculosae etiam reprehensio est. Et adspexit me illis oculis, quibus tum solebat, 20 quem omnibus omnia minabatur. Movet me quippe lumen curiae.

XIII. Quid? tu me tibi iratum, Sexte, putas, cujus tu inimicissimum multo crudelius etiam punitus es, quam erat humanitatis meae postulare? Tu P. Clodii cruementum cadera 25 ver ejecisti domo, tu in publicum abjecisti, tu spoliatum imaginibus, exsequis, pompa, laudatione, inseliciissimis lignis semustilatum, nocturnis canibus dilaniandum reliquisti. Quare etsi nefarie fecisti, tamen, quoniam in meo inimico crudelitatem exprompsisti tuam, laudare non possum, irasci certe non debeo. 34. [Demonstravi, judices, quantum Clodi inter] fuerit occidi Milonem. Convertite animos nunc vicissim ad Milonem. Quis milonis intererat interfici Clodiam? Quis erat, cur Milo, non dicam admitteret, sed optaret?—Obstabet in spe consulatus Miloni Clodius.—At eo repugnante fiebat; immo vero eo fiebat magis, nec me suffragatore meliore utebatur quam Clodio. Valebat apud vos, judices, Milonis erga me remque publicam merorum memoria; valebant preces et lacrimae nostrae, quibus ego tum vos mirifice moveri sentiebam; sed plus multo valebat 40 periculorum impendientium timor. Quis enim erat civium, qui sibi solutam P. Clodii præturae sine maximo rerum novarum metu proponeret? Solutam autem fore videbatis, nisi esset is consul, qui cam auderet possetque constringere. Eum Milonem unum esse quum sentiret universus populus
Romanus, quis dubitaret suffragio suo se metu, periculo rem publicam liberare? At nunc, Clodio remoto, usitatis jam rebus enitendum est Miloni, ut tueatur dignitatem suam; singularis illa et huic uni concessa gloria, quae quotidie augebatur frangendis furoris Clodianis, jam Clodii morte cecidit. Vos adepti estis, ne quem civem metueretis; hic exercitationem virtutis, suffragationem consulatus, fontem perennem gloriae suae perdidit. Itaque Milonis consulatus, qui, vivo Clodio, labefactari non poterat, mortuo denique tentari coepit. Non modum igitur nihil prodest, sed obest etiam Clodii mors Miloni. Sed valuit odium, fecit iratus, fecit inimicus, fuit ultor injuriae, punitor doloris sui. Quid? si haec, non dico, majora fuerint in Clodio quam in Milone, sed in illo maxima, nulla in hoc? quid vultis amplius? Quid enim odisset Clodium Milo, segetem ac metu interiem suae gloriae, praeter hoc tyrannum illum tulisse creditis? quantum odium illius et in homine injusto quam etiam justum fuisse?

XIV. 36. Reliquum est, ut jam illum natura ipsius consuetudoque defendat, hunc autem haec eadem coarguant. Nihil per vim unquam Clodius, omnia per vim Milo. Quid ego, judices, quum, mærentibus vobis, urbe cessi, judiciumme timui? non servos, non arma, non vim? Quæ fuisset igitur justa causa restituendi mei, nisi fuisset injusta ejiciendi? Diem mihi, credo, dixerat, multam irrogarat, actionem perduellioni intenderat, et mihi videlicet in causa aut mala aut mea, non et praeclarissima et vestra, judicium timendum fuit. Servorum et egentium civium et facinororum armis meos cives, meis consiliis periculosque servatos, pro me objici nolui. 37. Vidi enim, vidi, hunc ipsum Q. Hortensium, lumen et ornamentum rei publicae, pæne interfici servorum manu, quom mihi adset; qua in turba C. Vibienus, senator, vir optimus, cum hoc quum esset una, ita est nulcatus, ut vitam aniserit. Itaque quando illius postea sica illa, quam a Catilina acceperat, conquievit? Haec tentata nobis est; huic ego vos objici pro me non sum passus; haec insidiata Pompeio est; haec istam Appiam, monumentum sui nominis, nece Papirii cruentavit; haec, haec eadem longo intervallo conversa rursus est in me;
nuper quidem, ut scitis, me ad regiam præne confecit. 38. Quid simile Milonis? cujus vis omnis haec semper fuit, ne P. Clodius, quum in judgmente detrahi non posset, vi oppressam civitatem teneret. Quem si interficeret voluisset, quantæ, quoties occasiones, quam præclarae fuerunt? Potuitne, quum domum ac deos penates suos, illo oppugnante, defenderet, jure se ulcisci? Potuitne, civi egregio et viro fortissimo, P. Sestio, collega suo, vulnerato? Potuitne, Q. Fabricio, viro optimo, quum de reeditu meo legem ferret, pulso, crudelissima in foro caede facta? Potuitne, L. Cæcilius, justissimi fortissimique praetoris, oppugnata domo? Potuitne illo die, quum est lata lex de me? Quid? cum domum ac deos penates suos, illum oppugnante, illum hostis, cuius sententiam senatus omnis de salute mea gravissimam et ornatissimam secutus est, qui populum Romanum est cobortatus, qui, quum decretum de me Capuæ fecit, ipse cunctæ Italicæ cupienti et ejus fidem imploranti signum dedit, ut ad me restituerundam Romam concurrerent; omnia tum denique in illum odia civium ardebant desiderio mei; quem qui tum interessimet, non de impunitate ejus, sed de praemiis cogitaretur. 40. Tamen se Milo continuat et P. Clodium in judgmente bis, ad vim nunquam vocavit. Quid? privato Milone et reo ad populum, accusante P. Clodio, quum in Cn. Pompeium pro Milone dicentem imputatis factus est, que tum non modo occasio, sed etiam causa illius opprimendi fuit? Nuper vero quum M. Antonius summam spem salutis bonis omnibus attulisset, gravissimamque adolescentis nobilissimae rei publicæ partem fortissime suscepisset, atque illum bellum, judicissimi laqueos declinantem, jam irrestitam teneret, qui locus, quod tempus illud, dii immortales, fuit? Quid se ille fugiens in scalarum tenebras addidisset, magnum Miloni fuit conficere illum pestem nulla sua invidia, Antonii vero maxima gloria. 41. Quid? comitiis in campo quoties potestas fuit, quum ille in septa irrupisset, gladios destringendos, lapides jaciendos, curavisset, dein subito, vultu Milonis perterritus, fugeret ad
Tiberim, vos et omnes boni vota faceretis, ut Miloni uti 
virtute sua liberet?

XVI. Quem igitur cum omnium gratia noluit, hunc voluit 
cum aliquorum querela? quem jure, quem loco, quem 
tempore, quem impune non est ausus, hunc injuria, iniquo 5 
loco, alieno tempore, periculo capitis non dubitavit occi-
dere? 42. præsertim, judices, quem honoris amplissimi 
contentio et dies comitiorum subisset; quo quidem tempore 
(scio enim, quam timida sit ambitio quantaque et quam 
sollicita sit cupiditas consalutus), omnia non modo, quæ 10 
reprehendi palam, sed etiam quœ obscure cogitari possunt, 
timemus, rumorem, fabulam dictam, levem perhorrescimus, 
ora omnium atque oculos intuemur. Nihil est enim tam 
molle, tam tenerum, tam aut fragile aut flexibile 
quam voluntas erga nos sensusque civium, qui non modo im-

dbitati irascuntur candidatorum, sed etiam in recte factis 
sæpe fastidiant. 43. Hunc igitur diem campi speratum 
atque exoptatum sibi proponens Milo, cruentis 
manibus, scelus et facinus præ se ferens et confitens 
adilia augusta centuriarum auspiciis veniebat? 
Quam hoc non credibile ! In hoc! quam idem in Cludio non 
dubitandum, qui se interfecit Milone regnaturum putaret! Quid ? quod 
ecem est [audaciae], judices, quis ignorat, maximam illecebram esse 
peccandi impunitatis spem? In utro igitur hoc! quem 
in hoc! quam idem in Cludio non dubitatum, qui se interfecivit Milone regnaturum putaret! Quod? quod ea est 
[audaciae], judices, quis ignorat, maximam illecebram esse 
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[audaciae], judices, quis ignorat, maximam illecebram esse 
peccandi impunitatis spem? In utro igitur hoc! quem 
in hoc! quam idem in Cludio non dubitatum, qui se interfecit Milone regnaturum putaret! Quod? quod ea est 
[audaciae], judices, quis ignorat, maximam illecebram esse 
peccandi impunitatis spem?
nendi nulla facultas, execundi non causa solum, sed etiam
necessitas fuit. Quid? si, ut ille scivit, Milonem fore eodem
die in via, sic Clodium Milo ne suspicari quidem potuit?
46. Primum quæro, qui seire potuerit? quod vos idem in
5 Cludio querere non potestis. Ut enim neminem alium nisi
T. Patinam, familiarissimum suum, rogasset, seire potuit,
illo ipso die Lanuvii a dictatore Milone prodi flaminum
necessae esse. Sed erant permuti alii, ex quibus id facillime
seire posset; omnes scilicet Lanuvini. Milo de Clodiio
10 reditu unde quæsivit? Quaesierit sane. Videste, quid vobis
largiar. Servum etiam, ut Q. Arrius, meus amicus, dixit,
corruperit. Legite testimonia testis rerum. Dixit C.
Cassinius Schola, Interamnanus, familiarissimus et idem
comes Clodii, cujus jampridem testimonio Clodius eadem
15 hora Interamnæ fuerat et Romæ, P. Clodium illo die in
Albane mansurum fuisset, sed subito esse ei nuntiatum,
Cyrum architectum esse mortuum; itaque repente Romam
constituuisse proficiscì. Dixit hoc, comes item P. Clodii, C.
Clodius.
20 XVIII. 47. Videste, judices, quantae res his testimoniis
sint confectæ. Primum certe liberatur Milo, non eo consilio
profectus esse, ut insidiaretur in via Cladio; quippe; si ille
obvius ei futurus omnino non erat. Deinde (non enim
video, cur non meum quoque agam negotium) scitis, judices,
25 fuisset, qui in hac rogatione suadenda dicerent, Milonis manu
caedem esse factam, consilio vero majoris alijucus. Me
videlicet latronem ac sicarium abjecti homines et perditi
descriebant. Jacent suis testibus [hi], qui Clodium negant
eo die Romam, nisi de Cyro audisset, fuisset reditum.
30 Respiravi; liberatus sum; non vereor, ne, quod ne suspici
quidem potuerim, videar id cogitasse. 48. Nunc perseque
cebera. Nam occurrat illud: Igitur ne Clodius quidem
de insidiis cogitavit, quoniam fuit in Albano mansurus.
Si quidem exiturus ad caedem e villa non fuisset. Video
35 enim, illum, qui dicatur de Cyri morte nuntiasse, non id
nuntiasse, sed Milonem appropinquare. Nam quid de Cyro
nuntiaret, quem Clodius Roma proficiscens reliquerat mo-
39 rientem? Una fui; testamentum simul obsignavi cum
Cladio; testamentum autem palam fecerat, et illum heredem
40 et me scripserat. Quem pridie hora tertia animam efflantes
reliquisset, eum mortuam postridie hora decima denique ei
nuntiabatur?

XIX. 49. Age, sit ita factum; quæ causa, cur Romam
properaret? cur in noctem se conjiceret? Quid afferabat
causam festinationis? Quod heres erat? Primum erat nihil, cur properato opus esset; deinde, si quid esset, quid tandem erat, quod ea nocte consequi possent, amitteret autem, si postridie Romam mane venisset? Atque ut illi nocturnus ad urbem adventus vitandus potius quam expectionem fuit, sic Miloni, quem insidiator esset, si illum ad urbem noctu accessurum siebat, subsidendum atque spectandum fuit. 50. Noctu, insidioso et pleno latronum in loco occidisset; nemo ei neganti non credidisset, quem esse omnes salvum etiam confitentem volunt. Sustinisset hoc crimen primum ipse ille latronum occultator et receptor locum; tum neque muta solitudo indicasset, neque cæcanox ostendisset Milonem; deinde ibi multi a illo violati, spoliati, bonis expusi, multi hæc etiam timentes in suspicionem caderent; tota denique rea citaretur Etruria. 51. 15 Atque illo die certe Aricia rediens devertit Clodius ad se in Albanum. Quod ut seiret Milo, illum Ariciæ fuisset, suspicari tamen debutit, eum, etiamsi Romam illo die reverteret vellet, ad villam suam, quæ viam tangeret, deservum. Cur neque ante occurrit, ne ille in villa resideret, nec eo in 20 loco subsedit, quo ille noctu venturus esset?

Video constare adhuc, judices, omnia: Miloni etiam utile fuisset Clodium vivere, illi ad ea quæ concepierat, optatissimum interitum Milonis; odium fuisset illius in hunc acerbissimum, nullum hujus in illum; consuetudinem illius perpetuum in vi inferenda, hujus tantum in repellenda; 52. mortem ab illo denuntiatam Miloni et prædictam palam, nihil unquam auditum ex Milone; profectionis hujus diem illi notum, reditus illius huic ignotum fuisset; hujus iter necessarium, illius etiam potius alienum; hunc præ se tuisses, illo se die Roma exiturum, illum eo die se dissimulasse reediturum; hunc nullius rei mutasse consilium, illum causam mutandi consili finxisse; huic, si insidiaretur, noctem prope urbem exspectandum, illi, etiamsi hunc non timeret, tamen accessum ad urbem nocturnum fuisset metuendum. 35

XX. 53. Videamus nunc id, quod caput est, locus ad insidias ille ipse, ubi congressi sunt, utri tandem fuerit auctor. Id vero, judices, etiam dubitandum et diutius cogitandum est? Ante fundum Clodiij, quo in fundo propter insanias illas substructiones facile hominum mille versabantur 40 valentium, edito adversarii atque excelso loco superiorem se fore putarat Milo et ob eam rem eum locum ad pugnam potissimum elegerat? an in eo loco est potius exspectatus ob eo, qui ipsius loci spe facere impetum cogitarat? Res

XXI. 55. Age, nunc iter expediti latronis cum Milone impedimentis comparate. Semper illa antea cum uxor tum sine ea; nunquam nisi in rheda; tum in equo; comitibus Graeculi, quocunque ibat, etiam quum in castra Etrusci properabat; tum in comitatu nugarum nihil. Milo, quum nunquam, tum casu pueros symphonicos uxoribus ducerat et ancillarum greges. Ille, qui semper secum seco, semper exolos, semper lupas duceret, tum neminem, nisi ut virum a viro lectum esse diceret. Cur igitur victus est? Quis non semper viator a latrone, nonnunquam etiam latro a viator occiditur; quia, quamquam paratus in imparato.

Clodius, tamen mulier inciderat in viros. 56. Nec vero si erat unquam non paratus Milo contra illum, ut non satisfiere esset paratus. Semper ille, et quantum interesset P. Clodii, se perire, et quanto illi odio esset, et quantum illauderet, cogitabat. Quamobrem vitam suam, quam maximum mis præmiis propositem et pæne addictam sciebat, nunquam in periculum sine præsidio et sine custodia proiectebat. Adde casus, adde incertos exitus pugnarum Martemqu communem, qui sape spoliante jam et exsultantem evertit et perculit ab abjecto; adde inscitiam pransi, poti, oscitanti ducis, qui quum a tergo hostem interclusum reliquisset nihil de ejus extremis comitibus cogitavit, in quos incensosira vitamque domini desperantes quum incidisset, haesit et iis pœnis, quas ab eo servi fideles pro domini vita expetientur. 57. Cur igitur eos manumisit? Metuebat scilicet


XXIII. 61. Quod si nondum satis cernitis, quam res ipsa tot tam claris argumentis signisque luceat, pura mente atque integra Milonem, nullo scelere imbutum, nullo metu perterritum, nulla conscientia examinatum Romam reversisse, recordamini, per deos immortales! que fuerit celeritas reditus ejus, qui ingressus in forum, ardente curia, quæ magnitudo animi, qui vultus, quæ oratio. Neque vero se
populo solum, sed etiam senatui commisit, neque senatui modo, sed etiam publicis præsidii et armis, neque his tantum, verum etiam ejus potestati, cui senatus totam rem publicam, omnem Italiam Pubem, cuncta populi Romani arma commiserat, cui nunquam se hie pro fecto tradisset, nisi causae suae consideret, præsertim omnia audienti, magna metuenti, multa suspicant, nonnulla credenti. Magna vis est conscientiae, judices, et magna in utramque partem, ut neque timeant, qui nihil commiserint, et poenam semper ante oculos versari putent, qui peccarint. Neque vero sine ratione certa causa Milonis semper a senatu probata est. Videbant enim sapientissimi homines facti rationem, præsentiam animi, defensionis constantiam. An vero obhiti estis, judices, recenti illo nuntio necis Clodianae, non modo inimicorum Milonis sermones et opiniones, sed nonnullorum etiam iraperitorum? Negabant eum Romam esse reditum.

60. Neque enim illud animo irato ac percito fecisset, ut incensus odio trucidaret inimicum, arbitrabantur, eum tanti mortem P. Clodii putasse, ut aequo animo patria careret, quum sanguine inimici explesset odium suum, sed etiam illius morte patriam liberare voluisset, non dubitatum fortis virum, quin, quum suo periculo salutem rei publicæ attulisset, cederet æquo animo legibus, secum auferret gloriam sempiternam, nobis haec fruenda relinquaret, quæ ipse servasset. Multi etiam Catilinam atque illa portenta loquebantur: "Erumpet, occupabit aliquem locum, bellum patriæ faciet." Miseros interdum cives optime de re publica meritos, in quibus homines non modo res præclarissimas obliviscuntur, sed etiam nefarias suspicantur!

64. Ergo illa falsa fuerunt; quæ certe vera exstitissent, si Milo admississet aliquid, quod non posset honeste vereque defendere.

XXIV. Quid? quæ postea sunt in eum congesta, quæ quemvis etiam mediocrium delictorum conscientia percussissent, ut sustinuit! dii immortales! sustinuit? immo vero ut contempsit ae pro nihilō putavit! quæ neque maximo animo nocens, neque innocens, nisi fortissimus vir, negligerat potuisse. Scutorum, gladiatorum, frenorum pilorumque etiam multitud deprehendi posse indicabant; nullum in urbe vicum, nullum angiportum esse dicebant, in quo non Miloni conducta esset domus; arma in villam Oriculanam devecta Tiberi; domus in clivo Capitolino scutis referta; plena omnia malleolorum ad urbis incendia comparatorum. Hæc non delata solum, sed pæne credita, nec ante repudiata sunt, quanm quæsita. 65. Laudabam equidem incre-
dibilem diligentiam Cn. Pompeii; sed dicam, ut sentio, judices. Nimis multa coguntur audire, neque aliter facere possunt ii, quibus tota commissa est res publica; cui etiam fuerit audiendus popa Licinius nescio qui de circo maximo; servos Milonis apud se ebrios factos sibi confessos esse, de interficiendo Pompeio conjurasse, dein postea se gladio percussum esse ab uno de illis, ne indicaret, Pompeio in hortos numtiavit. Aaccessor in primis. De amicorum sententia rem defert ad senatum. Non poteram in illius mei patriæque custodis tanta suspicione non metu exanimari, tuerit audiendus popæ, credi popae, confessionem servorum audiri, vulnus in latere, quod acu punctum video, pro ictu gladiatoris probari. 66. Verum, ut intelligo, cavebat magis Pompeius, quam timebat, non eam solum, quae timenda erant, sed omnia, ne vos aliquid timeretis. Oppugnata domus C. Caesaris, clarissirae et fortissimi viri, per multas noctes horas nuntiabatur. Nemo audierat tam celebri loco, tamen senserat; tamen audiebatur. Non poteram Cn. Pompeium, præstantissima virtute virum, timidum suspicari; diligentiam, tota re publica suscpta, nimiam nullam putabam. Frequentissimo senatu nuper in Capitolio senator inventus est, qui Milonem cum telo esse diceret. Nudavit se in sanctissimo templo, quoniam vita talis et civis et viri tidera non faciebat, ut, eo tacente, res ipsa loqueretur.

XXV. 67. Omnia falsa atque insidiose ficta comperta sunt; quam tamen metuitur etiam nunc Milo. Non jam hoc Clodianum crimen timemus, sed tuas, Cn. Pompei, (te enim jam appello, et ea voce, ut me exaudire possis), tuas, tuas, inquam, suspicione perhorrescimus. Si Milonem times, si hunc de tua vita nefarie aut nunc cogitare aut molitum aliando aliquid putas, si Italicæ delectus, ut nonnulli conquisitores tui dictitarunt, si hæc arma, si Capitolinae cohortes, si excubiae, si vigiliae, si delecta juventus, quæ tuum corpus domumque custodit, contra Milonis impetum armata est, atque illa omnia in hunc unum instituta, parata, intenta sunt, magna certe in hoc vis et incredibilis animus et non unius viri vires atque opes indicantur, si quidem in hunc unum et præstantissimus dux electus et tota res publica armata est. 68. Sed quis non intelligit, omnes tibi rei publicæ partes ægras et labantes, ut eas his armis anares et confirmares, esse commissas? Quod si locus Miloni datus esset, probasset profecto tibi ipsi, neminem unquam hominem homini cariorem fuisset quam te sibi; nullum se unquam periculum pro tua dignitate fugisse;
cum illa ipsa teterrima peste se sæpissime pro tua gloria contentisse; tribunatum suum ad salutem meam, quæ tibi carissima fuisset, consiliis tuis gubernatum; se a te postea defensum in periculo capitis, adjunctum in petitione præturae;

5 duos se habere semper amicissimos sperasse, te tuo beneficio, me suo. Quæ si non probaret, si tibi ita penitus inhæsisset ista suspicio, nullo ut evelli modo posset, si denique Italia a defectu, urbs ab armis sine Milonis clade nunquam esset conquætura, nē iste haud dubitans essisset patria, is, qui ita natus est et ita consuevit; te, Magne, tamen antestaretur, quod nunc etiam facit.

XXVI. 69. Vide, quam sit varia vitæ commutabilitas rationem, quam vaga volubilisque fortuna, quantae infidelitates in amictiis, quam ad tempus aptæ simulationes, quantae in perculis fugæ proximorum, quantae timiditates. Erit, erit illud profecto tempus et illucscet ille aliquaque dies, quam tu, salutaribus, ut spero, rebus tuis, sed fortasse motu aliquo communium temporum (qui quam crebro accidat, experti scire debemus), et amicissimi benevolentiam et gravissimi hominis fidei et unius post homines natos fortissimi viri magnitudinem animi desideres. 70. Quamquam quis hoc credat, Cn. Pompeium, juris publici, moris majorum, rei denique publice peritiissimum, quam senatus ei commerisit, ut videret, ne quid res publica detrimenti caperet, quo uno versiculo satis armati semper consules fuerunt, etiam nullis armis datis, hunc exercitu, hunc defectu dato, iudicium exspectaturum fuisset in ejus consiliis vindicandis, qui vi judicandæ ipsa tolleret? Satis judicatum est a Pompeio, satis, falsa ista conferri in Milonem, qui legem tulli, qua, 25 ut ego sentio, Milonem absolvì a vobis oporteret, ut omnes confitentur, liceret. 71. Quod vero in illo loco atque illis publicorum præsidiorum copiis circumfusus sedet, satis declarat, se non terrem inferre vobis (quid enim minus illo dignum, quam cogere, ut vos eum condemnatis, in quem animadvertere ipse et more majorum et suo jure posset?), sed præsidio esse, ut intelligatis, contra hesternam illam concionem licere vobis, quod sentiatis, liberta judicare.

XXVII. 72. Nec vero me, judices, Clodianum crimen movet, nec tam sum demens tamque vestri sensus ignarus atque expris, ut nesciam, quid de morte Clodii sentiatis. De qua, si jam nollem ita diluere crimen, ut dilui, tamen impune Miloni palam clamare ac mentiri gloriose liceret: "Occidi, occidi, non Sp. Mælium, qui annona levanda jacturusque rei familiaris, quia nimis amplecti plebem videbatur,
in suspicionem incidunt regni appetendi, non Ti. Gracchum, qui collegae magistratum per seditionem abrogavit, quorum interfectores impleverunt orbem terrarum nominis sui gloria, sed eum (auderet enim dicere, quem patriam periculo suo liberasset), cujus nefandum adulterium in pulvinaribus san-
5 ctissimis nobilissimae feminae comprehenderunt; 73. eum, cujus supplicio senatus sollemnes religiones expiandas sepe censuit; eum, quem cum sorore germana nefarium stuprum fecisse, L. Lucullus juratus se, quaestionibus habitis, dixit comperisse; eum, qui civem, quem senatus, quem populus 10 Romanus, quem omnes gentes urbis ac vitae civium conservatorem judicarant, servorum armis exterminavit; eum, qui regna dedit, ademit, orbem terrarum, quibuscum voluit, partitus est; eum, qui, plurimos caedibus in foro factis, singulari virtute et gloria civem domum vi et armis compulit; 15 eum, cui nihil unquam nefas fuit nec in facinore nec in libidine; eum, qui edem Nympharum incendit, ut memoriam publicam recensionis, tabulis publicis impressam, exstingueret; 74. eum denique, cui jam nulla lex erat, nullum civile jus, nulli possessionum termini; qui non calumnia litium, 20 non injustis vindiciis ac sacramentis alienos fundos, sed castris, exercitu, signis inferendis petebat; qui non solum Etruscus (eos enim penitus contemptserat), sed hunc P. Varium, fortissimum atque optimum civem, judicem nostrum, pellere possessionibus armis castrisque conatus est; qui cum 25 architectis et decempedis villas multorum hortosque peragravit; qui Janiculo et Alpibus spem possessionum termi-
nabat suarum; qui, quem ab equite Romano splendido et forti, M. Paconio, non impetrasset, ut sibi insulam in lacu Prilio venderet, repente lintribus in eam insulam materiem, 30 calcem, cementa, arma convexit, dominoque trans ripam inspectante non dubitavit edificiostrue in alieno; 75. qui huic T. Furfanio, cui viro? dii immortales! (quid enim ego de muliercula Scantia, quid de adolescente P. Apinio dicam? quorum utrique mortem est minitatus, nisi sibi hortorum possessione cessisset); sed ausus est Furfanio dicere, si sibi pecuniam, quantum poposerat, non dedisset, mortuum se in domum ejus illaturum, qua invidia huic esset tali viro conflagrandum; qui Appium fratrem, hominem mihi conjunctum fidissima gratia, absentem de possessione fundi 40 dejectit; qui parietem sic per vestibulum sororis instituit ducere, sic agere fundamenta, ut sororem non modo vesti-
bulo privaret, sed omni aditu et limine.”

XXVIII. 76. Quamquam haec quidem jam tolerabilia
videbantur, etsi aequabiliter in rem publicam, in privatos, in longinquos, in propinquos, in alienos, in suos irruebat; sed aescio quomodo jam usus obducrar et celeriter atque infractus civitatis incredibilis patientia. "Quae vero aderant jam et impende- bant, quonam modo ea aut depellere potuissetis aut perdere? Imperium ille si nactus esset, servorum exercitus illum in urbe conscripturum fuisse, per quos totam rem publicam resque omnium possideret? 77. Quamobrem, si erunt gladium tenens clamaret T. Annius: "Adeste, quaeso, atque audite, cives; P. Clodium interfeci; ejus furores, quos nullis jam legibus, nullis judiciis frenare poteramus, hoc ferro et haec dextra a cervicibus vestris reppuli, per me ut unum jus, aequitas, leges, libertas, pudor, pudicitia in civitate manerent," esset vero timendum, quonam modo id ferret civitas! Nunc enim quis est, qui non probet? qui non laudet? qui non unum post hominum memoriam T. Annium plurimum rei publicae profuisse, maxima laetitia populum Romanum, cunctam Italiam, nationes omnes affe- cisse et dicat et sentiat? Non queo, vetera illa populii Romani gaudia quanta fuerint, judicare. Multas tamen jam summorum imperatorum clarissimas victorias ætas nostra vidit, quaram nulla neque tam diuturnam attulit laetitiam nec tantam. 78. Mandate hoc memoriae, judices. Spero multa vos liberose vestros in re publica bona esse visuros; in iis singulis ita semper existimabitis, vivo P. Clodio nihil eorum vos visurosuisse. In spem maximam et, quemadmodum confido, verissimam sumus adducti, hunc ipsum annum, hoc ipso summum viro consule, compressa hominum licentia, cupiditatis fractis, legibus et judiciis constitutis, salutarem civitati fore. Num quis est igitur tam demens, qui hoc, P. Clodio vivo, contingere putuisse arbitreretur? Quid? ea, quæ tenetis, privata atque vestra, dominante homine furioso, quod jus perpetua possessionis habere potuisse?

XXIX. Non timeo, judices, ne odio mearum inimiciarum inflammatus libentius haec in illum evomere videar quam verius. Etenim etsi præcipuum esse debebat, tamen ita communis erat omnium ille hostis, ut in communi odio pæne
ORATIO

Quae mihi ipsi tribuenda lux esset, quem tantum in consulatu meo pro vobis ac liberis vestris ausus essem, si id, quum conabar, sine maximis dimicationibus meis me esse ausurum arbitrer? Quae mulier sceleratum ac perniciem

5 sum cive occidere non auderet, si periculum non timeret? Proposita invidia, morte, pœna, qui nihil segnius rem publicam defendit, is vir vere putandus est. Populi grati est, præmiis afficere bene meritos de re publica cives, viri fortis, ne supplicius quidem moveri, ut fortiter fecisse poe

10 niteat. 83. Quamobrem uteretur eadem confessione T. Annius, qua Ahala, qua Nasica, qua Opimius, qua Marius, qua nosmet ipsum, et, si grata res publica esset, laetaretur, si ingrata, tamen in gravi fortuna conscientia sua niteretur.

Sed hujus beneficii gratiam, judicibus, fortuna populi Romani et vestra felicitas et dii immortales sibi debere putant.

Nec vero quod quia aliter arbitrori potest, nisi qui nullam vim esse duxit numenve divinum, quem neque imperii nostri magnitude neque sol ille nec cæli signorumque motus nec vicissitudines rerum atque ordines movet neque, ubi quod maximum est, majorum sapientia, qui sacra, qui caerimonias, qui auspicia et ipsi sanctissimse coluerunt et nobis, suis posteris, prodiderunt.

XXXI. 84. Est, est profecto illa vis, neque in his corporibus atque in hac imbecillitate nostra inest quidam

25 quod vigeat et securat, et non inest in hoc tanto natura tam praecario motu. Nisi forte idcirco non putant, quia non appareat nec vernit; proinde quasi nostram ipsum mentem, qua sapimus, qua providemus, qua haec ipsa agimus ad dicimus, videre aut planè, qualis aut ubi sit, sentire

possimus. Et vis igitur ipsa, quæ sœpe incredibiles huic urbi felicitates atque opes attulit, illam pericellam extinxit, ac sustulit, cui primum mentem injecit, ut vi irruptions terrae lacesse fortissimum virum auderet vincereturque, ab eo, quem si vissent, habiturus esset impunitatem et licenti tiam sempiternam. 85. Non est humano consilio, ne mediocri quidem, judicibus, deorum immortali cura res illa perfecta. Religiones mehcreule ipsae, quæ igitur bellum cadere viderunt, commovisse se videntur et jus in illo suum retinuiisse. Vos enim jam, Albani tumuli atque luci, vos 40 inquam, imploro atque testor, vosque Albaniorem obtutare aræ, sacrorum populi Romani sociae et æuales, quas ille, praeceps amentia, eæsis prostratisque sanctissimis lucis, substructionum insanus molibus oppresserat; vestra tum, [aræ.] vestrae religiones viguerunt, vestrae vis valuit, quam
PRO T. ANNIO MILONE, CAP. XXXII, XXXIII.

dle omni scelere polluerat, tuque ex tuo edito monte, Latia-
ris sancte Juppiter, cujus ille lacus, nemcra finesque sæpe
omni nefario stupro et scelere macularat, aliquando ad cum
puniendum oculos aperuisti; vobis illæ, vobis vestro in
conspectu seræ, sed justæ tamen et debita pœnæ solutæ sunt. 86. Nisi forte hoc etiam casu factum esse dicemus,
ut ante ipsam sacrarium Bonæ Deæ, quod est in fundo T.
Sestii Galli, in primis honesti et ornati adolescentis, ante
ipsam, inquam, Bonam Deam, quam precarium commississet,
primum illud vulnus acciperet, quo teterrimam mortem obiret,
ut non absolutus judicio illo nefario sideretur, sed
ad hanc insignem pœnam reservatus.

XXXII. Nec vero non cadem ira deorum hanc ejus sa-
tellitibus injecit amentiam, ut sine imaginibus, sine cantu
atque ludis, sine exsequiis, sine lamentis, sine laudationibus,
sine funere, oblitus cruore et luto, spoliatus illius supremi
diei celebritate, cui cedere etiam inimici solent, ambureretur
abjectus. Non fuisse credo fas, clarissimorum virorum
formas illi tetterrimo parricide aliiquid decoris afferre, neque
ullo in loco potius mortem ejus lacerari, quam in quo esset
vita damnata.

87. Dura, medius fidius, mihi jam fortuna populi Romani
et crudelis videbatur, quæ tot annos illum in hanc rem
publicam insultare pateretur. Polluerat stupro sanctissimas
religiones, senatus gravissima decreta perfregerat, pecunia
se a judicibus palam redemerat, vexarat in tribunatu sena-
tum, omnium ordinum consensu pro salute rei publicæ
gesta resciderat, me patria expulerat, bona diripuerat, do-
mum incenderat, liberos, conjugem meam vexarat, Cn.
Pompeio nefarium bellum indixerat, magistratum privato-
rumque cædes effecerat, domum mei fratris incenderat,
vastarat Etruriam, multos sedibus ac fortunis ejecerat;
instabat, urgebatus; capere ejus amentiam civitas, Italia,
provinciae, regna non poterant; incidebatur jam domi
leges, quæ nos servis nostris addicerent; nihil erat cujus-
quam, quod quidem ille adamasset, quod non hoc anno
suum fore putaret. 88. Obstabat ejus cogitationibus nemo
praeter Milonem. Illum ipsum, qui poterat obstare, novo
reditu in gratiam quasi devinctum arbitrabatur; Cæsar is
potentiam suam esse dicebat; bonorum animos in meo casu
contemperat; Milo unus urgebath.

XXXIII. Hic dixi immortales, ut supra dixi, mentem illi
perdito ac furioso dederunt, ut huic faceret insidias. Aliter
perire pestis illa non potuit; nunquam illum res publica
suo jure esset ulta. Senatus, credo, prætorem eum circumscriptisset. Ne quem soletab quidem id facere, in privato eodem hoc aliquid profererat. 89. An consoles in prætore coercendo fortes fuissent? Primum, Milone occiso, 5 habuisset suas consoles; deinde quis in eo prætore consul fortis esset, per quem tribunum virtutem consularem crudelissime vexatam esse meminisset? Oppressisset omnia, possideret, teneret; lege nova, quæ est inventa apud eum cum reliquis legibus Clodianis, ser ros nostros libertos suos 10 fecisset. Postremo, nisi eum dii immortales in eam mentem impulissent, ut homo effeminatus fortissimum virum conaretur occidere, hodie rem publicam nullam haberetis. 90. An ille prætor, ille vero consul, si modo hæc templa atque ipsa mœnia stare eo vivo tamdiu et consulatum ejus exspectare potuissent, ille denique vivus mali nihil fecisset, qui mortuus, uno ex suis satellitibus [Sex. Clodio] duce, curiam incenderit? Quo quid miserius, quid acerbius, quid luctuosius vidimus? Templum sanctitatis, amplitudinis, mentis, consili publici, caput urbis, aram sociorum, portum omnium 15 gentium, sedem ab universo populo concessam uni ordini, inflammari, excindì, funestari? neque id fieri a multitudine imperita, quamquam esset miserum id ipsum, sed ab uno? Qui quum tantum ausus sit ustor pro mortuo, quid signifer pro vivo non esset ausus? In curiam potissimum abjecit, ut eam mortuus incenderet, quam vivus everterat. 91. Et sunt, qui de via Appia quœrantur, taceant de curia? et qui ab eo spirante forum potent potuisse defendi, cujus non restiterit cadaveri curia? Excitate, excitate ipsum, si potestis, a mortuis. Frangetis impetum vivi, cujus vix sustinetis furies insepulci? Nisi vero sustinuistis eos, qui cum facibus ad curiam concurrerunt, cum falcibus ad Castoris, cum gladiis toto foro volitarunt. Cædi vidistis populum Romanum, concionem gladiis disturbari, quæm audiretur silentio M. Cælius, tribunus plebis, vir et in re publica for 35 tissimus et in suscepta causa firmissimus et honorum voluntati et auctoritati senatus deditus et in hac Milonis sive invidia sive fortuna singulari divina et incredibili fide.

XXXIV. 92. Sed jam satis multa de causa; extra causam etiam nimis fortesse multa. Quid restat, nisi ut orem 40 obtesterque vos, judices, ut eam misericordiam tribuatis fortissimo viro, quam ipse non imploraret, ego, etiam repugnante hoc, et implorò et exposco? Nolite, si in nostro omnium fletu nullam lacrimam adspexisitis Milonis, si vul tum semper eundem, si vocem, si orationem stabilem ac
non mutatam videtis, hoc minus ei parcer. Haud scio, an multo etiam sit adjuvandus magis. Etenim si in gladiatoris pugnis et in infini generis hominum conditione atque fortuna timidos atque supplices et, ut vivere liceat, obserantes etiam odisse solemus, fortas et animosos et se acriter ipsos morti offertore servare cupimus, eorumque nos magis miseret, qui nostram misericordiam non requirunt, quam qui illam efflagitant, quanto hoc magis in fortissimis civibus facere debemus? 93. Me quidem, judices, examinant et interimunt hæ voces Milonis, quas audio assidue et quibus intersum quotidianie. "Valeant, inquit, valeant cives mei; sint incolumes, sint florentes, sint beati; stet haec urbs praetexta mihique patria carissima, quoquo modo erit merita de me; tranquilla re publica me cives (quoniam mihi cum illis non licet) sine me ipsi, sed per me tamen, perfrauntur; 15 ego cedam atque abibo; si mihi bona re publica frui non licuerit, at carebo mala, et quam primam tetigero bene moratam et liberam civitatem, in ea conquiescam. 94. O frustra, inquit, mei suscepit labores! o spes fallaces! o cogitationes inanes meæ! Ego, quam tribunus plebis, re publica oppressa, me senatui dedissem, quem extinctum acceperam, equitibus Romanis, quorum vires erant debiles, bonis viris, qui omnem auctoritatem Clodianis armis abjecerant, mihi unquam honorum praesidium defuturum putarem? ego, quem te (mecum enim sappissime loquitur) 25 patris reddidissem, mihi putarem in patria non futurum locum? Ubi nunc senatus est, quem secuti sumus? ubi equites Romani illi, illi, inquit, tui? ubi studia municipiorum? ubi Italiae voces? ubi denique tua illa, M. Tullia, quæ plurimis fuit auxilio, vox atque defensio? mihine ea soli, 30 qui pro te toties morti me obtuli, nihil potest opitulari?"

XXXV. 95. Nec vero haec, judices, ut ego nunc, flens, sed hoc codem loquitur vultu, quo videtis. Negat enim se, negat, ingratis civibus fecisse, quæ fecerit; timidis et omnibus periculis circumspicientibus, non negat. Plebem et insimam 35 multitudinem, quæ P. Clodio duce fortunis vestris imminebat, eam, quo tutior esset vestra vita, se fecisse commemorat, ut non modo virtute fleceret, sed etiam tribus suis patrimonii deleniret; nec timet, ne, quem plebem muneribus placarit, vos non conciliarit meritis in rem publicam singularibus. Senatus erga se benevolentiam temporibus his ipsis sepe esse perspectam, vestras vero et vestrorum ordinum occasiones, studia, sermones, quemcunque cursum fortuna dederit, secum se ablaturum esse dicit. 96. Me-
OUATiO

Praeclare qua centesima sed, sed te esse nunc banc beatos se

25 factorum quam fortis facti laboro, mani P. actos et hominum vetustas. qui honori clarissime unum minime minit ipsum, vulnus landum est quum sed peragravit. inimicis semper ascendere. esse, ret, vitamet semdiis haec T. videro, vixero, meo vos inuretis per sed Nee XXXYI, Anni, Clodii omni ista cepit optime. amicissimi, iisdem beneficio vero, contra capite cujus sunt, crimem et periculis et etiara, absentes isto cupierit, esse ut quoniam si accepero. magis omnes (etsi vitae virtus, faces nullum querela, desiderarit, mihi praemia, animo audientibus

99. Quamobrem, magis invidiae gentes non divina adesse, ut quidem mihi virtus, altera mihi virtus, mea meae ipsa ipsa sustentat, nihil prae- maioribus, quae sensim esse prae prae- est; sed etiam in celum homines viderentur ascendere. 98. “De me, inquit, semper populus Romanus, semper omnes gentes loquentur, nulla unquam obmutescet vetustas. Quin hoc tempore ipso, quum omnes a meis

20 inimicis faces invidiae meae subjiciantur, tamen omni in hominum coetu gratii agendis et gratulationibus habendis et omni sermone celebramur. Omitto Etruriae festos et actos et institutos dies; centesima lux est haec ab interitu P. Clodii et, opinor, altera; qua fines imperii populi Romani sunt, ea non solum fama jam de illo, sed etiam laetitia peragravit. Quamobrem, ubi corpus hoc sit, non, inquit, laboro, quoniam omnibus in terris et jam versatur et semper habitabit nominis mei gloria.”

XXXVI. 99. Hae tu mecum seae, his absentibus; 30 sed iisdem audientibus haec ego tecum, Milo: te quidem, quum isto animo es, satis laudare non possum; sed, quo est ista magis divina virtus, eo majore a te dolore divellor. Nec vero, si mihi eriperis, reliqua est illa tamen ad consolandum querela, ut his irasci possim, a quibus tantum

35 vulnus accepero. Non enim inimici mei te mihi eripient, sed amicissimi, non male aliquando de me merit, sed semper optime. Nullum mihi unquam, judices, tantum dolore inuretis (etsi quis potest esse tantus?), sed ne hunc quidem ipsum, ut obliviscar, quanti me semper feceritis. Quae si vos cepit oblivio, aut si in me aliquid offendistis, cur non id meo capite potius luitur quam Milonis? Praeclare enim vixerro, si quid mihi acciderit prius, quam hoc tantum mali videro. 100. Nunc me una consolatio sustentat, quod tibi, T. Anni, nullum a me amoris, nullum studii, nullum pietatis
officium defuit. Ego inimicitias potentium pro te appetivi, ego meum sæpe corpus et vitam objeci armis inimicorum tuorum, ego me plurimis pro te supplicem abjeci, bona, fortunas meas ac liberorum meorum in communionem tuorum temporum contuli; hoc denique ipso die, si qua vis est parata, si qua dimicatio capitis futura, deposco. Quid jam restat? quid habeo, quod faciam pro tuis in me meritis, nisi ut eam fortunam, quae cumque erit tua, ducam meam? Non abnuo, non recuso, vosque obseco, judices, ut vestra beneficia, quae in me contulistis, aut in hujus salute augeatis, aut in ejusdem exitio occasura esse videatis.

XXXVII. 101. His lacrimis non movetur Milo. Est quodam incredibili robore animi; exsilium ibi esse putat, ubi virtuti non sit locus; mortem naturae finem esse, non poenam. Sed hic ea mente, qua natus est; quid vos, judices? quo tandem animo eritis? Memoriae Milonis retinebitis, ipsum ejicietis? et erit dignior locus ullus in terris, qui hanc virtutem excipiat, quam hic, qui proceravit? Vos; vos appello, fortissimi viri, qui multum pro re publica sanguinem effusistis; vos in viri et in civis invicti periculo 20 appello, centurionibus, vosque, milites; vobis non modo inspectantibus, sed etiam armatis et huic judicio praesidentibus, haec tanta virtus ex hac urbe expelletur, exterminabitur, projicietur? 102. O me miserum, o me infelicem! Revocare tu me in patriam, Milo, potuisti per hos, ego te in 25 patria per eosdem retinere non potero? Quid respondesbo liberis meis, qui te parentem alterum putant? quid tibi, Quinte frater, qui nunc abes, consorti mecum temporum illorum? mene non potuisse Milonis salutem tueri per eosdem, per quos nostram ille servasset? At in qua causa 30 non potuisse? quae est grata ** gentibus non potuisse? iiis, qui maxime P. Clodii morte acquierunt; quo deprecante? me. 103. Quodnam ego concepti tantum scelus, aut quod in me tantum facinus admisi, judices, quem illa indicia communis exitii indagavi, patefeci, protuli, exstinxi? 35 Omnes in me meosque redundant ex fonte illo dolores. Quid me reducem esse voluistis? an ut, inspectante me, expellerentur ii, per quos essem restitutus? Nolite, obseco vos, acerbiorem mihi pati redivum esse, quam fuerit ille ipse discessus. Nam qui possum putare me restitutum esse, si 4C distrahare ab iiis, per quos restitutus sum?

XXXVIII. Utinam dii immortales fecissent (pace tua, patria, dixerim; metuo enim, ne scelerate dicam in te, quod pro Milone dicam pie), utinam P. Clodius non modo vive-
ret, sed etiam praetor, consul, dictator esset potius, quam hoc spectaculum viderem! 104. O dii immortales! fortém et a vobis, judices, conservandum virum! "Minime, mini-
me, inquit. Immo vero pœnas ille debitas luerit; nos 
5 subeamus, si ita necesse est, non debitas." Hic cine vir 
patriæ natus usquam nisi in patria morietur, aut, si forte, 
pro patria? hujus vos animi monumenta retinebitis, corporis 
in Italia nullum sepulcrum esse patiemini? hunc sua quis-
quam sententia ex hac urbe expellet, quem omnes urbes 
10 expulsum a vobis ad se vocabunt? 105. O terram illam 
beatam, quae hunc virum exceperit; hanc ingratam, si 
ejecerit, miseram, si amiserit! Sed finis sit. Neque enim 
præ lacrimis jam loqui possum, et hic se lacrimis defendi 
vetat. Vos oro obtestorque, judices, ut in sententiis fe-
15 rendis, quod sentietis, id audeatis. Vestram virtutem, 
justitiam, fidem, mihi credite, is maxime præ babit, qui in 
judicibus legendis optimum et sapientissimum et fortissimum 
quemque delegit.
NOTES.

THE FOUR ORATIONS AGAINST CATILINE

GENERAL INTRODUCTION.

Catiline, L. Sergius,* the descendant of an ancient patrician family which had sunk into poverty, first appears in history as a zealous partisan of Sulla. During the horrors of the great proscription, among many other victims, he killed, with his own hand, his brother-in-law, Q. Cecilius, described as a quiet, inoffensive man, and having seized and tortured the well-known and popular M. Marius Gratidianus, the kinsman and fellow-townsman of Cicero, cut off his head, and bore it in triumph through the city. Plutarch accuses him in two places (Sull. 32, Cíc. 10) of having murdered his own brother at the same period, under circumstances of peculiar atrocity, but there is probably some confusion here between the brother and the brother-in-law; for Sallust, when enumerating the crimes of Catiline, would scarcely have failed to add such a monstrous deed as this to the black catalogue. Although his youth was spent in the most reckless extravagance, and in the open indulgence of every vice; although he was known to have been guilty of various acts of the foulest and most revolting debauchery; although he had incurred the suspicion of an intrigue with the vestal Fabia, sister of Terentia; and although it was said and believed that he had made away with his first wife and afterwards with his son, in order that he might wed the fair and rich but worthless Aurelia Orestilla, who objected to the presence of a grown-up step-child, yet this complicated infamy appears to have formed no bar to his regular political advancement,—for he attained to the dignity of prætor in B.C. 68, was governor of Africa during the following year, and returned to Rome in 66, in order to press his suit for the consulship. The election for 65 was carried by P. Autronius Petrus and P. Cornelius Sulla, both of whom were soon after convicted of bribery, and their places supplied by their competitors and accusers, L. Aurelius Cotta and L. Manlius Torquatus; Catiline, who was desirous of becoming a candidate, having been disqualified in consequence of an impeachment for oppression in his province, preferred by P. Clodius Pulcher, afterwards so celebrated as the implacable enemy of Cicero. Exasperated by their disappointment, Autronius and Catiline forthwith formed a project along with a certain Cn. Calpurnius Piso, a young man of high family, but turbulent, needy, and profligate, to murder the new consuls upon the first of January, when offering up their vows in the Capitol, after which Autronius and Catiline were to seize the fasces, and Piso was to be dispatched with an army to occupy the Spain. Some rumors of what was in contemplation having been spread abroad, such precautions were taken that the conspirators were induced to delay the execution of their plan until the 5th of February, resolving at the same time to include many of the leading men of the state in the proposed massacre. This extraordinary design is said to have been frustrated solely by the impatience of Catiline, who, upon the appointed day, gave the signal prematurely, before the whole of the armed agents had assembled.

* This account of the career of Catiline is the article under that head in the "Dictionary of Greek and Roman Biography and Mythology."
and thus confounded the preconcerted combinations. The danger being past, certain resolutions were proposed in the senate with regard to the authors of this abortive attempt; but the proceedings were quashed by the intercession of a tribune. The plot was, however, a matter of common discussion, and no one seems to have entertained any doubt of its reality, while many did not scruple to assert that M. Crassus and Julius Cæsar, who was then edile, were deeply involved. (Q. Cic. de pet. Cons. 2, &c.; Asconius in Tog. cand. and in Cornel.; Sall. Catil. 15–18; Liv. Epit. 101; Dion Cass. xxxvi 27; Sueton. Jul. 9; Cic. pro Sulla, 1–24, pro Murœna, 38, pro Cæli, 4, in Catil. 1. 6.)

Encouraged rather than disheartened by a failure which had so nearly proved a triumph, and which had so distinctly demonstrated the practicability of such a project, if conducted with common prudence and caution, Catiline was soon after (a. c. 65) left completely unfettered, by his acquittal upon trial for extortion, a result secured, it was alleged, by the liberal bribes administered to the accuser as well as to the jury. From this time he seems to have determined to proceed more systematically; to enlist a more numerous body of supporters; to extend the sphere of operations, and to organize a more comprehensive and sweeping scheme of destruction. Accordingly, about the beginning of June, b. c. 64, probably soon after the successful termination of his second trial, when called to account for the blood which he had shed during the proscription of Sulla (Dion Cass. xxxvii. 10), he began, while canvassing vigorously for the consulship, to sound the dispositions of various persons, by pointing out the probable success of a great revolutionary movement, and the bright prospect of power and profit opened up to its promoters. After having thus ascertained the temper of different individuals, he called together those who from their necessities, their characters, and their sentiments, were likely to be most eager and most resolute in the undertaking. The meeting, according to Sallust, was attended by eleven senators, by four members of the equestrian order, and by several men of rank and influence from the provincial towns. The most conspicuous were P. Cornelius Lentulus Sura, who had been consul in b. c. 71, but having been passed over by the censors had lost his seat in the senate, which he was now seeking to recover by standing a second time for the pretorship (Dion Cass. xxxvii. 30); C. Cornelius Cethegus, distinguished throughout by his impatience, headstrong impetuosity, and sanguinary violence (Sall. Cat. 43; Cic. pro Sull. 19); P. Antonius, spoken of above; L. Cassius Longinus, at this time a competitor for the consulship, dull and heavy, but bloodthirsty withal (Cic. in Cat. iii. 4–6; pro Sulla, 13); L. Vargunteius, who had been one of the colleagues of Cicero in the quastorship, and had subsequently been condemned for bribery (pro Sull. 5, 6, 18); L. Calpurnius Bestia, tribune elect; Publius and Servius Sulla, nephews of the dictator; M. Porcius Læca (Cic. in Cat. i. 4, ii. 6, pro Sull. 2, 18); Q. Annius; Q. Curius; M. Fulvius Nobilior; L. Statilius; P. Gabinius Capito; C. Cornelius. In addition to these, a great body of the younger nobility were known to be favorably inclined, although they had not openly committed themselves; and now, as on the former occasion, rumor included Crassus and Cæsar, although the report does not appear to have gained general belief.

At this assembly, Catiline, after expatiating upon a number of topics calculated to rouse the indignation and stimulate the cupidity of his audience, proceeded to develop his objects and resources. He proposed that all debts should be cancelled, that the most wealthy citizens should be proscribed, and that all offices of honor and emolument should be divided among the associates, while for support he counted upon Piso in Iberia, Spain, P. Sittius Nucerius with the army in Mauritanian, and at home confidently anticipated the co-operation of C. Antonius, whom he expected to be chosen consul along
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with himself for the following year, having formed a coalition with him for
the purpose of excluding Cicero. The votes of the people, however, in some
measure deranged these calculations. Cicero and C. Antonius were returned,
the former nearly unanimously, the latter by a small majority over Catiline.
This disappointment, while it increased if possible the bitterness of his animosity
wards the dominant party among the aristocracy and the independent portion of the middle ranks, rendered him more vigorous in the prosecution of
his designs. Large sums of money were raised upon his own security, or on
the credit of his friends; magazines of arms and other warlike stores were
secretly formed; troops were levied in various parts of Italy, especially in the
neighborhood of Fæsulae, under the superintendence of C. Manlius, an expe-
rienced commander, one of the veteran centurions of Sulla (Dion Cass.
xxvii. 30), and numerous adherents were enrolled from the most desperate
classes, including not a few women of ruined reputation; attempts also were
made in various quarters to gain over the slaves, and it was determined, when
the critical moment should arrive for an open demonstration, to set fire to
the city in many different places at the same instant, and to slaughter the
well-disposed portion of the population in the tumult. Meanwhile, in the
midst of these extensive preparations, Catiline again (63) stood candidate for
the consulship, and used every effort to get rid of Cicero, who met him at
every turn and thwarted all his best-contrived machinations. Nor was this
wonderful, for he was countermanded from a quarter whence he apprehended
no danger. One of the most high-born, abandoned, but, at the same time,
weak and vacillating, among the conspirators, was a certain Q. Curius, who
had been expelled from the senate by the censors on account of the infancy of
his life. This man had long consorted with a noble mistress named Fulvia,
who appears to have acquired complete control over his mind, and to have
been made the depository of all his secrets. Fulvia, alarmed by the intelli-
gence obtained from her lover, divulged what she had learned to several of her
acquaintances, and, through them, opened a correspondence with Cicero, to
whom she regularly communicated all the particulars she could collect, and
at length persuaded Curius himself to turn traitor and betray his comrades.
Thus the consul was at once put in possession of every circumstance as soon
as it occurred, and was enabled to keep vigilant watch over the conduct of
every individual from whom danger was to be apprehended. By imparting to
a certain extent his fears and suspicions to the senators and moneyed men, he
excited a general feeling of distrust and suspicion towards Catiline, and bound
firmly together, by the tie of common interest, all who having property to lose
looked forward with dread to confusion and anarchy; Antonius, whose good
faith was more than doubtful, he gained over by at once resigning to him the
province of Macedonia, while he protected his own person by a numerous
body of friends and dependents who surrounded him whenever he appeared
in public. These preliminary measures being completed, he now ventured to
speak more openly; prevailed upon the senate to defer the consular elections
in order that the state of public affairs might be fully investigated; and at
length, on the 21st of October, openly denounced Catiline, charged him
broadly with treason, predicted that in six days from that time Manlius would
take the field in open war, and that the 28th was the period fixed for the mur-
der of the leading men in the commonwealth. Such was the consternation
produced by these disclosures, that many of those who considered themselves
peculiarly obnoxious instantly fled from Rome, and the senate being now
thoroughly roused, passed the decretum ultimum, in virtue of which the con-
suls were invested for the time being with absolute power, both civil and
military. Thus supported, Cicero took such precautions that the Comitia
passed off without any outbreak or even attempt at violence, although an at-

tack upon the magistrates had been meditated. Catiline was again rejected; was forthwith impeached of sedition, under the Plautian law, by L. Æmilius Paullus; was forced to abandon the expectation he had entertained of surprising the strong fortress of Praeneste, which would have formed an admirable base for his warlike operations; and found himself every hour more and more closely confined and pressed by the net in which he was entangled through the activity of Cicero. Driven to despair by this accumulation of disappointments and dangers, he resolved at once to bring matters to a crisis, and no longer to waste time by persevering in a course of policy in which he had been so repeatedly foiled. Accordingly, while he still endeavored to keep up appearances by loud protestations of innocence, and by offering to place himself under the control and surveillance of M. Lepidus; of Q. Metellus, the praetor; or of M. Marcellus, in whose house he actually took up his abode; or even of Cicero himself; on the night of the 6th of November he met the ring-leaders at the dwelling of M. Porcius Laeca, and after complaining of their backwardness and inactivity, informed them that he had dispatched Manlius to Etruria, Septimius of Camerinum, to Picenum, C. Julius to Apulia, and others of less note to different parts of Italy to raise open war, and to organize a general revolt of the slave population. He added that he was desirous to place himself at the head of his troops, but that it was absolutely necessary in the first place to remove Cicero, whose vigilance was most injurious to their cause. Upon this L. Vargunteius, a senator, and C. Cornelius, a knight, undertook to repair at an early hour the following morning to the house of the consul, to make their way into his chamber as if for the purpose of paying their respects, and then to stab him on the spot. The whole of these proceedings were instantly reported to their intended victim; the assassins, when they presented themselves, were refused admission, and certain intelligence having been now received that the rebellion had actually broken out, on the 27th of October, in Etruria, Cicero, on the 8th of November, went down to the senate, which, for greater security, had been summoned to meet in the temple of Jupiter Stator, and there delivered his celebrated oration, “Quousque tandem abutere, Catilina, patientia nostra?” which paralyzed the traitor, not so much by the vehemence of the invective, as by the intimate acquaintance which it displayed with all his most hidden contrivances. Catiline, who upon his entrance had been avoided by all, and was sitting alone upon a bench from which every one had shrunk, rose to reply with downcast countenance, and in humble accents implored the fathers not to listen to the malignant calumnies of an upsett foreigner against the noblest blood in Rome; but scarcely had he commenced when his words were drowned by the shouts of “enemy” and “parricide” which burst from the whole assembly, and he rushed forth with threats and curses on his lips. On his return home, perceiving that there was now no hope of destroying his hated foe, and that the strict watch kept throughout the city rendered tumult and fire-raising difficult if not impossible for the present, he resolved to strike some decisive blow before troops could be levied to oppose him, and accordingly leaving the chief control of affairs at Rome in the hands of Lentulus and Cethegus, with the promise at the same time to march with all speed to their support at the head of a powerful army, set forth in the dead of night (8th-9th November), and after remaining for a few days with his adherents in the neighborhood of Arretium, where he assumed the fasces and other ensigns of lawful military command, proceeded to the camp of Manlius, having previously addressed letters to the most distinguished consuls and others, solemnly protesting his innocence, and declaring that, unable to resist the cabal formed among his enemies, he had determined to retire to Marseilles, that he might preserve his country from agitation and disturbance.
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On the 9th, when the flight of Catiline was known, Cicero delivered his second speech, which was addressed to the people in the forum. The senate proceeded to declare Catiline and Manlius public enemies, dispatched officers of high standing to Etruria, Ficenum, Campania, Apulia, and the different districts from which danger was apprehended, directed the consuls to hold a levy with all speed, decreed that Antonius should go forth to the war, and that Cicero should remain to guard the city; offering at the same time an amnesty to all who should quit the rebels, and free pardon and great rewards to any who should give such information as might lead to the discovery and conviction of the conspirators within the walls. It is a remarkable fact, and one which indicates most strongly the disaffection of the lower classes to the existing order of things, that not one man could be found to take advantage of this proclamation, and that not a single soldier deserted from the rebel standard. This circumstance threatened to prove a source of most serious embarrassment. Although the existence of the conspiracy and the names of the leading conspirators were known, not only to the magistrates but to the public at large, yet there was no legal evidence against any individual; for Curius, while he faithfully supplied secret intelligence, could not come forward openly without blasting himself forever, and at the same time depriving the government of its most powerful auxiliary. But such steadfastness of purpose did not extend to certain foreigners belonging to a race proverbial in ancient times for the lightness of their faith. There was at Rome at this period a party of Allobroges, deputies dispatched by their nation to seek relief from certain real or alleged grievances. Their suit, however, had not prospered, and their complaints of the cupidity of the magistrates and of the indifference of the senate were open and loud. Lentulus, conceiving that their discontent might be made available for his own purposes, opened a negotiation through the medium of P. Umbrenus, a freedman, who, in the course of mercantile transactions, had become acquainted with most of the Gaulish chiefs, and who now assuming a tone of warm sympathy with their wrongs, undertook to point out an easy method by which they might obtain ample redress. Finding that these mysterious hints were greedily caught up, he gradually disclosed the nature of the plot, and invited them to co-operate by stimulating their countrymen to insurrection. The men for a long while hesitated, but prudence prevailed. After calculating and balancing the chances, they resolved to secure a certain and immediate recompense, rather than to speculate upon doubtful and distant advantages. Accordingly, they revealed all to Q. Fabius Sanga, the patron of their state, who in his turn acquainted Cicero, and by the instructions of the latter enjoined the ambassadors to adopt great zeal in the undertaking, and if possible to gain possession of some tangible documentary proof. The Gauls played well the part assigned to them. A written agreement, signed by Lentulus, Cethegus, and Statilius, was placed in their hands, and they quitted Rome soon after midnight on the 3d of December, accompanied by T. Volturcius, of Crotona, who was charged with dispatches for Catiline, it being arranged that the Allobroges were to visit his camp on their way homewards for the double purpose of receiving his orders and obtaining a ratification of the pledges given by his agents. The whole cavalcade was surrounded and seized as it was crossing the Milvian bridge, by two of the praetors who had been stationed in ambush to intercept them. The Gauls quietly surrendered; Volturcius, after having vainly endeavored to resist, was overpowered and forced to yield.

Cicero, when informed of the complete success of his plan, instantly summoned Lentulus, Cethegus, Statilius, and Gabinius to his presence. Lentulus being praetor, the consul led him by the hand to the shrine of Concord, where the senate was already met; the rest of the accused followed closely guarded. The praetor Flaccus was also in attendance, bearing the portfolio with the
papers still sealed. Voitucius finding escape impossible, agreed, upon his own personal safety being insured, to make a full confession. His statements were confirmed by the Allobroges, and the chain of testimony was rendered complete and conclusive by the signatures in the handwriting of the ringleaders, which they were unable to deny. The guilt of Lentulus, Cethegus, and seven others being thus established beyond a doubt, Lentulus was forced to abdicate his office, and then along with the rest was consigned to the charge of certain individuals of high station who became responsible for their appearance.

These circumstances as they had occurred having been fully detailed by Cicero in his third oration, delivered in the forum, a strong reaction took place among the populace, who all now joined in executing Catiline and demanding vengeance, from the well-founded conviction, that although they might have derived profit from riot or even from civil war, yet the general conflagration, which had always formed a leading feature in the schemes of the conspirators, must have brought ruin upon the humblest mechanics as well as upon the wealthiest of the aristocracy. On the other hand, a vigorous effort was made by the clients of Lentulus to excite the dregs of the multitude to attempt his rescue. The danger appearing imminent, the senate was called together on the nones (5th) of December, the day so frequently referred to by Cicero in after times with triumphant pride, and the question was put, What was their pleasure with regard to those who were now in custody? After an animated debate, of which the leading arguments are strongly and pointedly expressed in the two celebrated orations assigned by Sallust to Caesar and to Cato, a decree was passed, that the last punishment should be inflicted according to ancient usage upon the convicted traitors. Thereupon the consuls led away Lentulus to the subterranean prison on the slope of the capitol, and the others were conducted thither by the preators. On the self-same night, the high-born patrician Lentulus, a member of the noble Cornelia gens, was strangled in that loathsome dungeon by the common executioner, and the rest of his associates shared his fate.

While these things were going on at Rome, Catiline had gradually collected a force amounting to two legions, although not above one-fourth part of the whole, or about 5,000 men, were fully equipped, the rest being armed with pikes, clubs, and other rude weapons which chance presented. On the approach of Antonius, Catiline, fearing to encounter regular troops with this motley crowd, threw himself into the mountains, and, by constantly shifting his ground and moving rapidly in different directions, contrived to avoid a collision, while at the same time he exercised and disciplined his followers, whose numbers daily increased, although he now refused to enrol slaves, multitudes of whom flocked to his banner, deeming that it might prove injurious to his prospects were he to identify their interests with what he termed the cause of Roman freedom. But when the news arrived of the disclosures that had taken place in the city, of the complete suppression of the plot, and of the execution of the leading conspirators, many who had joined his standard, from the love of excitement and the hope of plunder, gradually slunk away. Those who remained firm he led into the territory of Pistoria, with the design of crossing the Apennines and taking refuge in Gaul. But this movement was anticipated by the vigilance of Metellus Celer, who guarded Picenum with three legions, and had marched straight to the foot of the hills that he might intercept the insurgents on their descent.

Catiline, therefore, at the beginning of the year 62, finding that escape was cut off in front, while Antonius was pressing on his rear, turned fiercely on his pursuers and determined as a last resource to hazard an engagement, trusting that, if successful, all Etruria would be thrown open for the maintenance of
his soldiers, and that he would be able to keep his ground in the disaffected districts until some diversion in his favor should be made in the metropolis. The battle, in which the legions of the republic were commanded by M. Petrius, in consequence of the real or pretended illness of the proconsul Antonius, was obstinate and bloody. The rebels fought with the fury of despair, and long kept at bay the veterans by whom they were assailed. Catiline, in his last field, nobly discharged the duties of a skilful general and a gallant soldier; his eye and his hand were everywhere; he brought up columns to support those who were most hotly pressed; withdrew the wounded and the weary, and supplied their place with the sound and fresh; flew from rank to rank encouraging the combatants, and strove by repeated feats of daring valor to turn the fortune of the day. But, at length, perceiving that all was lost, he charged headlong where the foes were thickest, and fell sword in hand fighting with resolute courage, worthy of a better cause and a better man. His body was found, after the struggle was over, far in advance of his own ranks in the midst of a heap of his enemies; he was yet breathing, and his features in the agonies of death still wore their habitual expression of reckless daring. His adherents, to the number of 3000, imitated the example of their leader. Each perished at his post, and not one freeborn citizen was taken alive either in the fight or in the pursuit. The victory cost the consular army dear, for all the bravest were slain or grievously wounded.

Although we possess only a one-sided history of this famous conspiracy; although much that has been recorded seems so marvellous and incredible, that many have regarded the whole narrative as little better than a fabric of misrepresentation and falsehood, built up by violent political animosity, and resting on a very slender basis of truth; although it cannot be denied that some of the particulars, set down by Dion Cassius (xxxvi. 30) and alluded to by others (e.g. Sall. Cat. 32), of the revolting rites by which the compact between the associates was ratified, are evidently vulgar exaggerations; although little reliance can be placed on the self-panegyrics of Cicero, who would studiously seek to magnify the danger in order to enhance the merits of his own exertions; yet, upon a careful and dispassionate investigation, we shall discover no reasonable ground for entertaining any doubts with regard to the general accuracy of the facts as presented to us by Sallust, whose account is throughout clear and consistent, and is corroborated in all the most important details by the information transmitted from other sources. Nor, upon a close examination into the circumstances of the individuals concerned, of the times, and of the state of public feeling and public morals, shall we have much difficulty in forming a distinct idea of the character of Catiline himself, of the motives by which he was stimulated, and of the calculations by which he was encouraged to anticipate success.

Trained in the wars of Sulla, he was made familiar from his earliest youth with civil strife, acquired an indifference to human suffering, and imbibed an utter contempt for the constitutional forms and government of his country, which had been so freely neglected or violated by his patron. The wealth quickly acquired was recklessly squandered in the indulgence of coarse sensuality; and, although his shattered fortunes may have been to a certain extent repaired by a wealthy marriage, and by the plunder of a province, yet the relief was but temporary; his pleasures were too costly; a considerable portion of his ill-gotten gains would be expended in bribing the different juries who pronounced his innocence, and his necessaries soon became pressing. The remorse too produced by his frightful vices and crimes—remorse which was betrayed by the haggard cheek, the bloodshot eye, the wild glance, and the unsteady step, so graphically depicted by the historian—must have given rise to a frame of mind which would eagerly desire to escape from reflection and
seek relief in fierce excitement. On the other hand, the consciousness of those great mental and physical powers, from which even his most bitter enemies could not withhold a tribute of admiration, combined with the extensive popularity which he had acquired among the young by his agreeable address, varied accomplishments, and unwearied zeal in ministering to their pleasures, must have tended to augment his natural self-confidence, to foster his pride, and to stimulate his ambition. How soon the idea of destroying the liberties of his country may have entered his thoughts it is impossible to discover, but we can readily believe that the career of Sulla was ever present to his imagination, that his grand aim was to become what the dictator had been, and that, provided this end was accomplished, he felt little scrupulous about the means employed. And, in truth, when he looked abroad, the moment seemed most propitious for the advancement of a man of daring and powerful intellect uncontrolled by principle. The leading statesmen were divided into factions which eyed each other with the bitter jealousy engendered during the convulsions in which they had played an active part some twenty years before. The younger nobility, as a class, were thoroughly demoralized, for the most part bankrupts in fortune as well as in fame, eager for any change which might relieve them from their embarrassments, while it held out the promise of unrestrained license. The rabble were restless and discontented, filled with envy and hatred against the rich and powerful, ever ready to follow at the bidding of any seditious demagogue. Thus, at home, the dominant party in the senate, and the equites or capitalists alone felt a deep interest in the stability of the government. Moreover, a wide-spread feeling of disaffection extended over the whole of Italy. Many of the veterans of Sulla, accustomed to riotous living and profuse expenditure, had already squandered their hoards, and looked forward with anxiety to the renewal of those scenes of blood which they had found by experience so profitable; while the multitude whose estates had been confiscated, whose relations had been proscribed, and who themselves were suffering under civil disabilities in consequence of their connection with those who had thus perished, were eagerly watching for any movement which might give them a chance of becoming oppressors, robbers, and murderers in their turn.

Never was the executive weaker. The senate and magistrates were wasting their energies in petty disputes, indifferent to the great interests of the commonwealth; Pompey, at the head of all the best troops of the republic, was prosecuting a long-protracted and doubtful war in the East; there was no army in Italy, where all was hushed in a treacherous calm. If then, Catiline, surrounded as he was by a large body of retainers all devotedly attached to his person and detached from society at large by the crimes which he had suggested or promoted, had succeeded in striking his first great blow, had he assassinated the consuls and the most able of the senators, the chances were, that the waverers among the higher ranks would have at once espoused his cause, that the populace would have been intimidated or gained over, and that thousands of ruined and desperate men would have rushed from all quarters to his support, enabling him to bid defiance to any force which could have been brought to bear upon the city until the return of Pompey from the East. But Pompey might never return, or might not return victorious, or, at all events, a long period must elapse, and ample time would be given for negotiations or resistance. Such were the probabilities which led on Catiline to hazard all upon one great throw;—but the fortune of Rome prevailed, the gambler was ruined, and the state saved. (Sall. Catilin.; Dion. Cass. xxxvi. 27, xxxvii. 10, 29-42; Liv. Epit. 101, 102; Cic. in Catilin. i. ii. iii. iv., pro Sulla, pro Murena, 25, 26, in Pison. 2, pro Flacc. 40, pro Planc. 37, ad Att. i 19, ii. 1, xii. 21, xvi. 14, ad Fam. i. 9; Sueton. Jul. 14; Plut. Cic. 10-22, Cat. Min. 23.)
FIRST ORATION AGAINST CATILINE.

ANALYSIS.

This oration is distributed into three parts:—

1. In the introduction the orator expresses his astonishment at the bold appearance of Catiline in the senate, and reminds him with what severity he ought long before to have been treated, as similar cases were dealt with in earlier periods of the state. He at the same time gives the reasons, for which he has not already put Catiline to death. (Chaps. 1, 2.)

2. The main proposition is a summons to Catiline to leave the city, to go either into exile or into the camp of Mallius (ch. 3); for—

(a) His shameful conspiracy is known to all, his private life stained by crimes of every kind, and his public life has to such a degree excited the abhorrence of the senate, the citizens, and the whole country, that it by an emphatic silence, as it were, demands the removal of Catiline, although the consul by allowing him to go unpunished will bring upon himself the greatest odium. (Chaps. 3-9, § 23.)

(b) It must be agreeable to Catiline himself to leave Rome and withdraw to the camp of Mallius, whither he has already sent forward his troops, finding as he does, consistently with his character, his greatest delight in making war upon his country, and in the society of similar disturbers of the public peace. (Ch. 9, § 24, to ch. 10.) And,

(c) Such a withdrawal of Catiline will be more advantageous to the state than would be his execution, as in the former case his fellow-conspirators will follow him, and thus the seeds of disorder be extirpated. This last consideration the orator adds especially as a justification of his course of proceeding. (Chaps. 11-13, § 32.)

3. In conclusion, Cicero promises to the senate the co-operation of all orders in suppressing the remnants of the conspiracy, after the removal of Catiline and his associates; and, again bidding Catiline with his adherents to leave Rome, he supplicates Jupiter Stator to protect and save the Roman state. (Ch. 13, § 32-end.)

Ch. 1.—1. Quousque tandem. The abruptness of the language and the interrogative form here strongly express the indignation of the orator at seeing Catiline, contrary to all expectation, present in the senate, as though innocent of all treasonable designs against his country. Comp. Sall. B. C. 31.—Tandem expresses impatience and adds force to the interrogation. It may often be rendered "pray," "I pray." So Sall. Cat. 20: Quae quousque tandem patiemin? See Zumpt, § 287.—Abutère = misapply, i. e. by making use of it to confirm, not correct your audacity. Of the form in re for ris, see Z. § 166.

2. Nostra. Not of Cicero or the consuls only but of the senate also.—Etiam (et jam). Sometimes the notion of time prevails, and it = "still," as here, "How long—still?"—Furator. Benecke notices
the energy imparted by the personification of furor and audacia. Furere is often used of instigators of sedition. *Quid est aliud furere, nisi non cognoscere homines, non cognoscere leges, non senatum, non civitatem?* Cic. in *Pison.* 20, 47.—*Eludet.* Properly a gladiatorial term of avoiding a thrust by the rapid motion of the body; hence figuratively to deceive, baffle, and here with the notion of derision and contempt, derived from the bearing of the victor, to mock, insult over. 
—*Nos* is bracketed by Orelli as doubtful, defended by Klotz, omitted by Madvig. See *pro Milone*, 12, 32.

3. *Quem ad finem.* This phrase should not be used to signify purpose or aim, but as equivalent to *quoque* or *quamdiu*. So *Verr.* 5, 29, 75: *piratam vivum tenuisti. Quem ad finem? Dum cum imperio fuisti.* Of the three interrogatives here used, *quoque* puts the more general question, with reference to *time* and *degree*; *quamdiu* and *quem ad finem*, the more special, the former in regard to *time* only, the latter in regard to *degree* only. Schultz.—*Jactabit = insolenter se effert.* The notion is derived from the proud gesture of one who tosses his head contemptuously, walks with a conceited swing, &c. Muretus calls attention to the frequency of the letter *a* in this passage, as giving fuller tone and stateliness to the discourse, and contrasts it with *cupio* *P.* 2, 6: *me esse clementem*, ch. 2, 4.—*Nihilne.* For the figure *repetitio* here used, see Arnold, *P.* 263; *Z.* 821; and for *nihil* instead of *non*, see *Z.* 677.

4. *Palatii.* The Palatine hill, which overhung the Forum on the south. At an earlier date it was the residence of the kings, and, before the time of Augustus, of distinguished Romans. Cicero, Antony, Scaurus, and Catiline himself had houses on it. Augustus built upon it a splendid mansion, and succeeding emperors made it their residence, so that *palatium* came to signify any royal residence, and hence the English word *palace*. In dangerous times a guard was set upon it, as upon its possession depended the possession of the city. Comp. *Sall.* *Cat.* 49: *Nonnulli equites Romani—præsidii causa cum telis erant circum adem Concordia.—Vigiliae.* See *Sall.* *Cat.* 30: *itemque decreveru, uti—Romæ per totam urbem vigiliae haberentur, iisque minores magistratus praessent.* Under the republic, on special occasions, the triumviri capitales, ediles or tribuni plebis, who are meant by "minores magistratus" in the passage of Sallust, were charged with providing a watch for the city. Cf. *Liv.* 39, 14. The *triumviri nocturni* appointed a watch to guard against fires. Augustus concentrated these offices in one head of police, the *praefectus urbi* and a special *praefectus vigilum*.

5. *Timor populi.* Compare Sallust's description of this alarm, *Cat.* 31: *repente omnis tristitia invasit . . . suo quisque metu pericula metiri, &c.;* and *pro Murena*, ch. 26.—*Bonorum omnium.* *Boni,* as often, used of the patriotic, conservative, order and quiet
loving portion of the community. See Dict. of Greek and Roman Antiquities, OPTIMATES.

6. Locus. The temple of Jupiter Stator at the foot of the Palatine. See infra. ch. 5, 11, and 2, 6, 12. The regular meetings of the senate were held on the calends, nones, and ides of each month, and commonly in the Curia Hostilia. Extraordinary meetings (senatus indicus) might be called on other days, and were often held in temples, or some other place inaugurated by the augurs for the purpose.—**Mutitissimus.** From its position as well as from the special guard set there on this occasion.—**Horum ora vultusque.** All the senators rose up and left the bench on which Catiline seated himself. Comp. below, ch. 7, 16, 17, and 2, 6, 12. The words *ora* and *vultus* are often found in connection. They both denote the countenance as making known the state of the mind—*os* more the natural and habitual state, as indicated by the expression of the mouth and lower part of the face; *vultus* rather the temporary and changing state, as expressed by the motion of the eye and brow.

7. Non sentis. Orelli (ad Verr. 4, 9, 19) states very clearly and neatly the difference between *non* and *nonne* in direct questions: "ubi dico *non*—*est*? certus sententiae meae adversarii responsum non curo; ubi interrogau nonne—*est*? opto atque exspecto eum, quem interrogo, mihi assensurum. In illo igitur major vis inest." Hand (Turs. iv. p. 309) says, "Is qui per *non* quaerit, supponit negationem in alterius, quocum loquitur, sententia, quam alter respondendo, aut pronuntiatur, aut rejicit affirmans contrarium.—Utuntur hac dictione **indignabundi**, aut irascentes, aut admirantes."

8. Constrictam . . . . teneri. See Z. § 592. The metaphor is taken from chaining a wild beast, to which he compares the conspiracy. Cf. Phil. 7, 8, 27; Sest. 7, 16.

9. Quid proxima, quid superiore. The "*nox superior*" here mentioned is the same as that called "*prior,*" § 8; viz. the night which followed the day after the nones of November,—the night between Nov. 6 and 7. The conspirators were then assembled in the house of M. Porcius Laeca; ch. 4, § 8; pro Sulla, 18, 52. The "*nox proxima*" is of course the night between Nov. 7 and 8. In what way Catiline was engaged on this night we are not informed.—Comp. Arch 5, 11, *proximis censoribus—superioribus—primis.*

10. Quos convocaveris. See Sall. Cat. 17. Muretus has collected from ancient authorities the names of forty persons connected with the conspiracy.—**Quid consilii.** See ch. 4, 9; Sall. Cat. 27, 28; and pro Sulla, 18, 52.

11. Arbitraris. See Z. 166.

13. Vivit ! Immo vero. If a *word* only is to be corrected, it is done by putting that word into the form of a question with or without *dicam*, and answering it by *immo*. So ad Att. 12, 43: **Ferendus**
tibi in hoc meus error; ferendus? immo vero etiam adjuvandus. See also Z. § 277 and 823.—In senatum. Catiline had been preator, and therefore possessed the right to a seat in the senate. His motive in appearing there at this time is given in Sall. Cat. 31.


16. Videmur. Se nobis. See Z. § 380.—Istius. This is the regular pronoun by which the advocate speaks (in the 3d person) of the person against whom he is pleading = "the person who stands there before you (the judges)," or "whom you (the counsel for the opposite party) defend." The notion of depreciation does not by any means belong to the word; it can at most be implied, from the frequency of its use, to denote another person whom the speaker is attacking; and some one else defending. See *P. C. 377* and 382; Z. 127 and 701.

17. Ad mortem . . . oportebat. This is his proposition, which he enforces by the example of others.—Jampridem. See below, 2, 4: *vicesimum jam diem.—Jussu consulis.* The consuls were invested, for the time being, with absolute power. See ch. 2, 4; and Sall Cat. 29. Otherwise they had not the power of life and death over a Roman citizen.


19. Jamdiu machinaris. The present tense in Latin is often used as a present, including past time; especially with *jamdiu* and *jamdudum = have been—ing.* P. C. 413.—Machinari = τὴν ξενίσθα. So machinator, 3, 3, 6.—Machinari and moliri are both used of great undertakings. The former expresses more the secret and artful means, the latter the strong effort. Here machinaris is used because the conspiracy is looked upon as secretly and cunningly prosecuted by artful means; in 2, 1, 1, moliri is used, as the conspiracy was already discovered, and the powerful efforts of Catiline were known. Schultz.—An vero. A formula of the argument a minore ad majus, thus stated: whereas P. Scipio, a private individual, slew Tib. Gracchus, much more ought the consuls to have slain Catiline. Here when the sentence is of the form, "Can A do this—(but) B not do it?" consisting of two questions, the first is often introduced by an or (stronger) an vero. See Z. § 781; and Krebs' Guide, 332, (8). On the interrogative an, see *P. C. 120*; Z. 353.

20. P. Scipio. P. Cornelius Scipio Nasica Serapio, consul with D Junius Brutus, a. u. c. 616.—Ti. Gracchum. Ti. Gracchus, descended from a father who had been twice consul, and Cornelia, daughter of the elder Africanus, when tribune of the commons, promised the rights of citizenship to the whole of Italy. At the same time, moreover, having
promulgated the Agrarian laws, he deprived his colleague Octavius of his office, and constituted himself, his father-in-law Appius, and his brother Caius, a triumvirate for the division of lands and the plantation of colonies. Upon this, P. Scipio Nasica, his cousin-german, from the upper part of the Capitol, summoned all who had at heart the welfare of their country to follow him, and rushed upon the crowd of Gracchus' adherents. Gracchus, as he fled, was struck down by the fragment of a bench, and expired at the very gates of the temple of Fides, a. u. c. 621. Here and below, 2, § 4, Cicero speaks mildly of the offence of the Gracchi, to contrast the conduct for which they suffered with the fearful crime that Catiline meditated. Another passage, in which he speaks of the Gracchi with great moderation (but possibly, says Klotz, to please the people), is in the second book De Lege Agrar. 5, 10: "Venit enim miki in mentem duos clarissimos, ingeniosissimos, amantissimos plebi Romanae viros, Ti. et C. Gracchos, plebem in agris publicis constituississe, qui agris a privatis antea possidebantur. Non sum autem ego is Consul, qui, ut plerique, nefis esse arbitret Gracchos laudare; quorum consiliis, sapientia, legibus multas esse vides rei publicae partes constitutas." Quintilian points out the antithetical character of this passage: "Hic et Catilina Graccho, et status rei publicae orbi terrarum, et mediocris labefactatio cedi et incendiis et vastationi, et privatus consulibus comparatur." viii. 4, 14.—Pontifex maximus. Cicero appears to have added these words simply to remind his hearers that Scipio was a distinguished and prudent man, who had had that high office. It agrees also very well with the subsequent privatus, since the priesthood was not strictly a magistracy, and accordingly the pontifex, unless he at the same time held some magistracy besides, was only a private man. Consult Schmitz, Hist. Rome, pp. 330—333.

24. Spurium Maelium, a Roman knight, who, when the Roman people were suffering from famine, a. u. c. 314, distributed corn to them at his own expense. Having thus gained over the commons, he aimed at regal power, and was slain by Servilius Ahala, at the command of Q. Cincinnatus the dictator, a. u. c. 315. Cf. Liv. 4, 13. See Schmitz, Hist. Rome, p. 126.—Novis rebus studentem, aiming to overturn the government, νεωρεπίσκοπα.


27. Coercerent. This is the vocabulum proprium to express the executive duty of a magistrate. Cf. de Legg. 3, 3, 6; de Off. 3, 5, 23.

1. Non deest rei publicae consulium. Rei publicae is usually construed as the dative with deest. Benecke, however, regards it as the genitive limiting consistium, and referring the whole sentence to the historical events cited, he gives the following as the sense: "There
is no lack of decisions of the state, i.e. our state has already, often by individual patriots punished dangerous citizens; also the authority of the senate is not wanting; nothing stands in the way of thy punishment, except that we the consuls make no use of the early precedents, and do not apply the powers conferred on us by the senate." Or if this explanation appears too forced (B. continues), consilium may be taken as \( = \) qui rei publicae consultunt. Cf. de Legg. 2, 12, 30.

CH. II.—3. L. Opimius, &c. When C. Gracchus and M. Fulvius Flaccus, a man of consular rank, and who had been honored with a triumph, were summoned to appear before the senate, they disobeyed, and occupied the Aventine, posting themselves at the temple of Diana. Twice they sent the younger son of Fulvius to make terms; but the second time Opimius caused him to be seized, and advanced to the attack. The insurgents fled: Fulvius, with his eldest son, was slain; Gracchus prevailed on his slave to dispatch him. The younger son of Fulvius, who had been seized, was allowed to choose the manner of his own death. See Schmitz, Rome, p. 338.

4. \textit{Ne quid res publica det, caperet}. This was the usual formula by which the senate conferred upon the consuls unlimited power in dangerous times. Sall. \textit{Cat.} 29; Liv. 3, 4.

5. \textit{Intercessit}, viz. between the conferring of this power and the death of Gracchus: on the same day therefore. \textit{Medius} also with a noun and \textit{esse} is sometimes used like \textit{intercedere}, and the following clause connected by \textit{et}, especially in the poets. Propr. 3, 14, 1; Ovid, \textit{Fast.} 3, 809.

6. \textit{Patre}. Ti. Sempronius Gracchus, who had been twice consul (A. u. c. 577 and 591) and censor, and had triumphed for a victory over the Celtiberians.—\textit{Avo.} P. Scipio Africanus Major.


11. \textit{Remorata est}. As both \textit{things} and \textit{persons} are said \textit{differri}, Cicero here, instead of saying that their death was put off, speaks of death (whom he here personifies), putting off, reprieve, as it were, Saturninus to a more distant day.—\textit{Mors ac rei p. pana = mortis pana a re p. inflictia}. See Z. 741.—\textit{Vicesimum}. Asconius observes that it was only the eighteenth day; but Ahrens shows that Cicero is correct, according to the Roman way of reckoning in the two broken days.

12. \textit{Hebescere aciem . . . auctoritatis}. Metaphorically, from the comparison of the decree to a sword.

14. \textit{Ex senatus consulto}. See Z. § 309, 3d paragraph

15. \textit{Convenit = consentaneum fuit, oportuit, par fuit}. Cf. cap 1, 4.

16. \textit{Vivis: et vivis}. See Z. 717.—\textit{Ad deponendam . . . au-
17. Cupio ..... me esse clementem; cupio in tantis rei publicae periculis me non dissolutum videri. The two wishes are opposed: "I wish to be lenient," and (on the other hand, or, at the same time) "I am anxious not to be justly thought guilty of any want of proper firmness;" or, as Manutius gives the meaning, "ita me cupio esse clementem ut dissolutus ne sim;" or "cupio quidem me esse clementem, sed idem tamen cupio me non dissolutum videri." Weiske; who compares Lucccei Ep. ad Fam. 5, 14, extr. Cupio non obtundere te ..... cupio deterrere. The introduction of the acc. pronoun (cupio me esse clementem, for esse clemens) gives more prominence to the circumstance wished, by disconnecting it from the cupio. Cf. sapientem civem et esse et numerari volo (Fam. 1, 9, 18). After what verb of wishing is C. fond of inserting the pronoun? P. C. 149, note r. Compare Z. 610.


23. Atque adeo = nay more, nay even. Z. 737.

25. Credo, &c. For the construction of verbs and expressions which denote fear, see Arnold, P. C. § 95; and Zumpt, §§ 533–535. Here the irony conveyed by credo (Z. 777) makes the sentence equivalent to non erit verendum mihi, &c.; and the sense is: "I am convinced that all patriots will regard your death as occurring too late, rather than as too severe and cruel." Benecke cites a very similar passage from Cic. de lege agr. 1, 8, 24.


28. Certa de causa. See Z. 308, in fin. This reason is explained in what follows, and more fully, ch. 12, and 2, 2, 3.

29. Interficiam te; i.e. I will order you to be put to death. Z. 713. [So the Lex Clodia condemned Cicero, "quod cives Romanos indici causa necasset."]

30. Tam tui similis. What is the difference between mei and mihi similis? P. C. 212, w. Z. 411, 3d paragraph.


33. Sed vives. Sed is a conjecture of Weiske and Madvig. Klotz
and Süpfle defend the common reading et = "and indeed" "and moreover."—Below Madvig and Klotz read oppressus for obsessus.


40. Illustratur, &c. Observe illustrari opp. to obscurare; and erumpere, to domus . . . . continet.

41. Mentem = plan, purpose of remaining in the city to murder, &c.—Mihi crede. P. C. p. 259, § 111; Z. 801.


44. Meministine = Nonne meministi? See Z. 352.—Ante diem. What other form of stating the day of the month was used? Which form is most common in Cicero and Livy? How is the peculiarity of this form to be explained? P. C. 530; Z. 868. On the day named, the 21st October, Cicero had informed the senate of the conspiracy, and received full powers to protect the state.—Dicere. P. C. 426; Z. 589.—Here, and page 11, line 2, Steinmetz and Klotz, on the authority of Priscian and some MSS., read Kalendarum Novemnrium. Orelli remarks, "Apud Cic. mo non memini genitivum legere; et nostri contra stant."

1. Certo die, qui dies. Z. 743. Peter, ad Brut. Excursus, 4, explains this repetition, of the substantive after the relative, by the figure anaphora, or on the ground of perspicuity. Ellendt, de Orat. 1, 38, 174, derives it from legal usage.


5. Ego idem. Z. 127 and 697.

6. Optimatum. Z. 66, (d).—In ante diem. How is ante diem here to be considered? P. C. 530; Z. 869.

8. Sui conservandi. Conservandorum would not here be correct. The explanation of the apparent violation of the rule of agreement in regard to this construction is given in Z. 660.

9. Profugerunt. It has been already remarked, that even men of high standing in the state, such as M. Crassus, C. Cæsar, and others, took an interest, if not a part in the conspiracy of Catiline. Of these we may suppose that one and another, perceiving that Catiline proceeded with too little caution in his enterprise, withdrew from the city, not because danger threatened them, though this may have been their pretext for leaving, but because they wished to remove from themselves (reprimere), or, in the language of diplomacy, to disavow the plans of Catiline, in which they had previously perhaps been engaged. Klotz. Those "principes civitatis" considerately withdrew themselves from the city; not through personal fear, but lest they should be slain along with the consul, and, of course, nobody left to oppose Catiline! M'Kay.—For the position of causa, see Z. 792.
12. *Discessu ceterorum = quum ceteri discessissent.* Ellendt (ad *Brut.* 79, 273), on *nescio quomodo discessu meo discessit a sese,* says, "Hoc est alius genus ablativeorum absolutis satis similium, causam indicantium, quo tempore prior fuerit." Cf. de Amic. 3, 10 amicorum decessu; where Seyffert agrees with Ellendt, and disapproves of the classification of such ablatives under the ablative of time. Z. § 475.—Nostra .... qui. Qui refers to the personal pronoun implied in nostrar.

13. *Prænestae,* a town of Latium (now Palestrina); being two hundred stadia from Rome, and very strongly fortified, was well suited for insurrectional purposes, as was Capua on the other side, which Catiline also attempted to secure by C. Marcellus.

14. *Novembribus.* What part of speech are the names of the months? Z. 38.


17. *Nihil agis .... quod ego non modo audiam, sed etiam videam.* The meaning required is plainly, "you do nothing which *I do not not only hear, but also see;" but it does not seem possible that this meaning can be expressed by these words, since the videam has no negative with it: so that the supposition of a *non modo* for *non modo* non can only explain the audiam. Madvig would read *nihil agis quin ego non modo audiam, sed etiam videam* (*Opusc.* I. p. 143). Hand approves of the usual reading (against Orelli and Klotz), *nihil agis, quod ego non modo non audiam, sed etiam non videam;* i.e. "nihil quod non dico me non audire, sed quod ego non videam." Orelli observes that Madvig's conjecture removes all the difficulty; and that, in the same way, in *pro Cæcin.* § 39, the *negative* precedes and affects both of two closely united notions: *ne non modo intrare, verum etiam adspicere .... possim.* Klotz (who is followed by Stüffle), *ad Tusc.* 2, 5, 14, disapproves of Madvig's correction, and retains the reading of the MSS. as given in our text, which he renders, "You think nothing which I do not hear only, but also see and clearly perceive."


21. *Dico.* Notice the skill which is displayed in this passage. Cicero first states the fact clearly and briefly. He notices the effect on Catiline, and calls upon him to answer. Catiline is silent. The orator then claims his silence as confirmation of his statement, and proceeds with a more full and emphatic exposition. *Dico commences*
NOTES.

11 the sentence with emphasis as the antithesis of "num negare audes?"
—Priore nocte. See note on p. 9, line 9.

22. Inter falcarios. Into the street, or quarter, inhabited by the scythe-makers. So inter lignarios, Liv. 35, 42.—In . . . domum
Is the preposition necessary? See Z. § 400.

27. Ubique gentium. See Z. § 434.

30. Gravissimo consilio. Consilium, a deliberative assembly, is often used of the senate. Cf. 3, 3, 7: consilium publicum. In this passage, the rhetorical exaggeration is well adapted to excite their pride, and at the same time kindle their displeasure.—De nostro omnium. See Z. 424 and 431; Krebs, 105. With omnium the genitives nostrum, vestrum are more common, and always used when omnium precedes. Cf. cap. 7, 17: omnium nostrum parens; and 4, 2, 4: ad vestram omnium cadem.

32. Sententiam rogo. Supply hos from the preceding. Sententiam rogare was said of the presiding magistrate, who, to ascertain the will of the senate, for the purpose of a senatus consultum, asked the opinion of the senators individually. Thus some of the conspirators who are present, would be called upon for their opinion.

33. Trucidari oportebat. See Z. § 518.—Nondum voce vulnere
By not mentioning publicly their names, and charging them with their guilt.

34. Fuisti igitur. Having been interrupted by the outbreak of his indignation, he now returns to the plans of the conspirators, as settled at the house of Læca.—Apud Læcum = in domo Læca.

35. Partes Italiae. See Sall. Cat. 27, 32, and 43.

38. Etiam nunc, in oblique narration, is used to denote the speaker's "now," not the narrator's. Catiline's words would be "paullulm mihi etiam nunc moræ est," &c.


42. Vixdum. See Z. § 733.

43. Comperi. By means of Curius and Fulvia. Sall. 10, c. 28.

44. Exclusi. Cf. Z. § 713.—Salutatum. See Dict. of Gr. and Rom. Antiq. Specula, for some account of this usage in the earlier days of Rome, and to what it degenerated under the emperors.

12 1. Multis ac summis. Z. 756; Krebs, Guide, 81.—Id temporis P. C. 160 (β); Z. 459.

Cfr. V.—α. Quæ quum Ita sint. The plural is used in reference to the many grounds which he has already stated, and from which he now draws his conclusion that Catiline should at once leave the city. Muretus reduces the argument of Cicero to the following syllo-
gistic form: Si omnia tua consilia nota sunt, exire debes. Sum autem nota. Ergo: exire debes. The relations of the several sentences of this chapter, with reference to the figure asyndeton, are carefully examined in Nagelsbach's Lat. Stilistik, p. 404. See also Z. 742.


11. Habenda est . . . gra titia. Gratiam habere, and in connection with agere sometimes gratias habere, is to feel thankful; gratias (not gratiam) agere, to return thanks in words; and gratiam, rarely gratias referre (unless of several), to show one's self thankful by deeds.—Atque huic = and especially to this Jupiter Stator, in whose temple the senate were then met. Cf. Z. 333.

12. Ìovì Statori = flight-staying Jupiter. The occasion of the name is given in Livy, 1, 12.

14. Toties. For Catiline had instigated an earlier conspiracy which had accidentally failed. See General Introduction, p. 139.


17. Proximis comitiis. Those which were held between the 21st of October and the 5th of November.

18. In campo, Martio, where the comitia for the election of magistrates were usually held. Cf. 4, 1, 2.—Competitores. D. Junius Silanus and L. Licinius Murena.


23. Nunc jam. Jam nunc is "even now" (i.e. before the regular time), or "now at last." "Now," as opposed to a preceding time or to other circumstances, = in his rebus, quum ita sit, quum huc præcesserint. Nunc jam has the same meaning of an emphatic now.—The train of thought is, that so long as you sought my life only, I protected myself by my individual means. Now, however, that your attacks are directed against the whole state, other means of defence must be resorted to. Two courses are open to me to pursue, the one severe, the other mild; i.e. to put you to death as a traitor, or to drive
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you from the city. The former is in accordance with precedent, the latter is the dictate of prudence.


27. Quod est primum, sc. to have you put to death.

28. Imperii. This is by most commentators referred to the potestas consularis. Benecke understands it of the empire or government.—Proprium. See Z. 411, 2d paragraph; Krebs, 167.

29. Quod est ad severitatem lenius et ad communem saltem utilius. Ad severitatem = quod attinet ad severitatem, ratione habita severitatis. Matthiae observes, that when of two antithetical adjectives one has an accus. with ad, Cicero often adds another acc. with ad to the other, even when it hardly seems necessary to the sense, for the purpose of making the antithesis more complete and the two notions more equally balanced. Thus pro Rosc. Am. 30, 85: Natura non tam propensus ad misericordiam quam implacatus ad severitatem videbatur. So Or. 1, 25, 113: Animi atque ingenii celeres quidam motus esse debent, qui et ad excogitandum acuti, et ad explicandum ornandunque sint uberes et ad memoriam firmi atque diuturni. Ib. 2, 49, 200: Nihil mihi ad existimationem turpius, nihil ad dolorem acerbius accidere posse.

32. Jamdudum hortor. See P. C. 413.

33. Tuorum comitum...sentina rei publicae. Observe the two genitives, dependent in different relations on the same substantive, sentina. P. C. p. 239, 28; Z. 423 and 791. "Sentina rei publicae est quae residet in re publica tamquam in navi, ut sentina urbis, Att. 1, 19: sentina comitum tuorum sunt ipsi comites, ex quibus, ut ita dicam, constat sentina." M. who quotes Quint. 8, 6, 15, Cic. recte sentinam rei publicae dixit, fæditatem hominum significans. Orelli compares Sall. 37: Omnes quos flagitiun aut factinus domo expulerat, ii Romam sicut in sentinam confluenterant.

35. Faciebas = facere volebas, in reference to cap. 4, 9: Confirmasti, &c.

36. Jubet consul hostem. The expression is much stronger than if he had said, jubet Cicero Catilinam. The order of the words also may be noticed, by which the subject and object are brought together at the close of the sentence in marked contrast.

37. Non jubeo. This Cicero could not do; for exile was not properly a punishment for a crime committed; but those who foresaw that they would be condemned in a judicium publicum, before their sentence, went into exile to escape it. In crimes of magnitude this voluntary exile was confirmed by the interdictio aequae et ignis, and thus became a real punishment. Cf. pro Cæc. 34, 100.

Ch. VI.—38. Quid est enim. Cicero now, as though a friendly adviser, gives the reasons for his advice. In Rome Catiline cannot be
happy, for all hate him, his reputation is lost, he is burdened with debt, and his treasonable designs are known to all.

41. *Nota domesticae turpitudinis* is different from *privatarum rerum dedecus*: *res private* may include, but is more extensive than *res domesticae*; the latter relates to moral or immoral domestic life, the former to all private actions as opposed to those that belong to a man's public character; e.g. to money transactions, &c. *Privatarum rerum dedecus* = "dedecus of privatis rob us conceptum." M. Madvig, after Muretus, would read *non in haeret in fama*: but (1) *haerere* with the dat. is found in another passage of Cic. (Potest hoc homini huic haerere peccatum? *Pro Rosc. Com.* 6, 17, K.), and (2) it is a strong rhetorical turn, as Matthiæ well remarks, *not to use* the expected term of indifference ("vocabulary medium"), i.e. *fama* (which may be *bona* or *mala*), but at once to assume that he had *no* *fama*, but a notorious *infamia*. Nearly so Klotz. With *nota*: . . . *inusta*, cf. *pro Sull.* 31, 88: *Ne qua generi ve nominii suae nota nefariae turpitudinis inuratur.*—*Inusta.* A metaphor from branding slaves, and especially used to denote what is violent and of long duration.

1. *Cui tu adolescentulus, &c.* Cf. *2, 4, 8*; and *Sall. 14: sed maxime adolescentium familiaritates appetitebat, &c.*

2. *Facem praetulisti.* An allusion to the nightly revels and debauches of Catiline. Slaves carried torches before their masters when they visited their haunts.

3. *Quid vero.* See *Z.* 769.

4. *Novis nuptiis.* His marriage with *Aurelia Orestilla*, a woman of most abandoned character; to remove all impediments to which, he is believed ("pro certo creditur," Sall.) to have murdered his own son. Cf. *Sall. Cat.* 15.

5. *Hoc scelus; i.e. the murder of his wife.*

7. *Immanitas . . . videatur.* Is *videri* commonly used personally or impersonally? See *P. C.* 297; *Z.* 380.

8. *Quas omnes.* See *P. C.* 174; *Z.* 430.

9. *Præximis Idibus.* The day on which it was usual to pay the interest of borrowed money. *Hor. Epod.* 2, extr. *fenerator Alfius Ommem rededit Idibus pecuniam, &c.* Cf. *Cic. Phil.* 2, 37. Benecke thinks that on the Ides notice was only given to the borrower that the money must be paid on the next Calends.


16. *Lepido et Tullo consulibus.* *M.Æmilius Lepidus* and *L. Volcatius Tullus* were consuls, *a. u. c.* 688. The *Consules designati* were *P. Autronius Petus* and *P. Cornelius Sulla*; but these were found to be disqualified by bribery, and *L. Aurelius Cotta* and *L. Manlius Torquatus* (their accusers) obtained the consulship. Cf. *Sall. 18: Cum Cn. Pisone Catilina et Autronius consilio communi-

17. Consulum . . . interficiendorum causa. Is the genitive of the gerund, followed by its object accusative, used along with the gerundive? Z. 659 (b). Is the usual position of causa = for the sake of, before or after its genitive? Z. 792.

18. Non mentem aliquam, not some intention on your part. “The commonly received rule, that aliquis is peculiar to affirmative sentences, must be confined within more definite limits ; for aliquis is found in negative sentences also, when any thing is spoken of which either really exists, or at least can be conceived as existing, as in the present passage, non mentem aliquam; for assuredly one might have suspected such an intention on Catiline’s part. Quisquam and ullus altogether deny the whole. Thus Orat. 56, 186: Numerus autem non domo depromebeatur, neque habebat aliquam necessitadinem aut cognitionem cum oratione; i. e. as one might have imagined. Cf. pro Sestio, 17, 40 ; 58, 125. Mil. 1, 2, ut ne non timere quidem sine aliquo timore possimus. But quisquam and ullus are not negative in themselves, but with a negative particle; and they are always placed after that particle.” M.

20. Ac jam illa omitto. Hand would read at for ac. Benecke says ac, et, and atque stand not unfrequently at the beginning, in the sense of sed, but without losing entirely their force as connectives.—Neque enim sunt, &c. ; i. e. “nam quæ post a te commissa sunt, ea neque obscura sunt, neque paucà ; satis aperta sunt multa illa, quæ post commissiæ seclera.” Beier Steinmetz, Klotz, and Madvig read, aut non multa commissa postea.—Aut . . . aut sometimes follow negatives for neque . . . neque.

21. Quotiens. On the form of this word, see Z. 122. Why is the pronoun tu expressed, and in the next sentence ego? P. C. 1, Obs.; Z. 379.


24. Ut aliunt, are often added to show the proverbial character of the expression, generally after the first one or two words of the proverb. Here corpore effugere signifies, “barely to escape, by the slightest movement or change of position.”—[Nihil agis], &c. In this sentence the marks of a corrupt text will be observed. The passage or dinarily stands, Nihil agis, nihil assequeris, nihil moliris, quod nisi
latere valeat in tempore, neque tamen, &c. In the clause quad . . . in tempore, for one mark of corruption, see Z. 390, in fin. Madvig omits altogether the bracketed words, and reads, Nihil assequeris; neque tamen, &c.

26. Extorta, viz. by the precautions taken to thwart your measures; in reference to the preceding tuas petitiones . . . . effugi.


28. [Tamen . . . non potes.] These words are omitted by Matthiae and Madvig. As above, [nihil agis], [nihil moliris] may be supposed to have crept in from § 8, so here the bracketed words may seem to have been taken from ch. 9, § 24. Benecke, Klotz, and Süßfe retain and defend them.

29. Initiata sacris, &c. That a dagger or other weapon might execute successfully the purpose it was to be used for, its owner used to devote it, as it were, to that purpose by some solemn rites, accompanied with a vow, that, after the accomplishment of it, he would offer it up to some god. Thus Justin. 9, 7, 13: Olympias gladium, quo rex percussus est, Apollini sub nomine Myrtales consecravit. Suet. Cal. 24 (extr.), tres gladios in necem suam preparatos Marti ultori, addito elogio, consecravit. So Vitell. 10.—Necesse putas esse. Benecke remarks that esse is very seldom omitted with necesse. What are the constructions of necesse est? Z. 608 and 635. With necesse est in Cicero the infinitive and subjunctive appear to be equally frequent; with oportet the infinitive is much the more common.

Ct. VII.—33. Quae tibi nulla = "none of which." Nullus for non. See Z. 688. It is however more emphatic, meaning "none at all," "n. t a particle." So "none of my words," not nullum diciturum meorum, but nullum meum dictum; so unum verbum tuum, "one word of yours."—Venisti . . . in senatum. See Sall. Cat. 31.

35. Salutavit. It was customary among the Romans, when they saw their friends or eminent men approaching, to rise up and salute them, and courteously address them. For an interesting illustration of this mark of Roman politeness, see de Repub. 1, chaps. 9-12. —Post hominum memoriam, "within the memory of men."—Si hoc . . . contigit nemini. Observe that contigit is not confined to desireable occurrences.

36. Vocis . . . contumellam . . . judicio taciturnitatis. On this arrangement of contrasted words, see P. C. p. 14, § 15, b, and p. 342, § 5. What is this figure called?

37. Quid. See Z. § 769.

38. Adventu tuo. Compare discasu ceterorum, ch. 3, § 7.—Ista subsellia. What is the force of ista? How would hæe or illa vary the sense? So below, partem istam. Z. 127.

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42. Servi mehercule mel. The emphasis and distinctness with which Cicero here exposes the shameless insensibility of Catiline should be noticed. The comparison between his own regard for his slaves, and Catiline’s indifference to his fellow-citizens, is fitted to excite the highest indignation of his audience.—Why do these words precede si? Z. 356. And on the arrangement of the whole sentence, see P. C. p. 242, § 5.—Mehercule is explained in Z. 361, Note.

44. Tu tibi. Supply relinquendam. Z. 419, Note, and 649.


3. Tu, quum, &c. A fortiori—should you, deservedly odious to your citizens, shun their sight.

5. Dubitas . . . vitare. In what signification is dubito followed by the infinitive? Z. 541.—Quorum . . . eorum. Z. 813; P. C. 30

7. Neque . . . ulla. See Krebs, 527; Z. 738 and 808.

12. Quae tecum . . . sic agit. To the close of the chapter, Cicero, by personification, introduces his native country as speaking.

13. Tacita loquitur. This figure, involving a contradiction, is called oxymoron. So 8, 21: quum tacent, clamant.


15. Multorum civium neces. Q. Cicero de petit consul. 2: Hic (Catilina) ne leges quidem (metuit), natus in patria egestate, educatus in sororis stupris, corroboratus in cæde civium; cujus primus ad rem publicam aditus in equitibus Romanis occidendis fuit. Nam illis, quos meminimus, Gallis, qui tum Titiniorum ac Nanniorum ac Tanusiorum capita demetebant, Sulla unum Catilinam præfecerat, in quibus illæ hominem optimum, Q. Caecilium, sororis suæ virum, equitem Romanum, nullam partium, quem semper natura, tum etiam ætate jam quietum, suis manibus occidit. Quid ego nunc dicam, petere eum Consulatum, qui hominem carissimum populo Romano, M. Marium (Gratidianum) inspectante populo Romano, vitibus per totam Urbem ecciderit? &c. Cic. in the Orat. in tog. cand. had mentioned, among those who were killed, Qu. Caecilius, M. Volumnius, L. Tartatius (Tanatus)? M. See Schmitz, Rome, p. 365.

16. Vexatio direptioque societal; i. e. during his administration of his province of Africa: on his return from which he was impeached for extortion by P. Clodius, afterwards the enemy of Cicero, but acquitted by the unfairness of his judges. Ascon Ped. in Orat. in tog. cand. p. 85, Bait.: Catilina ex prætura Africam provinciam obtinuit. Quam quum graviter vexasset, legati Afri in senatu jam tum absentc illo questi sunt . . . quum reddisset ex Africa Torquato et Cotta coss. accusatus est repetundarum a P. Clodio adolescente (qui postea inimicus Ciceronis fuit):—ita tamen, ut Clodius infamis fuerit prævaricatorus esse. Ibid. p. 87: “Voc. questiones ad hanc
ipsam repetundarum causam refertur. Cf. Cic. Orat. in tog. cand. Stupris se omnibus ac flagittis contaminavit; cade nefaria cruenta-
vit; diripuit socios; leges, quæstiones, judicia violavit. Quid ego, 
uit involaveris provinciam, prædicem? Nam ut te illic gesseris, non 
audeo dicere quoniam absolutus es.”

17. Ad negligendas leges. “Negligit leges ac quæstiones, qui 
Barum metu a peccando non contineatur; eadem perfringit, qui quum 
in judicium adductus manifesto teneatur, aliqua tamen via elabitur.”
Muretus.—Would ad negligendum leges be in accordance with usage? 
Z. 666.—For evertendas, Klotz reads devincendas, Madvig vincendas 
—On non solum . . . . verum etiam, see Z. 724.

20. Me totam esse, &c. See P. C. 35. Totam, patria personi-
fied being the speaker. Notice also the contrast between me totam 
and unum-te.—Quidquid increpuerit. So in Pis. 41: Quidquid 
crepuisset, pertimescentem. Sen. Ep. 90: Inter picturas vestras, si 
quid increpuit, fugitis attoniti. Liv. 4, 43: Si quid increpet terro-
rís. Heum.

Ch. VIII.—28. Quid ! Quod, &c. See Z. 769, 3d paragraph. 
—Ipse, “of your own accord.”—Custodiam, i. e. liberam. Cf. Sall. 
ch. 47. This was without bonds in the house of a magistrate, senator, 
or other distinguished man, and allowed only to persons of distinction.

Tα δὲ ἐκ τῶν Τερσηνῶν ἀγγελλόμενα τὴν τε αἰτίαν ἵπποστασι καὶ ἐπ’ 
αὐτοῖς γραφὴν τῷ Καρίλλῳ παρακάπως. (Lege Plautia interrogatus est 
ab L. Paullo. Sall. ch. 31). Καὶ δὲ τὰ μὲν πρῶτα καὶ πάνω αὐτήν ἵπτωμι 
ὡς καὶ ἀπὸ χρηστοῦ τοῦ συνειδότος ἐδέχατο· πρὸς τε τὴν ὅθεν ἑτοιμᾶσθε καὶ τῷ 
Κείκρων αὐτῷ τηρεῖται ἐκεῖνον, διὸ δὲ μὴ φώνη σου, παρεδόων’ μὴ προσδεξαμένου 
dὲ ἐκεῖνον τὴν φοροῦν αὐτόν, παρὰ τῷ Μετέλλῳ τῷ στρατηγῷ τὴν διάνοιαν 
ἐκουσών ἑποίκειτο, ἴνα δὲ ἱκανά ὑποτευθῇ νεωτερίζων τι, μέχρις δὲ καὶ ἐκ τῶν 
αὐτῶν αὐνωσμότων ἱσχυρών τι προσελαβυ.

31. Domi meæ. Would domi with other adjectives be allowable? 
Z. 400.—Quoque. What is its position? Z. 355, and see 335.—Id 
responsi. Would this construction be allowable with any other form 
of the pronoun? Z. 432.—Alii respondium; illud contemptius. Schultz.

In such expressions can the proposition be omitted? See Krebs, 213, 
(1); and Arnold, Nepos, Dion, 3, 2.

34. Q. Metellum. Q. Cæcilius Metellus Celer, afterwards 
consul, a. u. c. 694, was poisoned by his wife Clodia, a. u. c. 695.

35. Virum optimum, M. Marcellum, said ironically. Muretus 
thinks that this M. Marcellus was the father of that C. Marcellus 
whom Sestius drove out of Capua. He is not to be confounded with 
the M. Marcellus, mentioned below, § 21, who was consul, a. u. c. 
703, and was murdered at Athens by P. Magius Chilo. Muretus 
quotes Orosius, Hist. 6, 6, p. 385, ed. Haverc.: Motus etiam in Pe-
lignis ortus a Marcellis patre et filio per L. Vettium proditus, paten-facta Catilinae conjuratione, quasi succisa radice compressus est, et de utroque per Bibulum in Pelignis, per Q. Ciceronem in Brunii vindicatum est. M.

36. Videlicet, is used in an ironical sense. See Z. 345, Note, in fin.

41. Si emori, &c. "Hoc Cicero dicit; qui tanto, quanto Catilina, omnibus odio sit, vitam abijicere debere; sin id non sustineat, a patria fugere quam longissime: nec hortatur vere Catilinam, ut moriatur, sed exire ita jubes, ut vel moriendi causam adesse dicat." Madvig (Opusc. I. p. 176: he had before approved the reading si hic morari). Orelii gives a somewhat different explanation: "Sententia igitur haec est: 'Conscientia scelerum oppressus, equo animo mortem nec expectare, nec tibi ipse consciscere potes: quin igitur abis cert.'"

44. Refer. Referre is the verbum proprium to express the laying of the subject for debate before the senate. This was done by the consul or other presiding magistrate. Deferre denotes the simple mention or announcement of any thing. So placere is the usual term to express a decision of the senate.—Inquis. See Z. 802.

2. Id quod. See P. C. 36; Z. 371.—Abhorret a meis moribus, "is inconsistent with my character." Cf. ch. 2, § 4: cupio me esse clementem.

3. Ut intelligas, i. e. by their silence.

4. Egredere . . . proficiscere. The orator may be supposed to pause here, that the silent acquiescence of the senate may be more impressive.


10. P. Sestio; then the questor of the consul C. Antonius. P. Sest. § 8.—M. Marcellus: he was consul twelve years afterwards with Serv. Sulpicius. Cicero afterwards defended P. Sestius, and spoke in favor of Marcellus before Caesar in the senate.

11. Jam mihi consuli, &c. Even his dignity as consul, and the sacredness of the place, the temple of Jupiter Stator, would not have shielded him.

16. Qui circumstant. Interest in the proceedings had drawn a number around, and such a collection of men was called corona.

18. Voces . . . exaudire potuisti, i. e. as they showed their approval of what the orator uttered, and their abhorrence of Catiline.

19. Tela contineo. Even those who have been specially armed for the protection of the city against your designs, will form a safe escort for you if you will leave it.

20. Hac, δεικτικῶς, i. e. the temples and other buildings of the city.

21. Prosequantur. Prosequi expresses the act of accompanying, out of respect or sympathy, one who is leaving the city for a foreign province or to go into exile.
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Ch. IX.—22. Quamquam. In what peculiar way is it used here? Z. 341, Note.—Te ut, &c. Why does the pronoun, in this and the following sentences, precede the conjunction? P. C. p. 254, § 86; Z. 356. What feeling do such interrogations express, and how is the construction to be explained? Z. 609.

24. Utinam . . . duint. How is the wish conceived when the present or perfect tense is used? P. C. 496; Z. 571. On the form duint, see Z. 162.

26. Animum induxeris. For the construction of the phrase animum induco or in animum induco, see Z. 614. Of these two forms, Madvig asserts that Cicero uses only the former, except p. Sull. 30, 83; and that Livy uses only the latter.

28. Recentí memoria. Abl. of cause = on account of.—At. See Z. 349, 756.—In posteritatem, i. e. in posterum tempus.


30. Sed tu, &c. Refer the three following clauses each to its appropriate source, which Cic. subjoins; sc. “pudor—metus—ratio.”

31. Temporibus. Tempora in the plural (rarely in the singular) signifies the circumstances of the times, especially the difficulties and necessities of the times.

32. Is es . . . ut te. What is a more common construction instead of the conjunction and pronoun? P. C. 483; Z. 556. Te is here emphatic.

33. Pudor a turpitudine. Klotz and Madvig (from Quintilian, y, 3, 62) read pudor unquam, &c.

36. Recta. What is to be supplied with this word? Z. 270.

37. Sermones hominum, i. e. their censure, as in “to be the talk of the town,” &c. Verr. 4, 7, 13: Nunquam—commisisset, ut propter eum in sermonem hominum atque in tantam vituperationem veniret. Pro Gal. 16, 38: Sermones iniquorum effugere non potuit. —Si id feceris, i. e. si in exsilium perrexeris. Facere, like the English verb to do, is frequently used as the representative of a preceding verb. See Arnold’s Nepos, Chabr. 3, 4, p. 191.

38. Jussu. See Z. 454.—Sin autem. Z. 342, Note; and 348, Note.

41. Secerne te a bonis. Is the preposition necessary? Z. 468. —Exsulta impio latrocinio. Z. 452. Latrocinium is properly highway robbery and murder. No more dignified or honorable, Cicero means, is Catiline’s course.—Impio. It is impious, i. e. unfilial, undutiful, as being against his country, communis omnium parens.

42. Ut a me non ejectus. Does the non with ut express an effect without an intention, or belong to ejectus? How is a negative
15 intention expressed, and how a simple result? Z. 532. What is the position of non when it belongs to a single word of the proposition? Z. 799. Compare page 16, lines 40 and 41. What is the common construction of videri?

43. Quid ego te invitem. What is implied in such questions? Z. 530.—In this line, for isse videaris Klotz and Madvig read esse videaris.

44. Ad Forum Aurelium. A little town in Etruria, between the rivers Armenta (Fiora) and Marta, not far from the sea; now called Monte Alto. It was named probably from some Aurelius, who paved the via Aurelia from Rome to Pisa. What is denoted by ad when joined with names of towns? Z. 398, Note.

1. Praestolarectur. Z. 413. The praestolane waits for a person in order to perform services for him, and stands in subordinate relation to the person waited for. Döderlein.

2. Diem. On the gender of this word, see Z. 86, Note.—Aquilam illam argenteam, &c. The allusion is supposed to be to the Eagle, which Sallust mentions, in speaking of the engagement: Ipsa cum libertis et colonis propter aquilam adsistit, quam bello Cimbrico C. Marius in exercitu habuisse dicebatur. Ch. 59. On military standards among the Romans, see Dict. of Gr. and Rom. Antiq., Signa Militaria. An ensign which, like this, had been so long borne by the victorious armies of Marius, was regarded with unusual reverence, as promising certain victory. Cicero adds scelerum to limit sacrarium, the place where it was kept, because there Catiline preserved the instruments of his crimes, and his character was such that there was nothing religious in his ceremonies, but all was wicked and criminal. It is explained in the last clause.

4. Sacrarium. “Nam erat etiam quum signorum militarium omnium, tum aquilae quadam religio, et in sacello illa reponebantur.” M.

Ch. X.—10. Neque enim. Z. 808.

11. Hæc res, i.e. bellum contra patriam. Manut. Benecke refers it to his departure from Rome.

13. Nunquam . . . non modo . . . sed ne . . . quidem. Z. 724, b, and 754, Note.—Otium = peace is often contrasted with bellum. Compare below otiosorum.

15. Atque is here explicative, perditis being explained by what follows.


17. Perfruere, &c. A climax is here to be noticed.

21. Ad obsidendum stuprum = "ad tempus stupro opportu-
mum observandum." So Verr. 1, 2, extr. tempus obsidere. M. The
infinitive clauses, jacere humi, &c., and vigilare, &c., are to be taken
as in apposition with labores.

22. Otiosorum. "The peaceably disposed." So the MSS.; the
common text is occisorum. Otiosus h. l. dicitur qui in pace atque oti
securus tranquillusque vivit, nihil mali exspectat. Steinmetz; who
comparis 2, Catil. 4, and Sall. 16. Süpfie, against Orelli, Klotz, and
Madvig, retains occisorum; and remarks, that Cicero's design to ex-
hibit the turpitude of Catiline in a gradation, seems to require bonis
occisorum in antithesis to sono maritorum.

23. Illam tuam praec!aram, &c. Sall. Cat. 5: Corpus patiens
inedia, vigilie, algoris, supra quem cuiquam credibile est.

27. Quam te a consulatu reppuli; i.e. "at the last election."
 Cf. Sall. ch. 26: Postquam dies comitiorum venit, et Catilinae neque
petitio neque insidiae, quas Consuli (i. e. Ciceroni) in Campo fecerat,
prospere cessere, constituit bellum facere, et extrema omnia experiri.
Pro Murena, 24-26.—Exxul . . . . consul. Z. 822.

Ch. XI.—32. Detester ac deprecere. These words signify to
seek to turn from or avert by adjuration and entreaty.

sic loquatur.

36. Quid agis. Formula reprehendendi.

39. Evocatorem servorum; whose aid however he afterwards
rejected (Sall. 56, in fn.), although Lentulus urged its acceptance
Cat. 3, 5, 12; Sall. 44.


42. Hunc . . . . duci . . . . imperabitis. How is imperare more
frequently construed? Z. 617, in fin.

44. Quid . . . . impedit. Cicero, arguing disjunctively, shows
that neither precedent, nor laws, nor the dread of future obloquy, for-
bade the punishment of Catiline.—At persœpe . . . . privati. On this
use of at, see Z. 349. Cic. 1, 1, instanced Scipio Nasica. Benecke
considers the plural and persœpe as rhetorical exaggeration. The
first ground of excuse was "Mos majorum." His country answers,
"At persœpe," &c.

2. An leges, &c. The Valerian and Porcian laws. P. Valerius
Publicola, when consul, a. u. c. 245, brought in a bill (the first that
was ever brought before the comitia centuriata), which enacted, that
no magistrate should put to death or flog any Roman citizen if he had
appealed to the people. Afterwards, a. u. c. 305, L Valerius Potitus
and M. Horatius Barbatus enacted, that no magistrate should be
created with an exemption from appeal. Lastly, in a. u. c. 454, M.
Valerius Corvus brought in another law on the subject of appeal, the
third after the expulsion of the kings, and always by the same family
The Porcian laws, which emanated from three of the Porcii, exempted from stripes the person of all Roman citizens, imposing a heavy penalty on any one who should scourge or kill a Roman citizen.

3. At nunquam, &c. This is the answer to the second ground of excuse. Compare p. Sest. 67, 140.

5. Præclaram vero. Irony, which vero strengthens. Cf. Z. 266, Note, and 716. This is the answer to the third ground of excuse.

6. Hominem per te cognitum, i.e. per te, non per majores, &c. Or, as Cic. immediately adds: Nulla commendatione majorum. Brut. 25, 96: Q. Pompeius non contentus orator temporibus illis fuit, qui summos honores homo per se cognitos sine ulla commendatione majorum est adeptus. M. See Dict. of Antig., Novi homines.

7. Mature, i.e. as soon as the laws allowed him to become a candidate; with no repulse.

8. Omnes honorum gradus. Cicero had been chosen to fill in succession all the high offices of the state: the quaestorship, the ædileship, the praetorship, and the consulship. Such success as he here alludes to was without precedent in the history of Rome.

13. Invidiae . . . conflagraturum. Cf. p. Mil. 27, 75.—In the preceding sentence, Klotz and Madvig read non est vehementius without the interrogation.

Ch. XII.—16. Respondebo. Cicero's reply is, that he would have put Catiline to death, even at the cost of his own life (though others for such deeds had won praise), if he had judged it to be for the interest of the state. But he regards it best for the state that Catiline should be allowed to leave the city and draw after him his followers and adherents.

17. Si . . . judicarem . . . non dedissem. When the imperfect subj. is used where we should use the pluperfect, it denotes, not an action that is terminated before that denoted by the verb in the other clause, but conceived as going on simultaneously with it. Compare in the next Oration, § 3, si . . . judicarem, &c. . . . jampridem . . . sustulissem: here it is implied, at non sustuli quia non judicabam, &c. (not non judicavi). Cic. implies that it was not then, and still is not his opinion. So Tusc. 1, 12, 27: Quas caeremonias . . . nec coluisse nec sanxissent, nisi haeret in eorum mentibus, &c. M. 18. Gladiatori. Contemptuously.


28. Qui . . . aluerunt, &c. = men who nourished, &c. It is not to be joined with the preceding sunt qui, as the subjunctives videant, &c. are, but = hi aluerunt. M.

32. In hunc animadvertissem. It means "to punish with an
authoritative and steady hand," and in this sense the preposition is necessary.—Regie = tyrannically.

37. Reprimi . . . comprimi. Z. 822.

38. Ejecerit. The city where their plans have been discovered is the wreck of their hopes, and they must leave it or sink in ruin. The camp of Mallius is the friendly coast to which Catiline must flee with those who are wrecked with him in the discovery of the conspiracy. Benecke ; who does not understand by naufragos, patrimonio naufragos, but those whose hopes have been disappointed.


Cf. XIII.—43. Jamdju. The whole three years from the consulate of Lepidus and Tullus.

44. Nescio quo pacto. Beier (Cic. Off. 1, 41, 146) rightly informs us that this phrase, like nescio quomodo, is often used with reference to things which one would wish had not been done. What mood should follow? Z. 553.

3. Ex tanto latrocinio = ex tanto numero latronum.

5. Residebit. The metaphor is taken from a subtle poison in the system. The state is the body, the conspiracy the fever, and the execution of Catiline the draught of cool water which refreshes for a moment.—In venis atque in visceribus. Does atque introduce a stronger, weaker, or equal term? P. C. 4, d; Z. 333. Observe the repetition of the preposition in. The repetition of the preposition keeps the terms distinct; its omission before the second term combines them as being little more than one complex notion. But in practice the preposition is often found repeated, even where the notions are cognate. Zumpt (ad Div. in Cæcil. 13) says: "vetus illa [regula] repeti pra-positionem ubi diversitas verborum sit, falsa est, si hoc debet consequi, non repeti, ubi nulla apparent diversitas." The preposition is always repeated with et . . . . et (but sometimes cum precedes both the et's; cum et nocturno et diurno metu); nec . . . . nec; generally with aut . . . . aut; vel . . . . vel; after nisi; and after quam following a comparative: e. g. et in bello et in pace; in nulla alia re nisi in virtute; in nulla re melius quam in virtute. See Z. 745.

6. Ægri morbo gravi. Z. 452.—On the structure of this period, see Z. 816.


12. Id quod. See P. C. 36*.

14. Prætoris urbani. L. Valerius Flaccus, whose tribunal they hemmed around, that they might intimidate him when delivering judgment in cases of debt.

15. Malleolos. The term malleolus denoted a hammer, the transverse head of which was formed for holding pitch and tow; which, having been set on fire, was projected slowly, so that it might not be
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extinguished during its flight, upon houses and other buildings, in order to set them on fire. *Dict. Antiq. Malleus.*

17. Polliceor vobis hoc. On this use of hoc, see Z. 748.—What tense of the infinitive follows polliceor? *P. C.* 15.

22. Hisce ominibus .... cum summa .... salute. On this ablative, see Z. 472; and, for the use of cum to denote an accompanying circumstance as a result or consequence of the action, see Z. as above, and the similar passage there cited from *in Verr.* 1, 24.

23. Et .... ac .... que. How do these particles differ? *P. C.* 4, d; *Z.* 333.

25. Tum tu, Jupiter, &c. What is here said of Jupiter is strictly true only of the Temple of Jupiter. *Cf. Liv* 1, 12, where Romulus vowed the Temple: *Romulus et ipse turba fugientium actus, arma ad coelum tollens, Juppiter, tuis, inquit, jussus avibus hic in Palatio prima urbi fundamenta jeci :—deme terrorem Romanis; fugam fædam siste; hic ego tibi templum, Statori Jovi, quod monumentum sit posteris tua presenti ope servatam urbem esse, voveo.* *So M.*

SECOND ORATION AGAINST CATILINE.

ANALYSIS.

1. In the introduction Cicero congratulates the Roman people, that Catiline has left the city, and consequently can do it no more injury.

2. He vindicates himself from a double charge: for the well-disposed citizens complained that he had suffered Catiline to escape unpunished, while on the other hand the friends of Catiline maintained that he had been too severely dealt with by the consul. To the first complaint he replies by setting forth the grounds of his course of action, viz. the conspiracy had not yet been fully discovered; moreover, the execution of Catiline would have rendered him odious and have prevented the punishment of the other conspirators; and finally, the absent enemy with his army is less to be feared than his adherents who have remained in Rome. The second reproach he meets by explaining the action which the senate had taken in regard to the conspiracy, and by showing from several circumstances that Catiline had previously determined to go, not to Marseilles, but to his army in Etruria. (§ 3—ch. 8, § 17.) In thus defending himself against the censure of the disaffected, he gives

3. A classification of the conspirators and of the Romans who favored the treasonable designs, and divides them into six classes, from whom, however, he considers the state has not much to fear, particularly since the best measures have been taken for its security and weal. (§ 17—ch. 12, § 26.)

Finally,

4. After an apostrophe to the conspirators who had remained in the city, in which he warns them to leave Rome without delay, or at least to keep themselves quiet, since the disturbance of the public security will be most severely punished, he closes with an address to the well-disposed citizens, in which he assures them, that, without resort to arms on their part, the civil war will be ended, and, at the same time, calls upon them to supplicate the gods for the preservation of the state. (§ 26-end.)

CH. I.—1. Tandem aliquando = at last, at length. These words express great joy at the accomplishment, after long delay, of a desired or expected object. Tandem is often strengthened by aliquando; and aliquando alone, in exhortations and wishes, and sometimes in narrative, is used with this meaning. The correspondence to the opening of the first oration, quousque tandem, may be noticed.—Qui rites = citizens. The origin of this word has given rise to much discussion. It was, however, the political name by which the Roman people were at home collectively designated and addressed as free citizens of the state.

2. Scelus anhelantem. Z. 383. Anhelo describes the violence of his rage, and eagerness to execute the crime upon which he was bent. Scelus is here used in its proper sense; it is the strongest of the general terms that denote evil deeds, and expresses an offence against
the rights of individuals, or the peace of society, by robbery, murder, and particularly by sedition. Död. Cf. Auct. Rhet. ad Herenn. 4, 55, 68: *At iste spumans ex ore sceleus, anhelans ex intimo pectore crudelitate—Pestem... molientem.* See note on line 19 of page 9.

3. *Vobis atque huic urbi ferro flammaque mimitantem.* Klotz reads (with Matthiae) *ferrum flammamque.* In other passages, he remarks, Cic. uses *ferro igniique* (or *igni ferroque*) mimitari, e.g. Phil. 11, 14, 37: *Huic urbi ferro ignique mimitatur*; in Phil. 13, 21, 47: *patriae igni ferroque* [Nobbe ignem ferrumque] mimitatur; but then *igni ferroque* denote only the *instruments* with which they threaten their country, &c. The acc. denotes *what* they threaten to inflict upon it: the *sword* (= death by the sword) and *fire* (= destruction by flames). So Tusc. 1, 43, 102: *quae quum Lysimachus rex crucem minaretur* "death on the cross," "crucifixion." Con- cinnity of style here requires the *accusative*, that it may range, as it were, with *scelus anhelantem.* Klotz.


6. *Nulla jam.* See Z. 286; and compare *non enim jam,* line 9. —A *monstro illo atque prodigio.* The primary notion in *monstrum* is, that it is unnatural and ugly; in *prodigium,* that the appearance is replete with meaning and pregnant with consequences. Död.

8. *Sine controversia = sine dubio.*

10. *Non in campo,* &c. Supply Martio. The several occasions here referred to, have been noticed in the first oration, chaps. 5, 11; 6, 15; 4, 9.

11. *Pertimescemus,* is here used intransitively = *timorem habebimus,* "shall not fear or be afraid."

12. *Ex urbe depulsus.* The more common form would be *expulsus*; but Matthias remarks that he chose rather to say *depulsus,*
because Catiline was driven from his position or vantage-ground; as de loco or gradu moveri, depelli, dejici, are properly used of soldiers and gladiators.—Nullo impediente. In what cases is nemo defective?

13. Bellum justum = regular, formal, open war.

14. Hominem, contemptuously, as opprimet hominem in ch. 12, 26.—Occultis, which seems pleonastic with insidiis, stands for the sake of the contrast with apertum latrociniun.

15. Quod vero. Quod, with verbs of the emotions, introduces the clause which contains the ground or cause of the feeling. See P. C. 517; Z. 629. In this sentence the emphatic position of non cruuentum should be noticed, and also the position of vivis . . . incolu-

mces . . . stantem, which, as containing the whole force of the expression, come before their substantives. See P. C. p. 233, 25; Z. 793.

17. E manibus extorsimus. The common text is de manibus. So in 1 Cat. 6, 16: extorta est . . . de manibus. De is here explained by Krüger as = away. Ellendt on de Orat. 1, 52, 225, considers ensem ex manu as the proper, de manu as the metaphorical expression, so that the latter = adimere utendi potestatem.

19. Quanto, &c. . . . putatis? This sort of question may often be conveniently translated by imagine with must. "Imagine with how great sorrow he must have been stricken," &c.

21. Retorquet oculos. As the wild beast that wistfully eyes the prey which has been snatched from its jaws.

23. Evomuerit. A metaphor taken from the sick, who are often so relieved. This figurative use of evomo is common, nor did the ancients feel that it offended against good taste.

CH. II.—25. Si quis. How does si quis differ from si aliquis?

P. C. 391; Z. 708. Madvig reads, Ac si quis.—Quales esse omnes oportebat. All as true patriots should have judged that Catiline deserved death.

26. In hoc ipso, in quo exsultat . . . accuset. In = in re-

spect to, is especially used with certain verbs, such as laetari, gloriari, exsultare, and the verbs of praising, blaming, and accusing; to express the point, to which the general notion contained in the verb applies.

27. Accuset. Why subj.? P. C. 483, (2); Z. 556.


1. A me. What is the construction of postulo? Z. 393.

3. Quae ego deferrem. Consult note on p. 14, line 44. He refers to the information derived through Fulvia and communicated by him to the senate. The emphasis which belongs to ego should be no-

noticed.

4. Non putarent = did not duly estimate. The bracketed clauses have been regarded as spurious, because the former in one of the MSS.
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is not found, and in others is placed after Quam multos, qui etiam defenderent. Klotz and Madvig give them in this order, and Klotz omits the [ ].

6. Ac si, like quod si, connects sentences which are mutually related to each other, and = in hac rerum consecutione si. Cf. Z. 333 and 807.—Sublati. To what verb do the forms sustuli and sublatum belong? Z. 213, Note.—Depelli a vobis. Is the preposition necessary? Z. 468.


8. Invidiæ meæ. The possessive pronoun here takes the place of the objective genitive. Z. 424.—Periculo. Z. 472, Note.


10. Fore ut . . . non possem. When is the circumlocution by means of futurum esse or fore ut necessary to express the infinitive of future time? Z. 594.

15. Parum comitatus. Z. 632, and on parum, 731. Sallust says, cum paucis; and Plutarch gives the number 300.

17. Tongilium. Tongilius, Publicius, Munatius (Qy. Munatius Plancus ?), are unknown personages. Some have thought that the orator purposely mentions such names; but it is enough to suppose that they were persons of no note, and that Cicero points this out by avoiding all circumstantial or full description of them. Orelli quotes Q. Cic. de pet. Cons. 3, 10: Catilina, qui ex curia Curios et Annios, ab atriis Sapalas et Carvilios, ex equestri ordine Pompilios et Vet-tios sibi amicissimos comparavit.—Mihi. What is this dative called? P. C. 242; Z. 408. It often gives an ironical coloring. Compare note on p. 22, line 5.—In praetexta. Supply toga. This was the dress worn by a Roman youth until he assumed the toga virilis.

18. [Calumnia]. This word is here found in most MSS. It appears to have been a marginal gloss, which afterwards crept into the text. Some editors have proposed conjectural readings for the purpose of giving it significance, but recent editions omit it altogether.

19. Contractum in popina = i. e. sumtibus in popina factis. Several MSS. read in popinam, which some editors receive as expressing the object for which the indebtedness was contracted.

20. Ære alieno. On the order of the words, see Z. 800. This class, so deeply involved in debt, were more to be feared, as they had nothing to lose and every thing to hope for from the overthrow of the government.

Cu. III.—22. Et Gallicanis legionibus . . . contemnito. The abl. here denotes the cause of his setting it at naught or despising it. A nearly similar construction occurs, Or. 13, 41: Isocrates videtur testimonio Platonis aliorum judicia debere contemnere. See Z. 454. Some editions, from a conjecture of Lambinus, read præ Gallicanis. The MSS. give ex, for which et, the emendation of Muretus, has been
generally received.—*Gallicanae legiones* are, "*Roman* legions serving in Gaul:" *Gallicae legiones* would be "legions consisting of Gauls." See Z. 258.

23. In agro Piceno et Gallico. These countries were situated on the Adriatic, and separated from each other by the river Æsis. The latter derived its name from the Galli Senones who occupied it in early times.

24. Q. Metellus Celer, the praetor, was dispatched by the senate into the Picenian territory, to raise an army proportioned to the emergency and danger. *Agrum Cameretm, Picenum, Gallicum maxime quasi morbus quidam illius furoris pervaserat.* Pro Sulla, 19, 53 Cf. Sall. Cat. 30.

25. Magno opere. So more correctly written for *magnopere.*— *Ex senibus desperatis.* The veterans who had served under Sulla are meant. Cf. ch. 9, 20; and Sall. 16.— *Ex agresti luxuria = ex agrestibus luxuriosis,* the abstract for the concrete.

26. Decoctoribus. *Decoquer* and *decoctor* are not used of every bankrupt, but of one who arranges matters with his creditors by an assignment of his goods (*cessio bonorum*); without a public compulsory *venditio bonorum*; the *decoctor* did not lose his civil rights. K.—Vadimonia. When the praetor had granted an action, the plaintiff required the defendant to give security for his appearance before the praetor on a day named. The defendant, on finding a surety, was said *vadimonium promittere* or *facere.* If the defendant appeared on the day appointed, he was said *vadimonium sistere;* if he did not appear, he was said *vadimonium deseruisse,* and the praetor gave to the plaintiff the *bonorum possessio.* See Dict. Antiq., Actio.

28. Edictum praetoris. In which the praetor’s judgment against debtors is announced.

29. Quos video volitare. Verbs which denote *to see* and *hear* can take the infinitive or a participle. Z. 636. Cic. prefers the infinitive, unless a picture is to be presented, later writers, as Tacitus, the participle.—*Volitare.* With this word is associated the notion of impudence and presumption—insolent assurance.

31. Nitent unguentis. Pomatums and perfumes were then the fashion with such characters. Cf. ch. 10: *pexo capillo, nitidi.*— *Fulgert purpura.* The senators and equites who had joined the conspiracy are here meant. The dress of the former was distinguished by a broad, of the latter by a narrow stripe of purple in front of the breast. See Dict. Antiq., Clavus Latus.

32. Suos millites = as his soldiers.

34. Qui exercitum deseruerunt. *Pro Muren. 37, 79: Quaris a me, quid ego Catilinam metuam.* Nihil; *et curavi, ne quis metuere; sed copias illius, quas hic video, dico esse metuendas; nec tam timendas est nunc exercitus L. Catilinae, quam isti, qui illum exer-
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38. Cædis atque incendiorum: Cædis, i.e. Cethegus and others; incendiorum, Gabinius and Statilius See Sall. 43. Cicero distributes these parts somewhat differently. See 3 Cat. 6, 14; and 4 Cat. 6, 13.

39. Superioris noctis. The same night that is called in the first oration, superior in § 1, prior in § 8. O.—Perlata esse, i.e. by Curius and Fulvia. Madvig reads, delata.

41. Næ III. With what is næ in the best writers usually joined? Z. 360, Note.


1. Nisi vero. What mood follows these words, and in what sense are they used? See Z. 526.—Si quis. As quod and quia follow nisi when it has the sense of the adverb “except” (Z. 735); so nisi, in the same sense, is frequently followed by si and especially by si quis. In Cicero this is rare in his orations, but more frequent in his letters and dialogues. Madvig here however rejects the si.—Catilinae. What case is this word here? P. C. 212, w; Z. 411.

2. Sentire non putet. With verbs of thinking, seeming, &c., the “not” is prefixed to the verb rather than to the infinitive. See Arnold’s Nepos, Paus. 3, 6. Thus non puto, non arbitror, as forming one notion, may be compared with the compound nego, which we often in translating resolve into dicere non. See P. C. p. 202, 2; Z. 799. Cf. de Off. 1, 13, 39: captivos reddendos in senatu non censuit; pro Leg. Man. 23, 67: ad unum deferenda omnia esse non arbitrantur.


5. Aurelia via; which led through Etruria. Philipp. 12, 9: Tres via sunt ad Mutinam, a supero mari Flaminia, ab infero Aurelia, media Cassia.

6. Si . . . . . . . . volent . . . . . . consequuntur. See Z. 509.—Ad vespēram. In Cicero, with the exception of this passage, where ad vesperam is the reading of all the MSS., ad vespērum has been restored from the MSS. Cicero and Caesar appear to have preferred the second declension in the accusative, the third in the ablative. Z. 98.

7. Si quidem. Z. 346.—Sentinam . . . . . ejecerit. Compare 1 Cat 5, 12: exauriētur . . . . . tuorum comitum . . . . . sentina rei publice.

10. **Quod non ille conceperit.** On the place of non, see P. C. 258, 104.

11. **Tota Italia.** See Arnold's Nepos, Pref. 5, 1, p. 63; Iphicr. 2, 3, p. 188; Z. 482.

15. **Cum Catilina... vixisse.** Vivere cum aliquo = to live with some one, not in the sense of being his contemporary, but to have intercourse with, to be on intimate footing with.

16. **Quae cades... non per illum?** Cf. 1 Cat. 6, 14; 7, 18; and pro Sull. 5, 16: quod flagitium Lentulus non cum Autronio concepit? quod sine eodem illo Catilina facinus admisit? Per illum is different, of course, from ab illo. Per does not denote the immediate agent, but the person by whose instigation, assistance, instrumental-ity, &c., the action takes place. Per illum here may be compared with illo ad libidinem facem praferente, in Cat. 1, § 13. M.

17. **Quod nefarium stuprum non per illum.** Why quod? P. C. 105; Z. 134, and Note.

18. **Jam vero.** These words are often used to mark transition, and = "likewise," or "moreover," "besides."

19. **Juventutis ilceebra.** Cf. 1 Cat. 6, 13: Cui tu adolescentulo, &c.; and Sall. ch. 14.

25. **Sed [nec] ullo.** Klotz reads ne ullo; Madvig, ne ullo quidem. 

28. **Diversa studia in dissimilli ratione.** Cicero here exhibits some of the traits of Catiline's character, made up as it was of extremes, in the light of contrasts. He was among the bold and toil-worn distinguished for his daring and patient endurance of labor; and again, among the delicate and effeminate, equally eminent for his excess in these qualities. Cf. p. Cat. 5, 12, where the orator is speaking of Catiline: neque ego unquam fuisse tale monstrum in terris illum puto, tam ex contrariis diversisque inter se pugnantibus natu- re studiis cupiditatibusque conflatum.

30. **Intimum Catilinae.** For the construction of intimum, see Z. 410.

31. **Nemo in scena levior.** The histriones were either freedmen, strangers, or slaves, and were generally held in great contempt. Dict. Antiq., Histrio.

33. **Frigori... perferendi.** Madvig reads frigore et fame; and asseuefactus is more commonly construed with the ablative. With this reading some editions place a comma after asseuefactus, and, construing it with exercitatione, make what follows = "propter ea quod frigus, &c. perferet."

35. **Subsidia atque instrumenta.** These are his capacity for enduring cold, &c.—For consumerentur Madvig reads consumeret.

36. **Si secuti erunt.** Z. 168*—Sui comites. The constant attendants and companions of Catiline in Rome, described in what follows as desperatorum hominum flagitiiosi greges.
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38. O nos beatos, &c. The simple apodosis, "Then shall we be happy," is given with greater emphasis by the repeated exclamation.

40. Libidines . . . audacie. Z. 92.

42. Obligaverunt. Have mortgaged. The reading in the older editions is abligurierunt = have wasted in luxury.

43. Res, i. e. domestica, property.—Fides. Credit.

1. In vino et aëra. Drinking and play were indulged in at the close of the feast; and when the party were heated with wine they sallied into the streets with torches and music, and visiting the houses of their favorite mistresses, they with uproar demanded admittance, threatening to break down the doors if refused. This was comissatio. Games of chance among the Romans were prohibited by various laws, and aleatores were infamous.

2. Illi quidem . . . sed tamen. When quidem followed by sed stands with a predicate verb or adjective as a concessive particle, it is not in the best writers connected with the verb or adjective, but with an inserted pronoun. P. C. 383; Z. 744.—Essent . . . desperandi. Z. 417.

3. Inertes homines fortissimis viris. On the distinction between homo and vir, see Arnold’s Nepos, Paus. 1, 1.

5. Qui mihi, &c. The dative of personal pronouns is often used (where we cannot translate them) to indicate that the thought expressed is one that interests and excites the speaker, or one that must arrest the attention of the person addressed: thus, Quid mihi Celsus agit? Hor. Ep. 1, 3, 15. At tibi repente paucis post diebus . . . venit ad me Caninius, C. Fam. 9, 2.—Accubantes. See Dict. Antiq., Triclinium.

7. Sertis redimiti. It was customary for the guests at such carousals to wear garlands of myrtle, ivy, lilies, roses, &c.; and to perfume their hair with fragrant oils.


14. Nulla est enim natio, &c. So Agr. 1, 9, 26: Nullum externum periculum est; non rex, non gens ulla, non natio pertimescenda est; inclusum malum, intestimum ac domesticum est.

16. Unius. Pompey the Great and his successes against the pirates and Mithridates are referred to.

21. Quacunque. Z. 706. On the tenses in this sentence, see Z. 509.—Resecanda. Cf. Phil. 8, 5, 15. In corpore si quid ejusmodi est, quod reliquo corpori noceat, uri secarique patimur; ut membro- rum aliquod potius, quam totum corpus interest: sic in rei publicae corpore, ut totum salvum sit, quidquid est pestiferum, amputetur.

23. Proinde = igitur cum exhortatione quadam, and is often used in animated appeals at the end of a speech, &c. Z. 344.

29. Simul atque. How is atque (ac) to be translated after words denoting similarity? How after words which denote dissimilarity? Is simul alone used for simulac? Z. 350.—Ire . . . jussus est. Z. 607. The irony is well sustained throughout the period. Compare note, Orat. 1, ch. 5, line 37.

30. Paruit, ivit. On the omission of et, see Z. 783. Klotz reads paruit. Qui ut hesterno, &c.—Hesterno die. This statement is quite irreconcilable with 1 Cat. §§ 1, 9, 10; from which we necessarily gather that Orat. I. was delivered on the 8th of November; whereas, from the present passage, it would appear to have been delivered on the 7th. O. Drumann, Vol. V. p. 456, n. 32, dates the delivery of the first oration on the 7th of November and of the second on the 8th Madvig, Opusc. I. pp. 194–96, inclines to the same dates.

31. In ædem Jovis Statoris. Ædes in the singular = a temple; in the plural, a house. In the former sense it is regularly qualified by some adjective expressed, or the genitive of the deity whose temple is mentioned. If more temples than one are spoken of, the adjective or genitive determines the sense, as aedes sacrae, deorum.

32. Detuli. See note on Orat. 1, ch. 8, line 44.

33. Ac non potius. In the sense of and not rather, et non and more commonly ac non are retained, and do not give place to neque or nec. See Krebs, Guide, 525; Z. 781, in fin.

36. Partem illam subselliorum. Cf. 1 Cat. 7, 16.

38. Vehemens ille consul. On this use of ille, see P. C. 381; Z. 701. It refers ironically to the first part of the chapter, sunt, qui dicant . . . a me, &c.—Quasivi a Catilina. Does quero take a double accusative? With what other prepositions is it construed? Z. 393.

39. Necne = or not. In what kind of questions is necne used? What is used in direct questions? Krebs, Guide, 324; P. C. 122, b. Z. 554. What is there faulty in the reading an nocturno conventu, which is found in some editions? Z. 353. Klotz and Madvig read in nocturno, &c.; and below, line 42, in proximam.

42. Et ratio . . . bellis descripta. For what does the dative stand? Z. 419. Translate "how the plan of the whole war had been marked out by him."

44. Dubitaret proficisci. In what sense of dubito does the infinitive follow it?—Pararet. In oratione recta it would be quid dubitasse eo proficisci, quo jamdudum paras?

1. Quum arma, quum secures. Cf. 1 Cat. § 24. Sall. 36: Cum fascibus atque aliis imperii insignibus in castra ad Manlius
contendit. Appian, B. C. 2, 3: 6 μὲν ὅν ἰδὼν τε καὶ πελέκες, ὡς τις ἀνθόπατος, καθὼς μάλα ἀνθρωπόδρομος πρὸς ἄνθρωπον ὑπὸ ποιεῖται, καὶ τὸν καθαρὰ ἐκφεύγει στρατολογοῦν.

1. Praemissam attaches itself to the nearest substantive, aquilam Z. 373.—Ejiciebam. On this use of the imperfect to describe an action of the past time as incomplete or continuing, see Z. 500.

5. Credo. How is this word here used? Z. 777.

Ch. VII.—12. Periculis meis. These are the measures which Cicero with danger to himself had adopted for the suppression of the conspiracy. Cf. p. Sull. 11, 33: meis consiliis, meis laboribus, mei capitibus periculis; and 3 Cat. 1, 1. The asyndeton between these nouns, and between the several clauses of the protasis, should be noticed; as also the force which the position of non gives, and its repetition at the beginning of the clauses of the apodosis.


15. Ad fugam atque in exsilium. Observe the change of the prepositions, atque in exsilium, more nearly defining ad fugam.

19. Si hoc fecerit, i. e. iter in exsilium convertet. See note on Orat. 1, ch. 9, line 37.


23. A vobis . . . . depellatur. If the verb in the active voice admits the preposition a or ab, an ambiguity sometimes exists in the passive construction. In this instance it will be easy to decide that the construction belongs to Z. 463, and not to Z. 451.

24. Dicatur . . . . ejectus esse. Z. 607.


26. A diis . . . . optabo . . . . ut. Z. 613, and Note in fin.

33. Massiliam. Cf. Sall. Cat. 34: At Catilina ex itinere plebisque consularibus, praeterea optumo cuique litteras mittit; se falsis criminiis circumventum, quoniam factioni inimicorum resistere nequiverit, fortunae cedere: Massiliam in exsilium proficiscer, non quo sibi tanti sceleris conscius esset, sed uti respublica quieta foret, neve ex sua contentione seditio oriretur.

34. Quam veretur. For their real wish was that Catiline would speedily return to Rome at the head of an army.

35. Tam misericors. Alluding ironically to those who pretended to be distressed at the fate of Catiline.

Ch. VIII.—43. Fatetur se esse hostem; i. e. by his withdrawal to the camp of Mallius, which Cicero now assumes as certain. The emphatic repetition of hostis may be noticed.—Quem, quia, quod. Seyffert, ad Lel. p. 186, remarks that a succession of words commencing with q was rather agreeable to the Roman ear. From Cicero he there quotes, quoniam quibusnam quisquam, Acad. 1, 2, 6; and qui quia que, Famil. 12, 2, 2.

24 2. Siullo modo fieri possit. Klotz reads posset; and below line 4, volunt for volent.
5. Exponam enim vobis. Supply *primum*, to correspond to *deinde*.


8. Unum genus est eorum. For the genitive, see Z. 425. Cf. *p. Mil. 2, 3*: *unum genus est adversum infestumque nobis eorum, quos, &c* The genuineness of this oration has been attacked against the most express testimony. Among other arguments, some have alleged the length and fulness of these divisions, and of the antithetical array of opposed principles in ch. 11, § 25. Klotz observes, that the orator, who was here addressing the people after the decision, had not to persuade them to the adoption of measures, but to satisfy them that all had been done with sufficient reason, &c. Hence this fulness of description.


10. Amore adducti. Z. 454, in fin.—*Dissolvi = divelli, &c. a pradiis illis*; but not without allusion to the phrase, *as alienum dissipare*. Compare *p. Sull. 20, 59*: *Illud erat genus hominum horribile et pertimescendum, qui tanto amore suas possessiones amplexi tenebant, ut ab iis membra divelli citius ac distrahi posse diceres*. This was uttered after the suppression of the conspiracy.

12. *Tu agris, tu ædificis, ... copiosus sis, et dubites*. Compare this form of question with the form noticed in ch. 9, line 22, of Orat. 1; and see Z. 530. Observe also the forcible repetition of the pronoun, which in questions that indicate disapprobation, or surprise and indignation, is usually expressed.

14. *Acquirere ad fidem* = to gain credit. *Acquirere*, in Cicero, is often construed with *ad* in the sense of increase or addition to that which is already possessed. The contrast of *ad* with *de*, and the chiastic arrangement of the clauses may be noticed. *P. C. p. 14, 15, b*, and *p. 243, init.*


18. *Tabulæ novæ ... verum auctionariae*: "By my good services *fresh* bills shall be proposed, but they shall be *bills of sale*." Cicero here plays upon the term *tabulae nova*, which usually signifies a *revision of debts*; by which, in revolutionary times, the creditor was forced to give the debtor a *fresh bill*, making a stated deduction (often very considerable) from the old one. *Tabulae auctionariae* were schedules, in which the debtor's property was summed up, preparatory to a sale by auction for the benefit of his creditors. These might in *jest* be called *nova* (i. e. *insolitœ*), as being a proceeding quite unex-
Neque certare cum usuris fructibus prædiorum: “and not struggle to meet the usurious interest demanded by their creditors with the mere incomes derived from their estates” [i.e. instead of selling part to set the rest free]: the interest they had to pay frequently exceeded their entire income.—Id quod. P. C. 36*.

Locupletioribus his et mellioribus civibus uteremur = we should have in them both richer and better citizens. See Z. 394, Note 1, in fin.

Puto pertimescendos. What is omitted with pertimescendos, also with facturi . . . latrii, in the following lines? Z. 776. This omission, which is common after verba sentiendi and declarandi, occurs most frequently with the infinitive future active and with the gerundive.


Quibus hoc praecipiendum. Is quibus here dative of the agent with praecipiendum, by Z. 649; or of the remote object, by Z. 405?

Quod conantur. Z. 546.

Primum omnium, me ipsum vigilare . . . deinque. See Z. 727.—These infinitive clauses are to be referred to praecipiendum, or some suitable verbum dicendi or sentiendi implied in it.

Maximam multitudinem. Matthiæ observes that the construction is as if it were magnos esse animos virorum honorum . . . maximam (corum) multitudinem.

Presentes auxilium esse laturos. The force which lies in presentes will be noticed. The gods, as if present before our eyes, will render prompt and efficient aid. Cf. 3 Cat. 8, 18; and ch. 13, 29, of this oration. Præsens often = propitius, favens.

Se . . . reges sperant futuros. Would reges sperant esse be admissible for, “they hope to be kings”?—Aut etiam reges. This Cicero adds with the design of rendering the class of which he is speaking odious to the Romau people, to whom the name king was offensive.

Fugitivo . . . aut gladiatori concedi sit necesse. See P. C. p. 245, 47. For Catiline, in the event of success, would advance such characters to posts of honor, not those who had remained inactive in Rome.
44. Etate . . . affectum = provectum, ut vires debilitae quem sint, sed non exhauste.

3. Quas Faesulis, &c. Catilinam (in consulatus petitione) sti- patum choro juventutis, vallatum indicibus atque sicariis . . . circumfluentem colorum Arretinorum et Faesulanorum exercitu. Pro Muren. § 49. Klotz reads quas Faesulas; Madvig, quas Sulla consti- tuit.—Universas. This adjective is often used in agreement with the noun, where we should use an adverbial expression, as "in general," or "on the whole." The same is true in Latin of many other adjectives.

5. In insperatis ac repentinis pecuniis = quum insperatas et repentina pecunias adepit essent. The preposition in denotes rather the continuing state, the abl. alone would express the cause or ground. Appian, B. Civ. 2, 2, p. 177: perintepemten ets twn Suffeioy tods va kerdh tis touts biax anakoxtas kai dregommenous erwv ommov. M.

7. Lectaris, &c. The leectorae were a mark of opulence, requiring many lecicaruni, &c. They answered to a splendid equipage in our days. See Dict. Antiq., Lectica.


14. Dictaturas cogitare, i.e. to dream that dictatorships (and the license of Sulla's days) will come back again.—The illa tempora (= those days), the days of Sulla's dictatorship.

15. Inustus forcibly expresses the violence and duration of the suffering.

16. Non modo homines. Supply the negative predicate of the following clause. Z. 724, b.


19. Jampridem premuntur. How to be construed? P. C. 413


22. Vadimonii, judicis, proscriptionibus. The exact order of procedure is here observed: for, first, the creditor took bail of the debtor; secondly, if the debtor failed to make his appearance, the creditor was put in possession; thirdly, if the creditor remained in possession thirty days, the property was proscribed. Muret.

23. Et ex urbe et ex agris. For the repetition of the preposition, see note on page 18, line 5.

24. Infitatores lentos. Lentus is a slow payer. Infitatores lenti are persons who put off paying their debts by denying wholly, or in part, that they are just debts.

25. Primum, not followed by deinde, occurs 1 Fin. 6, 17, and in several other passages.—Si stare non possunt. With reference to vacillant, line 21.
26. Corruant. The subjunctive as containing the advice which Cic. had promised, ch. 8, 17.—Sed ita, ut non modo, &c. "Ita ut nullem incommodum e ruina ipsorum non modo ad civitatem sed ne ad vicinos quidem perveniatur." Muretus, who considers the expression proverbial and suspects that there is an allusion to an old play, as Plato has ἡμῶν ἐλ γεννομένων, τὰ τοῦ κωμῳδοποιοῦ, ὀδοὶ οἱ γελτόνες σφόδρα τοι αἰσθάνονται, Alcib. 1, p. 121, and Plutarch (Phocion, c. 30), ἐμοὶ μὲν τὴν αὖν μητέρα γαμούντος οὖδ' ἐ γελτῶν ἡσθερο.

28. Honeste = with honor, in consequence of their debts.

32. Neque... possunt et percant. Here two leading clauses are connected, the former of which stands as unconditional in the indicative, the latter as concessive in the subjunctive. On neque... et, see Z. 338, in fin.

34. Postremum. In a double sense "the last and worst," as Cicero immediately explains it.

36. Proprium, in the full meaning of what is peculiarly and exclusively his.—De complexu ejus ac sinu = of his bosom friends. The expression is figurative, and derived from the Roman custom of reclining at table. It is often used in a good sense of an intimate and valued friend. Muretus thinks there may be here an allusion to Catiline's impurity of life.

37. Quos pexo capillo, nitidos, &c. Some editions omit the comma between capillo and nitidos, making pexo capillo limit and define nitidos. Compare ch. 3, 5, qui nitent unguentis, and ch. 5, 10, unguentis oblit.

38. Bene barbatos = "adultiores qui barbula delectantur," ut loquitur pro Coel. 14, 33. M. Cf. Dict. Antiq., Barba.—Manicatius et talaribus tunicis. "It was considered a mark of effeminacy for men to wear tunics with long sleeves (manicatae), and reaching to the feet (talares)." Dict. Antiq., Tonica. Cf. Gall. N. A. 7, 12.

39. Velli amictos, non togis, i.e. "in such loose and flowing togas that they should rather be called veils." A close-fitting toga indicated a person of strict character, &c.; e.g. exigüae togae simule textore Catonem. So, of course, an ample flowing toga belonged to luxurious, effeminate ladies. Tunc procul absitis, quisquis colit arte capillos, Effluent effuso cui toga laxa sinu. M.

40. Coenae antelucanæ were banquets carried on all through the night till the day broke: this was called coenare in lucem.


43. Neque cantare et psallere. Supply solum from the preceding. Cantare properly of vocal music; psallere of instrumenta music, particularly on stringed instruments, accompanied by the voice. Some editions give cantare et saltare, others psallere et saltare.
2. Seminarium Catilinarium, "a Catilinarian nursery;" i. e. for bringing up young Catilines; men resembling Catilino in principles and morals. Cf. seminarium pomarium, &c. Madvig reads Catilinarum.


7. Idcirco .... quod. Idcirco and ideo = "for this reason," and refer either to a preceding statement or a succeeding one. They sometimes refer to a following quod, quia, or quoniam. The order may be inverted, and quod, &c. precede. Sometimes ideo and idcirco refer to a purpose to be afterwards stated by ut, quo; ne, ut ne. The forms si .... idcirco; etsi .... idcirco; neque si .... idcirco, are common. Ideo also occurs with this reference to a conditional sentence.

Ch. XI.—10. Scortorum cohortem praetoriam. Scorta here = cinædi; those just before called impuri impudicique. Cohors praetoria was the name applied to the body of men which was particularly appointed to the commander, and which was composed of soldiers of tried bravery.


14. Naufragorum ejectam .... manum. Compare note on p. 17, line 38. Ejicere is often used of one who is wrecked and cast upon the shore. Virg. Æn. 1, 578: Si quibus ejectus sibis aut urbi-bus errat.

16. Urbes coloniarum ac municipiorum = urbes, scilicet colonia ac municipia; i. e. urbes denotes the genus, and colonia and municipia the species. Cf. Or. 11, 15, 63: Causa vel casus vel sa-pientia vel temeritas; where casus, sapientia, temeritas, are the species of the genus causa. M. Z. 425.—Respondebunt = pares erunt ad resistendum; resistent, opponuntur; "will be a match for." Cf. pro Flacco, 40, 100: Septimio et Calio testibus P. Servilius et Q. Metellus .... repugnabant. Asiaticæ jurisdictioni urbana juris-dictio respondebit. The notion is that of drawing up one line of soldiers opposite to another, so that each answers or corresponds to a particular portion of the enemy's line.

17. Tumulis silvestribus; which Catiline gave out that he would occupy, for the purpose of carrying on a guerilla warfare; such localities as cowards flee to who seek lurking-places for ambushes, and dare not give battle in the open plain. So Liv. 27, 20: tumulus erat silvestris, quem Hannibal insidiis quam castris optio-rem esse crediderat. Schütz.

18. Ornamenta = all the necessary equipments, the whole ap-
NOTES.

paratus beiti.—Cum illius latronis inopia atque egestate. Compare Sall. Cat. ch. 56: Sed ex omnī copia circiter pars quarta erat militaribus armis instructa, &c., and ch. 59: latrones inermes.


22. Exteris nationibus. Externus denotes a merely local relation, and is applicable to things as well as to persons; but externus an intrinsic relation, and is an epithet for persons only. Externae nationes is a merely geographical expression for nations that are situated without; externae nationes, a political expression for foreign nations. Död. Compare ab externo hoste, p. 27, line 38.


29. Æquitas, &c. Heumann remarks, that the four primary or cardinal virtues are alluded to, according to the practice of Platonists and Stoics: ἀκαοπόνη, σωφροσύνη, ἁγδρία, φόνος. Cf. C. de Offic. 1, 3.


33. In hujusmodi certamine ac prælio. Certamen = strife, contest with words or weapons, here in reference to the opposed virtues and vices; prælium is a more technical military expression = combat, action, engagement, with reference to the evolutions and charges.


Ch. XII.—38. Quemadmodum jam antea. After antea the MSS. give dixi, which Klotz retains, and with Bonecke supposes may refer to the sentence Instruite nunc, &c. § 24, which was interrupted by the enumeration of the virtues and vices which are arrayed against each other.


41. Certiores a me facti de, &c. Z. 394, Note 1.

43. Gladiatores, quam, &c. See Z. 372. Catiline’s intimacy with them has been noticed in ch. 5, 9. Cf. Q. Cicer. de petit. cons. 3: qui postea cum gladiatoribus ita vixit, ut facinoris adjunctus haberet.

44. Meliore animo sunt, i. e. potentiores et fortiores. So Mat-thiæ after Heumann. It seems better, however, to understand the words of the disposition which the gladiators showed. They might have been better disposed to the state than some of the patricians, and yet have needed to be held in check. Cicero obtained a decree from the senate, by virtue of which the gladiators were sent to Capua and other municipal towns. Cf. Sall. 30.

1. Continuebuntur, by being distributed about the country at Capua and other municipal towns. Sall. 30.
1. Atque .... contra, &c. Atque adeo here = vel potius. 

Z. 737.

10. Nunc illos, qui, &c.—monitos eos etiam atque etiam volo. Observe the eos, which is not wanted, the construction being nunc illos .... monitos volo. Many instances of this kind are found, especially after the relative and an intervening clause. M. quotes 2 Or. 23, extr.: Hac ipsa, qua nunc ad me delegare vis, ea semper in te eximia et praestantia fuerunt. Inv. 1, 31, 52: Factum est, ut etiam illud, quod dubium videbatur, si quis separatim quaceret, id pro certo propter rationem rogandi concederetur.—On monitos .... volo, see Z. 611.

11. Adhuc .... solutior. Would it be proper to connect adhuc with solutior in the sense of "still"? Z. 486. Adhuc relates to time, and = "up to this time," "hitherto," "as yet."


17. Non modo factum, sed inceptum. After non modo, sed follows without etiam, where the second is the stronger statement.


25. Togato duce et imperatore. The same expression occurs in Orat. 3, 10, 23. The toga was the robe worn by the Romans in times of peace, and the word sometimes stands for pax. The language is military, except as qualified by the word togatus, which expresses that the general is not one in the field (i.e. sagatus from sagum), but a peaceful leader in a quiet suppression of the threatening war.


31. Quod .... vix optandum videtur, i.e. "as being so impossible that it would be idle to wish for it." Thus the Greeks used to denote such things as one might fairly wish for, as being εὐξῆς αἰτία (Isocr. Pan. 79), or εὐχαίτις ὑποία (Plat. de Rep. 14, 499). O. On the use of the participle in dus with the signification of possibility, see Z. 650. With what particle has it this signification in classical prose?

32. Ut neque bonus quisquam intereat paucorumque pæna, &c. Observe neque ... que. A negative sentence with neque ( nec) is often followed by an affirmative one with et or que. The notion introduced by et, que, is often the stronger opposite notion to that which is rejected. The force may often be given by not ... but rather. Cf. 1 de Fin. 14, 48: Ex quo intelligitur nec intertempantiam propter se esse fugiendum temperantiamque expetendam.

36. Quibus ... ducibus. P. C. 364.

40. Precari, venerari [atque] implorare. Observe the gradation in the words. What is there irregular in the use of atque as here found? Z. 783. Madvig omits it altogether.
THIRD ORATION AGAINST CATILINE.

ANALYSIS.

1. In the introduction Cicero announces to the people that the state is saved, and thus prepares the way for a recital of the course of events. (Ch. 1, § 3.)

2. The orator narrates the means and precautions by which the conspiracy was discovered, and how the conspirators were convicted by the testimony of Vulturcius and the Allobroges, and by their own letters and confessions: for which, he adds, it was decreed by the senate, whose decree is recited, at the close of the examination of the conspirators, with honorable mention of his colleague Antonius and of the praetors, that a thanksgiving to the gods should be appointed in the name of Cicero. (Ch. 2, § 3–ch. 6, § 15.)

3. He showed that it was principally owing to the manifest favor of the immortal gods that this conspiracy was discovered, they having by the clearest signs indicated the danger which threatened the republic. (Ch. 7, § 15–ch. 9, § 22–end.)

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Ch. I.—2. Bona fortunas. These nearly synonymous words are frequently found together. Cf. Rosc. Am. 49, 141; Cæc. 13, 38; and Verr. 2, 1, 44: Quibuscum vivi bona nostra partimur, iis prætor adimere, nobis mortuis, bona fortunasque poterit? on which Pseudo-Asconius remarks: Bona in ipsis possessionibus, fortune in fructibus earum.—Observe the asyndeton (Z. 825) in some of the clauses of this period, and the variation in the use of the conjunctions, et, atque, que. Z. 333.


4. Hodierne dic. This oration was delivered on the 3d of December.

7. Et, sì idem fere significat ac quod si.

11. Prospecto. Z. 266, Note 2.—Illum qui hanc urbem condidit . . . is, qui eandem hanc urbem conditam amplificatamque servavit. On such circumlocutions, see Z. 714, 3. In this instance, however, the form appears to be determined by considerations connected with the periodic structure (Z. 810) and rhythm of the sentence. Seyffert, Pal. Cic. p. 10.


14. Amplificatamque. The addition of this word serves to contrast the present grandeur of Rome with its early narrow limits and thus magnify the merit of Cicero as its preserver.

15. Templis delubris. See P. C. p. 128, y; and compare bona fortunas above.

17. Idemque. See Z. 127 and 697


19. Comperta suut per me, "i. e. mea opera atque industriæ, non a me." See Z. 455, Note. Illustrata, in luce posita, ita ut non amplius laterent, patefacta, ita illustrata, ut omnibus paterent, vel, ut ipse loquitur pro Sulla 2, in. id omnes viderent, quod antea sui set occulturn: comperta, certis indicis cognita et deprehensa. Gravissimum ex his esse comperta, vel ex eo apparat, quod hoc verbo utentem Ciceronem irredebat adversarii. Vid. ad Fam. 5, 5, ad Att. 1, 14. Acad. Disp. 4, 19, 62. Sic pro Sull. 4, 12: non modo enim nihil comperi, sed vix ad aures meas istius suspicionis fama pervenit, ubi ad minora descenditur." M.

21. Investigata et comprehensa = deprehensa, a metaphor derived from the chase.

22. Ex actis, accurately, according to the official reports of what has taken place. The regular daily journals (acta diurna) were not yet kept, if Suetonius is to be trusted. Initio honore, Caesar primus omnium instituit, ut tam Senatus quam populi diurana acta confi rent, et publicarentur. Jul. Cæs. c. 20: this was in his first consulship.—The meaning of the passage from Suetonius is rather that Caesar introduced a regulation for the making up of the minutes of the proceedings of the senate in form for publication as a part of the Roman daily gazette. See Dict. Antiq. Acta Diurna.—Klotz reads, qui ignoratis [et exspectatis], ex actis scire; Steinmetz, qui ignoratis, et exspectatis, scire, &c.

23. Paucis ante diebus. Z. 476. This was the 25th day from his departure.

Cf. II.—1. Quum .... ejiciebam, "whilst I was endeavoring to drive Catiline out." Cf. 2 Cat. § 14, and exterminari volebam just below. On the mood, see P. C. 488, b; Z. 579.—Cicero is not always uniform or consistent in his expressions respecting the part which he took in the withdrawal of Catiline. He distinguishes between allowing him to go forth, and casting him forth, emittere and ejicere, using one or the other word as best suited his purpose.
Sed tum. This is the sed of resumption = inquam, I say.

6. Atque is here a particle of transition. "When then I saw," or (better) "and so when I saw." "Usurpatur atque in adijiciendo eo, quod id, de quo ante a sermo erat, sive ex ratione causae, sive temporis consequitur; ideoque in ii locum habet, quae necessitate quadam continuationis vel consecutionis arcte cohaerent. Nos dicimus und so (and so)." Hand, i. 478; and p. 497, he notices as especially frequent the forms atque ego, atque ego scio, ac nescio, atque haud scio, ac rever, atque ego credo, which often have the appearance of modesty, as if the speaker would signify that he has been led to his opinion by the circumstances themselves.


10. Auribus vestris. For, segnius irritant animos demissa per aurem, Quam quæ sunt oculis commissa fidelibus. Hor. ep. ad Pis. 180.


13. Ut comperi. "Per Q. Fabium Sangam, cujus patrocinio civitas Allobrogum plurimum utebatur: Sallust, 41. Allobrogum autem legati Romam venerant, questum de avaritia magistratuum, ut ait idem, c. 40: aliudemini tois hujomnibus aitwv. Appian, B. C. 2, p. 179. Plut. Cic. 18: prattomenv d1 toitwv, ëtvnhoi eijdjmvotjes 'Allobro- gwn dvo prieqves, ëtvnus mälwta d1 to téte ponepá prattontos kai barwnomwn twn hujomnavn. toitwv oj per Æwnelos ëfrelmov hujomnvn pr6s to kineias kai mepabalej twn Galatian evpousanto sunwmpas. Victi autem erant Allo- broges a Q. Fabio Maximo, a. u. c. 632." M. See General Introduction, p. 143.—The Allobroges were a Gallic people occupying the country between the Isâra and Rhodânus, lake Lemannus and a part of the Alps, in modern Dauphiné and Savoy. Their chief town was Vienna (Vienne), and their border-town towards the Helvetii was Geneva. The name Sapaudia was applied to this country as early as the time of Ammianus.

14. Belli Transalpini. In farther Gaul.—Tumultus Gallici. In hither Gaul. For the peculiar meaning of tumultus, see Arnold's Nepos, Milt. 4, 3; and compare Cic. Phil. 8, 1: Quid est enim aliud tumultus, nisi perturbatio tanta, ut major timor oriatur? unde etiam nomen ductum est tumultus. Itaque majores nostri tumultum Ital- icum, quod erat domesticus; tumultum Gallicum quod erat Italia finitimus; praterea nullum tumultum nominabant.

16. Eodemque itinere. Their route to Gaul would lie through Etruria, where Catilina was encamped.

18. Volturcium. Βουλτούρκιον ἄδρα Κρατονιάτην, Appian, l. c
Vulturcium quendam Crotoniensem, Sallust, 44. Titus vivâ Crotonidv-

21. Ut is frequently repeated after a parenthetical relative clause, as this is a repetition of the ut in line 19.

22. L. Flaccum. Cf. or. pro Flacc. 40, 102: O nox illa, quæ pane externa hic urbi tenebras attulisti! quum Galli ad bellum, Catilina ad Urbem, conjurati ad ferrum et flammam vocabantur: quum ego te, Flaccæ, colum noctemque contestans, flēns flentem ob-
testabant: quum tuæ fidei optimæ et spectatissimæ salutem Urbis et civium commendabam. Tu, tu, Flaccæ, Prætor, communis exitii nuntios cepisti; tu inclusum in litteris rei publicæ pestem deprehendi-
disti: tu periculorum indicia, tu salutis auxilia ad me et ad Sena-
tum attulisti. Quæ tibi tum gratiæ sunt a me actæ? quæ ab Se-
natu? quæ a bonis omnibus? Quis tibi, quis C. Pomptino, fortissi-
mo viro, quemquam bonum putaret unquam non salutem, verum ho-
norem ullum denegaturum.

23. Fortissimos atque amantissimos. By these epithets Ci-
cero wishes to show that he selected for the execution of his plan, men who had both the ability and the will to serve their country. Sallust, ch. 45, calls them homines militares.

25. Ili... qui... sentirent. When qui assigns the reason or ground, and stands for quum or quum is, it is followed by the sub-

27. Sine ulla mora. See Z. 709.

28. Ad pontem Mulvium. Now corrupted into Ponte Mollo or
Ponte Molle. It was three [Roman] miles from the column in the
Roman forum, on the Flaminian road.

29. Bipartito fuerunt. Compare in Greek, ἄρα ἄρα. See Z.
365, in fin. Klotz reads bipartiti fuerunt.

32. Ex praefectura Reatina. Cicero was the patronus of the
Reatin (Reate, now Rete), and therefore summoned their aid. Ego
nuper, quum Reatinit, qui essent in fide mea, &c., pro Scauro, 27.
Praefecturae were towns, the highest magistrate of which was a pra-
fectus juri dicundo, who was appointed annually in Rome and sent
thither. Consult Dict. of Antiq., COLONIA, towards the end of the
article.

33. Quorum opera, &c. Klotz and Madvig read, quorum opera
utor assidue in rei publicæ præsidio, cum gladiis miseram.

34. Tertia fere vigilia. The Romans divided the night into
four watches. The time here mentioned would, therefore, be towards
three o'clock in the morning.
35. Magno comitatu = cum m. com. Cf. pro Mil. 10, 28: quum hic insidiator ... cum uxore vecheretur in rheda, penulatus, magno ... ancillarum pueronunque comitatu. M. See Z. 472.


41. Integrissignis. With the seals unbroken. Letters were frequently written upon waxen tablets, which were secured by being fastened together with packthread and sealed with wax.

44. Cimbrum Gabinium. P. Gabinii Capito, ex equestri ordine. Cf. Sall. 17, and below, § 14. See also Sall. chaps. 40 and 55. —Statim is opposed to a future time (postea), and "at once" as opposed to "then," "afterwards," "at another time."—Nihil dum. Nondum, needum, nihil dum, nullus dum add to the negatives the meaning of up to this or that time, whether it be a past, present, or future time.

2. Credo. In what way is this word used? Z. 777.

3. In literis his dandis. So Orelli, Klotz, and others. Madvig omits his; and Steinmetz omits dandis. The common text is litteris dandis, which Wunder, ad Planc. 6, 15, defends as = quum literas daret. Compare Z. 643, Hand, iii. p. 286, and Halm, in Vatin. p. 81, fg. By in more prominence is given to the duration of the time, which well suits the sluggish and indolent character of Lentulus. But even where the notion of time would be suitable, the Latin language prefers the causal or instrumental mode of expression as the more logically exact and definite. Seyffert, Pal. C. p. 93. —Præter consuetudinem. Lentulus being notoriously indolent; δ Λεϊνουλος ηκιστα δραστήριος ην ... Dio. 37, 32. So Catiline says of him in Sallust: Scitis equidem, mi-
lites, socordia atque ignavia Lentuli quantam ipsi cladem nobisque attulerit.

4. Quum vero. Vero = part. affirmativa, gravitatem addens narratione de re non minimi momenti. Z. 348, Note.


8. Negavi me esse facturum, ut, &c. On this circumlocution, see Z. 618. To what is the expression in the text equivalent? Z. 619, in fin.

10. Rem integrum. The matter untouched, just as it was found; in reference to literas . . . aperiri above.—Si . . . tamen. De Orat. 1, 16, 72: quibus ipsis si in dicendo non utimur, tamen appareat atque exstat, &c. 41, 185: Nam si esset ista cognitio juris magna ac difficilis, tamen utilitatis magnitudo deberet homines ad suscipiendum discendi laborem impellere. Muretus.


13. Senatum . . . coegi. He summoned them to meet in the Temple of Concord, which stood in a commanding situation on the ascent to the Capitol; its elevated site (the ascent to it was by several steps), commanding the forum and place of assembly, made it a very strong place; and a guard of Equites volunteered to defend it against all attacks. It was vowed and built by M. Furius Camillus (388?) in commemoration of the reconciliation between the patricians and plebeians. Plut. Cam. 42; Ovid, Fast. 1, 641.

15. C. Sulpiciurn. Plut. Cic. c. 19: Γάιος δὲ Σουλπίκιος, ἦς τῶν στρατηγῶν (= praetorum), ἔκ τὴν ολίγαν περιφέρεις τῶν Κεθήγου, πολλὰ μὲν ἐν αὐτῇ ἠλισθαν καὶ ἐλπίζοντο, πλείστα δὲ ζητῆσαι καὶ μαχαίρας εὑρεῖ, νεοθήκους ἀπάσαν. M.—Misi, qui . . . efferret. What are the various ways of expressing a purpose in Latin? P. C. p. 216, h, to which qui with the subjunctive should be added, especially after verbs of sending, coming, giving, choosing, and the like. Cf. 1 Cat. 4, 9: delegisti, quos Romœ reliquiœres, quos tecum educeres.


Ch. IV.—18. Fidem . . . publicam (= ἀδίκως, Dio Cass. 37, 34), dare: to pledge to him the word of the state that his life should be saved = to promise him pardon, &c.

19. Jussu senatus. For only when authorized by a decree of the senate could the consul make this pledge. Cf. p. C. Rabir. 10, 28.

20. Metu . . . timore. The change of words here is not merely to vary the expression. Metus is well-grounded fear, as here of punishment, if he had not received the promise of pardon; timor—magnus, on the other hand, denotes the great anxiety and apprehension with
which Volturcius was filled, without regard to its being well-founded or not.

22. Ut servorum praesidio uteretur. Cf. § 12, and Sallust, 44: ad hoc mandata verbis dat, quum ab senatu hostis judicatus sit, quo consilio servitia repudiet? M. After literas supply quibus præscriptum erat for the following sentence to depend on. Klotz reads ut ad urbem, &c.

23. Id autem. On the id, see Z. 699. Autem is the weakest adversative particle, being rather a particle of distinction than of opposition. A principal use of it is to add some new distinction, description, or remark, where we should use "and." Before the last term of an enumeration it gives prominence to that part of it above the rest. Observe the frequency with which it occurs in this chapter. See Z. 348, Note; Arnold's Nepos, Milt. 4, 1.

25. Cædem infinitam. According to Plut. Cic. 18, the only exception made by LENTULUS was the children of Pompey.

26. Qui . . . exciperet et . . . conjungeret. See note on line 15 of this page. P. C. 483 (6); Z. 567.

31. Pedestres . . . copias non defuturas. See P. C. 460 (c) (1)


33. Esse se tertium illum Cornellium. Cf. Sall. ch. 47.


37. Post Virginum (se. Vestalium) absolutionem, &c. Probably the trial, in which Fabia, the sister of Cicero's wife Terentia, was acquitted. She was accused of a connection with Catiline. Asconius in Orat. in tog. Cand. p. 93, Or.; Plut. Cat. min. ch. 19. The trial mentioned in Brut. 67, 236, is probably the same.


41. Cethego numium Id longum videretur. Compare Sall. 43

42. Videretur. So Orelli, SÜPFLE, and Madvig: Steinmetz and KLOTZ read videri.
43. Tabellas proferri jussimus, sc. by the prætor Flaccus. See Sall. 44.

44. Quæ . . . . dicebantur datæ. See Z. 607.

1. Cognovit. Sall. 47, uses the same verb where we might have expected, as here, agnoscere.—Linum incidimus. See note on p. 29, line 41. Klotz reads legimus literas.


Ch. V.—5. Aliquid tamen. Tamen = although his guilt was manifest, he nevertheless, &c. So Fam. 16, 11: Nobis inter has turbas senatus tamen frequens flagitavit triumphum (i. e. quamquam hæ turbae erant). Att. 1, 16: quum illum plumbeo gladio jugulatum iri tamen diceret (i. e. quamquam plumbeo), though it was but a leaden sword.

6. Qui . . . . respondisset. P. C. 484. In this line Klotz and Madvig read apud se for apud ipsum.

8. Conscientia convictus. Cf. 2 Cat. 6, 13.

13. Avi tui. P. Lentulus, the princeps Senatus, who was consul with Cn. Domitius, a. v. c. 592.

27. Dicendi exercitatio. He gives a very different opinion, Brut. 66: Neque multo secus P. Lentulus, cujus et excogitandi et loquendi tarditatem tegebat formæ dignitas, corporis motus plenus et artis et venustatis, vocis et suavitatis et magnitudo. This, however, is a critical judgment: in addressing the people he adopts their opinion; for the advantages above enumerated are highly valued by them (M.); and the adoption of this opinion gives more force to the proof of his guilt afforded by his loss of presence of mind, &c.

32. Dicebat. In what mood does Cicero often put the verbum dicendi in such clauses? Z. 551, and compare Phil. 2, 4, 7.

33. Perturbatus . . . . tamen. To what does tamen refer? Would it be proper to express quamquam with perturbatus? Z. 635, and Note.

34. Qui sim, &c. The letter in Sallust (ch. 44) is somewhat different: Qui sim, ex eo, quem ad te misi, cognosces. Fac cognites, in qua calamitate sis, et memineris te virum esse: consideres quid tua rationes postulent: auxilium petas ab omnibus, etiam ab insimis. Matthiae observes, that in ancient times neither orators nor historians hesitated to alter the words of a speech, letter, &c., provided they preserved the sense. Whether qui sim or quis sim should be the reading is questioned. See Z. 134, Note.

35. Misi. On the tense, see Z. 503.

43. **Color oculi, vultus tactum vitatitas.** A peculiarity in the punctuation, which Orelli, whose text is here given, adopts, will have been before noticed. Words are often paired or grouped which would seem to require separation by commas. Attention is here called to the point lest the student should suppose that *oculi* and *vultus* are genitives, as *vultus* is carelessly so printed in the English copy.

1. **Inter se adspiciebant,** "looked at each other." So *inter se diligent,* &c. So Nat. D. 1, 44, 122: *qui nulla re egentes et inter se diligent.* Læl. 22, 82: *neque solum colent inter se ac diligent.* Z. 300.

6. **Sine utla varietate.** "Pro Sext. 34, 74: *quum sicut sine utla varietate disciisse,* i.e. *quum in eadem omnem omissionem discernerat." M.

14. **A suis et rei publicae consiliis.** *Consilia rei publicae = consilia de republica; as deorun opinio = opinio de diis.* Nat. D. 1, 12, in 2, 5, in 3, 7, in Tusc. 1, 13, 30; *questio animorum,* Tusc. 1, 11, 23 = *qu. de animis.* Ἐτνεσιον oratio, verr. 3, 44, 106 = *or. de Ὑτνησιον.* M. Benecke prefers, measures or plans which the state had adopted for the suppression of the conspiracy.

16. **In custodiam.** *Εἰς δεσμον φυλακὴν,* Plut. c. 19, which was called *libera custodia.* Sall. c. 47: *Sen. decernit, uti abdicatus magistratu Lentulus, item ceteri, in liberis custodiis haberentur.* Itaque *Lentulus P. Lentulo Spintheri,* qui *tum ædilis,* Cethegus Q. Cornificio, Statilius C. Cæsari, Gabinius M. Crasso, Cæparius (nam is paulo ante ex fuga retractus) Cn. Terentio senatori traduntur. M.

19. **Ad sollicitandos pastores.** Cæparius Tarraciniensis, qui in Apuïam ad concitanda servitia proficiisci parabat . . . cognito indicio ex urbe profugaret. Sall. 46. M.

20. **Ex iis colonis, quos.** Klotz reads *ex iis colonis, quas.*

21. **Perductos.** Sall. 40, uses the same word. M.

27. **Novem hominum perditissimorum poena.** Only *five* were seized. Cf. Cie. pro *Sulla,* 11, 33: *Meis consiliis, meis laboribus, mei capitis periculis, sine tumultu, sine declectu, sine armis, sine exercitu, quinque hominibus comprehensis utque confossis, incensione urbem, internectione cives, vastitate Italian, interitu remp. liberavi.* M.

29. **Suplicatio.** See *Dict. Antiqu., Supplicatio.*

31. **Quod mihi primum . . . contigit.** Phil. 2, 6, init. L. Cotta, *vir summo ingenio summaque prudentia, rebus iis gestis,* quas tu reprehendis, supplicationem decrevit verbis amplissimis
rifice illi ipsi, quos modo nominavi, consulares senatusque cunctus assersum est, qui honos post conditam hanc urben habitus est togato ante me nemini. So Fam. 15, 4, 11, to Cato: tu idem mihi supplicationem decrevisti togato, non, ut multis, re publica bene gesta, sed, ut nemini, re publica conservata. It has been inquired how the decree could have spoken of Cicero's saving Italy from a war. Klotz replies, from a war with the Allobroges, whom the conspirators would have brought into Italy. Compare Cicero's own words, quoted above: Meis consiliiis, meis laboribus, mei capitis periculos . . . incendione cives, vastitate Italianam, interitu rem publicam liberavi.

32. Quod urbem, &c. So Fam. 5, 2: qui curiam cade, urbem necendiis, Italianam bello liberasset. Observe the chiasitic arrangement in this sentence, which is quite common where the sentence consists, as this does, of three clauses; the 1st and 2d, and the 2d and 3d are mutually arranged under this figure.

34. Supplicationibus. The repetition of this word after ceteris and of religione below with ea, is expressive of the emphasis which Cicero attaches to the words.—Hoc intersit. “Era. monet, modestius hoc esse, quam Gravii interest. tu quoque diaphoro. Cf. infra, § 22. Sed respondet etiam verbis si conferatur.” M.

37. Factum atque transactum est. This was a regular phrase used by lawyers, in contracts, deeds, &c., to express that all the necessary steps had been taken, and that the transaction was concluded. Hence it is adopted by other writers: e. g. Ter. Andr. 1, 5, 13: quot nodis contemptus, spretus? facta, transacta omnia. hem! M.—Nam P. Lentulus, &c. The nam is explanatory. Cicero begins to explain how all the proper preliminary steps had been taken.


40. Magistratu se abdicavit. Not willingly, but of necessity. Cat. § 5. Magistrates, from regard to the public service, were exempt from criminal prosecution, during the term of their office, unless they permitted the prosecution, or voluntarily abdicated, or were by controlling circumstances compelled to abdicate. Observe that the regular classical construction is abdicare se aliqua re. The historians after Sallust use also abd. aliqua.—Quae religio . . . non fuerat, quo minus. Religio est a scruple or doubt hinders or deters, is construed with quo minus and the subjunctive, according to P. C. 94; Z. 43. Translate, That from the scruple which had not deterred Marius from putting to death, &c.


3. Opes = auxilia, praesidia, posita in multitudine sociorum.
1. *Quum . . . pellebam . . . providebam.* Cf. § 3: *quum . . . ejiciebam . . . putabam.* Klotz and Madvig read *depellebam.*

6. _Lentuli somnum._ *Somnus* here = *somnolentia:* so 2 Cat. 5, 10, *dormicius* for *somnolentus.* Ernesti. But the pupil must understand that *somnus* does not express "somnolence," but that the orator uses the effect for the habit, to point out Lentulus as then under the influence of his habitual somnolence. —L. *Cassii adipes = obesitatem ct, quae inde oriri solent, inertiam atque ignaciam.* Ascon, on the Or. in *Toga Candida,* says: "Cassium, qui iners ac stolidus tum magis quam improbus videtur, post paucos menses in conjuratione Catiline esse apparuit, ac cruentissimaram sentientiarumuisse autorem."

7. _Cethegi furiosam temeritatem._ Sall. 43: _Cethegus semper querebatur de ignavia sociorum; . . . se . . . si pauci adjuvarent, languentibus aliis, impetum in curiam facturum._ Natura *foerox, verhemens,* manu promptus, maximum bonum in celeritate putabat. M.

8. _Dum menibus . . . continebatur._ See 1 Cat. 5, 10; 2 Cat. 8, 17.—On _dum_ = quamdiu, see Z. 507, a.

9. _Omnium aditus tenebat.* Cf. _Æn. 4, 423:_ *sola viri molles aditus et tempora noras._ M.

10. _Poterat, audebat._ Z. 783.

11. _Ad facinus aptum._ Is _ad_ or the dative more common with _aptus?_ When is the dative necessary? Z. 409.—_Lingua_ = _ars persuadendi; manus_ = _ageni facultas._

12. _Jam = deinde, porro._ See note on page 21, line 18.—_Certos homines,* i. e. _spectate fidei,* reliable, trustworthy.

13. _Quum . . . mandaverat._ Z. 579. *Quum,* with the pluperfect indicative of repeated actions, is more common in the older writers, Cicero, Caesar, Sallust; others prefer the subjunctive. What tense is found in the _apodosis?*

14. _Occurreret_ requires _cui non_ instead of _quod non._ The relative is sometimes used but once with several verbs of different constructions. The proper case must therefore be supplied with each verb. _Occurrere_ here = to hasten to meet for the purpose of aiding: below, line 28, for the purpose of opposing.

15. _Tam acrem,* sc. ad _agendum:_ _paratum = promptum consilio, manu._

20. _A cervicibus . . . depulissem._ Z. 94. _Depellitur_ quod _locum jam tenet, ut sebris corpore, alia, repellitur,* quod appropinquit et _instat,* _pellitur,* omnino quidquid loco movetur; _pellitur* _hostis* in _acie stans, _repellitur* _irruens,* _depellitur* _præsidium* _colle._ Madvig.

22. _Commisisset, ut._ _P. C. 479._ It is only used with reference to some unpleasant result.

23. _Testes._ Klotz, _testes denique,* referring to the Allobroges.

27. _Hanc dict._ On the gender, see Z. 86, _Note._

29. _Dimicandum . . . cum illo faisset._ Though _scripturus:—_
35. Quum . . . possimus . . . tum vero. Z. 723.


37. Præsentes. Cf. 2 Cat. 9, 19.


39. Visas, agreeing with the nearest substantive.

40. Faces. In De Divinatione, 1, c. 11, &c., Quintus Cicero quotes his brother's verses on the subject; among which are the lines,—

Quid vero Phæbi fax, tristis nuntia belli,
Quæ magnum ad columnam flammato ardore volabat,
Præcipites cali partes obitusque petisset?


4.1. Ceteraque. Que (= ut in unum contraham), "and in short." (Gorenz.) M.


1. Cotta et Torquato consullibus, l. u. c. 689. Dio Cass. 37, 9, p 117: εἰπ μὲν οὖν τοῦτον ἔχαρον οἱ 'Ῥωμαῖοι, τὰ δὲ ὅταν καὶ πάντων αὐτοῖς ἑρωτήθη ἐν γάρ τῷ Ἐκτένω οἱ δραμάτες τε πολλοὶ ὄπι κεραυνῶν συνέχωσαν καὶ ἀγάλματα ἀλλὰ τε καὶ Δίὸς ἐπὶ κλωνος ἠδρυμένον, εἰκὼν τας ταυτας εἰς τὸ τῷ 'Ῥώμῳ καὶ σὺν τῷ 'Ῥωμάλφῳ ἠδρυμένη ἔπεσε, τὰ τε γράμματα τῶν θηλῶν, ἵνα οἱ νόμοι ἰησούντοντο, συνεχθήσατο καὶ ἀνυδρά ἐγένετο. The following is Cicero's poetical account of these prodigies (De Divin. 1, 12):

Nunc ea, Torquato qua quondam et Consule Cotta
Lydius ediderat Tyrrenæa gentis haruspex,
Omnia fixa tuis glomerans determinat annus.
Nam pater altitianans, stellanti nixus Olympo,
Ipse suos quondam tumulos ac templas petivit,
NOTES.

Et Capitolinis inject sedibus ignes.
Tum species ex aere vetus generosaque Nattæ,
Concidit, elapsæque vetusto numine leges;
Et Divum simulacra peremitt fulminis ardur,
Hic silvestris erat, Romani nominis altrix,
Martia, que parvos Mavortis semine natos
Uberibus gravidis vitali rore rigabat:
Tum quis non, artis scripta ac monumenta volutans,
Voces tristijicas chartis promebat Etruscis?
Omnes civili generosa stirpe profectam
Vitare ingentem cladem et pestemque moneban;
Vel legum exitium constanti voce ferebant;
Templa Deumque adeo flammis urbesque jubebant
Eripere, et stragem horribilem ccedemque vereri:
Atque hæc fixa gravi fato ac fundata teneri;
Ni post, excelsum ad column formata decore,
Sancta Jovis species claros spectaret in ortus:
Tum fore, ut occultos populus sanctusque Senatus
Cernere conatus posset, si, solis ad ortum
Conversa, inde patrum sedes populique videret.
Hæc, tardata diu species, multumque morata,
Consule te tandem celsa est in sede locata:
Atque una fixi ac signati temporis hora
Juppiter excelsa clarabat sceptra columnna;
Et clades patriæ, flamma ferroque parata,
Vocibus Allobrogum patribus populoque patebat.

2. In Capito]lio. Where was the temple of Jupiter and other
temples?—Percussas, with lightning.

3. Depulsa. This word implies a displacing, dejectæ in the next
line, a throwing down or overturning. See Nepos, Alcib. 3, 2.

4. Legum æra. The laws in the earliest period were engraved
on tablets of wood; soon afterwards, however, on tablets of brass, and
set up in some public place, most frequently in a temple, especially in
and around the temple of Jupiter on the Capitol, and in the Ærarium
Saturni.

5. Tactus est = afflatus leviter fulmine ut explicat Serv. ad Virg
Buc. 1, 17; Æn. 2, 649.

Ogulnii adiles curules—ad ficum Ruminalen (quæ erat in comito
propo curiam) simulacra infantium conditorem urbis sub uberibus
lupæ posuerunt. M.

7. Fuisse meministis. So above, memoria tenetis ... percussas.
With what tense of the infinitive is memini joined?  Z. 589.

13. Ludi, sc. scenici. Cf. Liv. 7, 2: Ludi quoque scenici, ... 

lacandum deos. Cf. Z. 666.

15. Idemque jussurunt. Dio Cass. l. c. τὰ τε οὖν ἄλλα ἵπποντα 
The manuscript contains a list of references and notes to various authors and works.
which he is now supposed to have given up to his brother Quintus. The house cost him near thirty thousand pounds, and seems to have been one of the noblest in Rome; it was built about thirty years before by the famous tribune, M. Livius Drusus; on which occasion we are told, that when the architect promised to build it for him in such a manner, that none of his neighbors should overlook him: but if you have any skill, replied Drusus, contrive it rather so, that all the world may see what I am doing. It was situated in the most conspicuous part of the city, near to the centre of all business, overlooking the forum and the rostra; and what made it the more splendid, was its being joined to a portico or colonnade, called by the name of Catulus, who built it out of the Cimbric spoils, on that area where Flaccus formerly lived, whose house was demolished by public authority for his seditious practices with C. Gracchus.  

Middleton.

43. Si me . . . , dicit, . . . , sumam. P. C. 445.

44. Ille, ille Jupiter. Cf. 1 Cat. 13, 33.

4. Jam vero, &c. Orelli's mark † before the sic is intended to signify that the passage is ungrammatical, and probably corrupt. Matthiae explains it thus:—The regular construction would have been jam vero illa Allobrogum sollicitatio a Lentulo tam temere suscepta nunquam fuisset, nec tanta res tam dementer credita et ignotis et barbaris, &c., but the occurrence of tanta res, which embraces the sollicitatio and all its attendant circumstances, leads him to use one predicate (the nunquam credita esset) of both. It is better, I think, to stop the passage thus (with Klotz): Jam vero illa Allobrogum sollicitatio sic a P. Lentulo ceterisque domesticis hostibus, tam dementer tanta res, credita et ignotis, &c. The sollicitatio Allobrogum is not the tampering with the ambassadors of the Allobroges, but the attempt to induce the nation of the Allobroges to rise up against the senate. This very important and dangerous mission, that of inducing the Allobroges to rebel, was intrusted to the ambassadors of the state, who were then at Rome, et ignotis et barbaris. In voc. sic videtur subesse participium hac orationis forma: suscepta a P. Lent.—tam dementer, tanta, &c. Madvig.


14. Præsertim qui = presertim quum illi.

15. Superare potuerunt. [125.] “Ex nostra consuetudine scribendum esset potuissent, sed hoc interest inter nostrum et Latinorum consuetudinem, quod nos conditionem aliquam suppressam cogitare
solemus, Latini non solent. Itaque semper sere dicunt: multos com-
memorare possum, non possum, ut De Nat. D. 1, 36, 101, que vel sine
magistro facere potuerunt. Orat. 9, § 32 (cf. Or. 2, 32, 139), non
potuissent. Quae consuetudo quum semel invaluiisset, etiam ubi si cum
conj. sequebatur, indicativum verbi posse ponebant, ut pro Quint. 13,
43, at, si id velles, jampridem actum esse poterat. Cf. Verr. 3, 31,
73. Sic Verr. 3, 49, 71, multo enim pluris fructus annui Sicilia
venire potuerunt, si id in senatus aut pop. Rom. facere voluisset. Cf.
ad Fam. 13, 29, 14; pro Flacc. 5, 12, etenim potest esse infinita
(ortatio), si mihi libeat. Cf. ad Manil. c. 17. Recte igitur hanc lec-
tionem contra Ern., qui superarent recepit, tue tur Ge renz . . . ceterum
in eo falsus, quod post qui, quando pro quia is ponatur, indicativum
etiam sequi contendit. Imo ubi Latini causam plane et diserte expressi
volunt, semper conjunctivo post qui utuntur: sed non semper necesse
est causam diserte expressi, ut Phil. 3, 6, 14. Si ille consul, fustu-
arium meruerunt legiones qui consulem reliquerunt; sceleratus Ca-
sar, Brutus nefarius, qui contra consulem privato consilio exercitus
comparaverunt; membra, quae a qui incipiunt, causam continere
aparet, cur illi secerati ac nefarii appellentur, sed non necesse putavit
Cic. h. l. causam significare." M. Madvig, however, from conjecture,
reads potuerint.

Cn. X.—16. Ad omnia pulvinaria = in omnibus templis. Pul-
vinaria were couches provided for the purpose of a lectisternium. See
Dict. Antiq., Lectisternium; Arnold’s Nepos, Tim. 2, 2.

17. Celebratote. The imperative forms in to, tote are stronger
than the forms in a, ate, implying that the thing ordered is a duty
either always, or under the circumstances. It is obvious from this,
that they are (1) the natural form for laws. They are also (2) used
in emphatic requests and exhortations; and (3) in emphatic permi-
sions, granted by one who has the right to forbid the action or power
to prevent it. See, however, Z. 583 and Note.—Processions of boys,
matrons, and maidens, crowned with garlands, and singing hymns
in honor of the gods, formed part of such celebrations. They lasted com-
monly for three or five days.


22. Togati . . . togato duce. Cf. 2 Cat. 13, 28, and note on
p. 27, line 25.

23. Recordamini. Recordari very rarely takes the genitive, but
usually the accusative of the thing; and of a person regularly the ab-
lative with de. See Z. 439, 440.

24. Non solum . . . sed. Z. 724.—Quas audistis. The early
contests between the patricians and plebeians, and the disturbances
occasioned by the Gracchi and Saturnins are meant.

25. L. Sulla P. Sulpicius opprassit. [A. v. c. 666.] Quum
P. Sulpicius tribunus plebis, auctore C. Mario; perniciosas leges
promulgasset, Ut exsules revocarentur, et novi civis libertinique dis-
tribuerentur in tribus, et Ut C. Marius adversus Mithridatem Ponti
regem dux crearetur, et adversantibus consulibus Q. Pompeio et L.
Sulla vim intulisset, occiso Q. Pompeio consulis filio, genero Sullæ; 
L. Sulla consul cum exercitu in urbe venit, et adversus factionem 
Sulpicii et Marii in ipsa urbe pugnavit, eamque expulit: ex qua 
duodecim a senatu hostes, inter quos C. Marius pater et filius judi-
cati sunt. P. Sulpicius, quum in quadrām villa lateret, indicio servi 
sui retractus et occissus est. Servus, ut premium promissum indici 
haberet, manumissus, et ob scelus proditi domini de saxo dejectus 
est. C. Marius filius in Africam traiectit. C. Marius pater, quum 
in paludibus Munturnensis lateret, extractus est ab oppidaniis: et 
quum missus ad occidendum cum servus, natione Gallus, majestate 
tanti viri perterritus recessisset, impositus publice in navim delatus 
est in Africam. L. Sulla civitatis statum ordinavit: exinde colo-
niius deduxit. Q. Pompeiìs consul, ad accipientium a Cn. Pompeio 
proconsule exercitum profectus, consilio ejus occissus est. Mithrida-
tes, Ponti rex, Bithynia et Cappadocia occupatis, et pulso Aquilio 
legato, Phrygiam, provinciam populi Romani, cum ingenti exercitu 

26. Ex urbe ejectit. Madvig brackets these words.—Custodem 
hujus urbis. On account of the defeat and destruction of the Cimbri 
and Teutoni. Cf. 4 Cat. § 21; Schmitz, Rome, pp. 344–49.

28. Cn. Octavius, consul. [A. u. c. 667.] L. Cornelius Cinna, 
quum perniciosas leges per vim atque arma ferret, pulsus urbe a Cn. 
Octavio collega, cum sex tribunis plebis: inperioque ei abrogatu, 
corruptum Ap. Claudii exercitum in potestatem suam redegit, et 
bellum urbi intulit, accessit C. Mario ex Africa cum aliis exsulibus: 
in quo bello duo fratres, alter ex Pompeii exercitu, alter ex Cinne,
ignorantes concurrerunt: et, quum victor spoliaret occisum, agnito 
fratre, ingenti lumentatione edita, rogo ei exstructo, ipse supra ro-
gum se transfodi, et codem igni consumptus est. Et quum opprimi 
inter initia potuissent, Cn. Pompeii fraude, qui, utranque partem 
foendo, vires Cinnæ dedit, nec nisi prafligatis optimismum rebus 
auxilium tulit, et consulis seigniti confirmati Cinnæ et Marius quattuor 
exercitibus, ex quibus duo Q. Sertorio et Carboni dati sunt, 
urbem circumsectorunt. Ostiam coloniam Marius expugnavit, et 

29. Omnis hic locus. The forum, where the conflict between 
Octavius and Cinna had taken place. Hic δεικτικός.

30. Cinna cum Mario. Italicis populis a senatu civitatis data 
est. Samnites, qui soli arma retinebant, Cinnæ et Mario se con-
junxerunt. Ab iis Plautius cum exercitu causæ est. Cinna et Ma-
rius cum Carbone et Sertorio Janiculum occupaverunt, et fugati ab 
Octavio consule recesserunt. Marius Antium, et Ariciam, et Lunu-


36. Ipsius, i. e. M. Lepidi.

37. Atque illæ tamen omnes. So Orelli, Klotz, Madvig. In some editions the reading is atque illæ dissensiones, Quirites, from non illi to voluerunt being parenthetical.

40. Se esse . . . voluerunt. P. C. 149, b, note r.

42. Atque illæ tamen. Ernesti says that tamen here = inquam igitur (as a particle of resumption), after a parenthesis; but M. properly remarks that it has not a simple resumptive power, but can only be used when the second portion of a sentence, interrupted by a parenthesis, contains a statement opposed to the parenthetical statement: e.g. here the force is,—although those dissensions had for their object not the overthrow of the state, but a change of the constitution. From atque in this line to diiudicatae sint, Madvig includes in brackets.

1. Post hominum memoriam maximo, &c. Cf. 2 Cat. 13, 28.

The expression is emphatic with reference to the milder term dissensiones just used for rhetorical effect.


5. In hostilum numero ducerentur. Z. 394, Note 3.

7. Tantum civium. See Z. 726.

8. Infinitæ cædi restitisset. "Resistere cædi codem modo dictur ut resistere dolori; i.e. non succumbere, sed hac adjuncta vi, ut sit fortitudine sua vel alia ratione efficere ne caede infinitæ civium ipse etiam interses." M.

10. Integros incolumesque = untouched and unhurt. Incolumis in opp. to being wounded, &c.; integer (from tangere) in opp. to being attacked. Död.

Cn. XI.—12. Præmium virtutis . . . insigne honoris. Döring supposes he has in mind the honor of a triumph, as in animis ego vestris omnes triumphos, &c., follows directly after.

13. Præterquam hujus diei memoriam. Z. 735. Cf. 4 Cat. 11, 23.

16. Nihil . . . mutum, e. g. a statue.

20. Eandumque diem, &c. This passage is probably corrupt. Matthiae, after Muretus and Garatoni, makes dies = tempus; and explains it thus: "Eam a se, conjuratione oppressa, propagatam sive productam esse dicit, ut et salus urbis et memoria consulatus sui diu
third oration against catiline.

Intelligo = video, arbitror.—Bloch explains it nearly in the same way (both placing a comma after fore), eandem diem, quam [= cujus memoriam], spero aeternam fore, intelligo (= video, arbitror) propagatam (= productam, effectu suo ad posteros prolongatam. Cf. 2 Cat. c. 5: meus consulatus ..., multa secula propagatam rei publicae esse et ad salutem urbis (quod ea hae die servata videtur) et ad memoriam consulatus mei.—Intelligo must I understand again before uno: intelligoque uno tempore, &c.; but Madvig is surely right in asserting that Cicero could not say se intelligere uno tempore se et Pompeiurn exstitisse, &c. He supposes the omission of some infinitive dependent on intelligo, and adopts the reading of the best MSS. omni, thus: Omnique tempore [hoc praedicatum iri, simul] in hac re publica, &c. Op. Academ. p. 192. In his second edition he reads fore, propagatam esse et ad salutem ... unaque, &c.; then, adding what he supposes omitted, he suggests, omnique tempore (sic codd. aliquid) hoc praedicatum iri, uno tempore.—Klotz for cives reads dies.—My own opinion of the passage is this: As propagare tempus, multa seuis, &c., rei publicae, is, to grant it or procure for it an extended duration, &c., so propagare dieum (rei publicae) is to extend the period of its duration; and eandem diem propagare is to grant the same extended duration to two or more objects, &c. Hence the meaning would be: "And I know that the same extended period ..., and I hope it may be an unlimited one ..., has been granted both for the safety of the state and for the remembrance of my consulship." Perhaps the clause, unaque tempore exstitisse, &c., is loosely connected with ad memoriam consulatus mei (i.e. for the remembrance of my consulship, and of the fact that at the same time, &c.)


25. Alter .... servaret. Cf. 4 Cat. 10, 21; 2 Phil. 5, 12; 1 Off. 22, 78.


31. Recte facta sua. Cf. in Verr. 4, 38, 82: suarum rerum gestarum, where Ernesti said, it must be rerum a se gestarum; but Zumpt quotes p. Deiot.: tua res gestae; and Brut. 35: de rebus gestis suis. Matthiae, on this passage, gives the following examples, including some where the attributive is a genitive case. Ad Herenn. 1, 14: nisi quando pro eo dicimus, cujus multa recte facta constant. Verr. 3, 80, 186: nisi forte id egistis, ut hominibus ne obliviscam quidem rerum suarum male gestarum liceret. Liv. 28, 25: suis recte factis gratiam qui exsolvat, non esse. Ad Fam. 10, 8, in. optima
NOTES.

36 mentis cogitata jampridem, maturo tempore enuntiare. Pro Cluent 31, in. qui alterius bene inventis obtemperat.

32. Quando. When is quando used for "ever"? P. C 402.—
Mentes . . . ne . . . possent. Z. 356.

35. Mihi quidem ipsi . . . noceri potest. Z. 412.


38. Tacita defendet. Quia, qui me laedet, is violandae reip animum prodet.” Weiske.


41. Nullius. What cases of nemo are not in use?


5. Quidquam . . . altius. Z. 433.

6. Illud perficiam . . . ut. Z. 618 and 748.


10. Meminerim . . . curesmque. Z. 221.


13. Vestrum. Nostrum, vestrum are seldom used objectively for nostri, vestri. Vestrum = of each individual of you.


17. Quirites is omitted by Madvig
FOURTH ORATION AGAINST CATILINE.

ANALYSIS.

1. In the introduction Cicero thanks the senate for the kind feeling and concern which they had shown for his safety, and entreats them, without regard to his person, to consider only the welfare of the state. At the same time, aware of the dangers which threaten him, he testifies his anxiety for his family, and urges upon the senate continued watchfulness. (Ch. 1, §1-5.)

2. The main proposition is, that the crime of the conspirators demands severe and speedy punishment. After again describing the magnitude of the crime he (a) states the different opinions in the senate respecting the punishment of the criminals,—that of Silanus for their punishment by death, and of Cæsar for their imprisonment for life; (b) he examines these two opinions, and while he praises the seemingly milder opinion of Cæsar as less hazardous, he defends that of Silanus as more advantageous to the state; (c) he refutes those who were afraid that the sentence of capital punishment could not be carried into execution, and shows that he has abundant resources for carrying it into effect, since all the orders of the state are ready to sustain him. (Ch. 3, §5-ch. 8, §17.)

3. In conclusion, he calls upon the senate to vote with decision and courage for the opinion of Silanus, expresses his satisfaction with the honors he has already attained, commends his family to the protection of the state, and asks no other return for the benefits he has conferred upon his country but its grateful recollection. (Ch. 8, §17-end.)

Ch. I.—2. Ora atque oculos. Descriptive of the anxiety with which all were waiting to see which of the opinions respecting the punishment of the conspirators Cicero would favor.

3. Depulsum sit, sc. a vobis et a re publica, sumto de sociis Catilinae supplicio.

5. Voluntas. Kind feeling. But as Cicero refers to this as prompting their anxiety for his welfare, he uses deponite, which properly refers to sollicitudinem implied. So M.

12. Non forum, in quo omnis aequitas continetur. So pro Mur. § 31: deque eo paucar disseram; neque enim causa in hoc continetur. The usual meaning of contineri in re is to be confined within any thing: contineri re = positum esse in re; ea servari, ex ea pendere. Z. 452. Muretus remarks that Livy (40, 10) has imitated this passage, where he makes Perseus say, Quo enim ario confugiam, cui non—domus, non epule, non nox ad quietem data naturae beneficio mortalibus, tuta est? Muret. V. L. 19, 14. Cf. pro Mur. § 82. M. Cicero calls the Forum the seat of justice because in it the courts of law were held.

codem tempore corripit. See below, ch. 6, § 11: uno incendio. Gra- vius compares Statius, Et populis mors una venit; and Ovid, Met. 1, 721 (of the eyes of Argus): centum oculos mors occupat una. Mat- thiae adds, C. Off. 2, 8, 27: secutus est, qui—universas provincias regionesque uno calamitatis jure comprehenderet.

21. Incumbite ad. See Z. 416. With what preposition is it more frequently construed in its figurative sense?


28. Vestram omnium. The genitive omnium is in apposition with the genitive implied in the possessive vestram. See note on p. 11, line 30.

32. Nemo ne... quidem. See Z. 754, Note.

Cm. III.—36. Vos multis jam judiciis judicasti. He skil- fully endeavors to give to their decisions the force of judicial determinations. Res judicatæ formed precedents, which, in default of any written law, were binding on other judges. Multis jam judiciis judi- castis is more emphatic than sade jam judicastis would have been. So Klotz. Paulo ante frequens senatus judicaverat eos contra rem publicam fecisse; and a little before: Legatis Allobrogum et T. Vol- turcio comprobato eorum indicio praemia decernuntur. Sall. c. 50. O.

37. Gratias egístis. See note on p. 12, line 11.

39. Ut se abdicaret... coegistis. Cogere with ut is rare in C.—Matthiae gives de Orat. 3, 3, 9: Catulum... esse coactum, ut vita se ipse privaret. Verr. 2, 17, 41: cogere incipit eos ut absentem Heraclium condemnarent, with four or five more passages. See, how- ever, Z. 613.

42. Supplicationem, &c. Cf. 3 Cat. § 15.—Qui homos. See Krebs, Guide, 124.

1. Quì in custodiam, &c. See 3 Cat. 6, 14.

2. Sine ulta dubitatione. "Without any hesitation."

4. Referre. See note on p. 14, line 44. "But I have determined to bring before you, Conscription Fathers, as if the matter were still un-
decided, the question, both in regard to the fact, what is your judgment, and, in regard to the punishment, what is your decree.”


7. In republica versari furorem. On this meaning of furor, see note on p. 9, line 2.

8. Misceri. This is the verbum proprium to describe the attempts of those who seek to overturn the government, and thereby throw everything into disorder and confusion. Cf. p. Mil. 9, 25.

10. Quidquid est, quocunque vestrae mentes inclinant. The two clauses quidquid est and quocunque vestrae mentes inclinant are grammatically independent and co-ordinate: the second may be considered explanatory of the first. Quidquid est, id est, quocunque vestrae mentes inclinant. Klotz reads quocunque vestrae se mentes, &c.

11. Statuendum vobis ante noctem est. “Tum quia periculum erat, ne noctu aliquis tumultus excitaretur, ut per vim eripentur ii, qui in custodiad dati erant, tum quia senatum ante noctem dimitti oportebat.” Muret. Varro, in A. Gell. 14, 7, says that no senatus consultum was valid if pronounced before sunrise or after sunset.

13. Affines. What cases does affinis govern? P. C. 212; Z. 411. Matthiae gives the following examples of both cases: Aff. sceleri, Sull. 25, 70; turpidini, Cluent. 45, extr.; suspicionis, Sull. 5, extr.; rei capitalis, Verr. 2, 38, 94.—Latius opinione. Z. 484.

17. Sustentando = differing. This use appears to be confined to Cicero. [Freund.] De Pausania Alabadensi sustentem rem, dum Nero veniat, Fam. 13, 64, 1; edificationem Arcani ad tum adventum sustentari placebat, Q. Fr. 2, 7.


Ch. IV.—19. Duas. For Cato (Sall. 52) had not yet spoken.—D. Silani, consulis designati. Sall. c. 50: Tum D. Silanus, primus sententiam rogatus, quod eo tempore consul designatus erat. Appian, B. C. 2, 5, p. 180: Silanis mev ὃ ὁ πρώτος ἔλεγεν, ὃς ἐς τὸ μέλλων ἱστρο ἱππατέουσιν ὥσε γὰρ Ἐρμαθέων ὅ μὲλλον ἱππατεών πρῶτος ἐσφέρει γυνήν, ὡς αὐτὸς, οἷς, πολλὰ τῶν κυρουμένων ἐργασώμενος, καὶ ἐκ τοῦτο ἐνενιότερον τι καὶ εἰλαβέστερον ἐνθυμησόμενος περὶ ἑκάστου. M.

20. Hec, ἐκκυκλικῶς; see note on p. 15, line 20.


23. Pro sui dignitate. So Orelli, Klotz, and others. Madvig and Steinmetz, pro sua dignitate. Cf. de Off. 1, 39: Habenda ratio non sui [al. sua] solum sed etiam aliorum. So also the genitive stands with causa, but only where prominence or contrast is required.

25. Qui populum Romanum. These words are included in brackets by Madvig.

27. Non putat. See note on p. 21, line 2, and compare below, line 39: non putet.


31. Necessitatem naturæ, i. e. quam natura affect, id quod aliter non potest evenire atque a natura constitutum est. It is used in a different sense, Off. 1, 35: partes corporis ad naturæ necessitatem datae. M.

33. Appetiverunt. So Orelli and Klotz. Appetiverunt is the reading of Madvig and others.—On the use of invitā ... libenter see Z. 682.—Vincula ... jubet. Cf. Sall. 51: ita censeo; publicandas eorum pecunias, ipsos in vinculis habendos per municipia, quae maxime opibus valent; neu quis de his postea ad Senatum referat, neve cum populo agat; qui aliter fecerit, Senatum existimare eum contra rem publicam et salutem omnium facturum.—The injustice is the commanding the municipal towns to receive them.

35. Municipii = per municipia.

38. Suscipiam = will undertake it; i. e. the task of imploring some of the municipia to receive them.


41. Digna ... sanctī, &c. Sancire = proposita pæna aliquest caver et vetare. Madvig reads, with Lambinus and Muretus, circumdat et dignas seelere hominum perditorum; sanctī, ne quis, &c.

44. Eripit etiam spem, &c. Cf. de Nat. D. 3, 6, 14: Miserum est enim, nihil procientem angi, nec habere ne spei quidem extremum et tamen commune solatium.

2. Multos uno dolore animi. This is the reading of the best MSS. Orator tamen ipse scripsisse videtur, ut vidit Graevius: multos uno dolore dolore animi, &c. Orelli. This last is also received by Madvig. Klotz retains multas uno dolore animi, &c.

4. Pænas ademisset. Observe an instance which proves that Döderlein’s distinction, “adimuntur bona, eximuntur mala, is not always observed. In C. Legg. 3, 9, it is used of a bad thing indeed, but one not felt to be so: tribunis plebis injuriae facienda potestatem ... adimere.

10. Popularis. Pro Sest. 45: qui ea, quae faciebant quaeque dicebant, multitudini jucunda volcebant esse populares... habebantur. The name popularis lost the good sense in which it stands below, line 19, and denoted one who sought to gain the favor of the crowd, and looked for support to the mass of the people, as opposed to the optimates; and even became identified with seditiones and turbulence. The shades of meaning between these extremes will be noticed in this chapter.

11. Cognitore = defensore. Ernesti in Cl. Auctor sententiae is the original proposer of an opinion; cognitor, one who defends it as his own.


15. Vincat. The MSS. here give vindicat, which Klotz retains. Vincat firmat Scholiasta. Orelli.—Habemus enim, &c. Cicero, having observed the impression which Caesar's opinion had made upon those who were present, designedly praises it, in order to show his deference and respect for him, and thereby at the same time also to render him more yielding and disposed to adopt severer measures.


18. Quid inter sit. Leél. 25, 95: Concio, quae ex imperitissimis constat, tamen judicare solet, quid inter sit inter popularem, id est, assentatorem et lexem civem, et inter constantem, severum et gra-vem. M. Quid interessest is the reading of Klotz and Madvig from the MSS. On the repetition of inter after interesse, see Z. 745.

19. De istis. Z. 308 and 430 in fin.

20. Non neminem.....Is, &c. "The far more trustworthy Scholiast of Gronovius says, that by this non nemo Cicero means Q. Metellus Nepos; against whose odious speech to the people Cicero had to deliver a formal defence of himself in the beginning of the next year. Compare the fragments of the Oratio contra Concionem Q. Metelli." K.—Hence the use of the singular is relating to non nemo; one only being intended, though vaguely pointed out. Of course non nemo means more than one; but the is proves that the principal reference is to an individual. Z. 755.


25. Quaesitor, &c. Cicero had not really been appointed (as quasitor) to try the cause, nor had there been a regular trial; but he puts a general case, to which the present was analogous, though not identical with it.

29. Semproniae legis, de capite civium Romanorum, proposed by C. Gracchus, s. u. c. 631. It enacted that the people only should de-
cide respecting the caput or civil condition of a citizen. Cf. p. Rabir 4, 12. The argument of Cicero here is, that if the proposer of the Sempronian law himself, since he was an enemy of the state, was put to death with the approval of the people, then can these criminals also be executed.

30. Jussu populi. "Causae serviens hoc dicit; neque enim populi jussu interfactus est Gracchus." Muret. The senate had given Opimius unlimited power to take all necessary measures for the preservation of the state, without consulting the people; i.e. by the well-known formula: dărent operam Consules, ne quid res publica detrimenti cuperet. Cf. Sall. 29. Madvig. in jussu populi, Buherii et Ernestii conj., quam forsitan aliquis firmet ex Scholiasta, p. 412, Ed. meœ: "Lege Sempronia in jussu populi non liebat quæri de capite civis Romani." Orelli.

31. Largitorem . . . et prodigum. Largitor is one who gives from self-interested motives, generally for political ends; prodigus applies to one who seeks gratification and admiration from his profusion. Cic. Off. 2, 16: omnino duo sunt genera largorum; quorum alteri prodigi, alteri liberales. Prodigi, qui epulis et viscerationibus et gladiatorum muneribus, ludorum venationumque apparatu pecunias profundunt in eas res, quorum memoriam aut brevem aut nullam omnino sint relicturi. M. Klotz and Madvig read Idem ipsum Lentulum, largitorem et prodigum.

32. Pernicie . . . exitio. Pernicies has an active meaning, and denotes the destruction of a living being by murder; exitium has a passive meaning, and denotes the destruction even of lifeless objects by annihilation. Död.


Ch. VI.—41. Dederitis. This is not for dabitis, but (as Matthiae observes) the Romans used two future perfects in this way, when the second action was not merely consequent upon the first (so as then to begin to take place), but both were completed together. Cf. qui Antonium oppresserit, is hoc bellum, tetrerrimum periculosissimumque confecerit, Fam. 10, 13. See Z. 511.

44. Exsolvetis. Madvig reads populus Romanus exsolvet. The common text is a crudel. vitup. defendetis.

1. Obtinebo = probabo, docebo.—Quamquam is corrective. Cf. 1 Cat. 9, 22.

4. Ita mihi . . . liceat, ut, &c. A well-known form of asseveration by what a person holds dearest; ita mihi deos omnes propitios esse velim, ut . . . nequaquam tantum capio voluptatis, &c. Verr. 5, 14, 37. Ita or sic precedes with the subjunctive, and that which is affirmed, follows with ut, commonly with the indicative.

7. Videor . . . . videre. Z. 380. The rhetorical figure here used is called Hypotyposis.


10. Sepultam patriam. So Orelli, Klotz, and others. Madvig, with others, reads sepulta in patria. Sepulta then = deleta or incendio consumpta, laid in ashes.


14. Purpuratum. Purpurati = state officers, members of the royal household, &c.—ministers of state, &c.; e.g. ista horribilia minitare purpuratis tuis. Tusc. 1, 43.—Huic (scil. Lentulo) Gabiniun. Some read hunc Gabiniun. The picture of Lentulus in his fancied royalty, with the addition of Gabinius as his prime minister, clad in the purple robes of oriental courtiers, is well adapted to excite the indignation of the republican Romans.


19. Praebeo. Madvig retains the present praebeo.

21. De servis quam, &c. Klotz reads de servis non quam, &c.; Madvig, de servo non quam, &c. The singular de servo is defended by some because of the singular nocentis in the next sentence. This does not, however, seem sufficient ground for rejecting the reading of the best MSS. Besides, nocentis may denote the entire class of the guilty. We know also from Tacitus, Ann. 14, 42, that when a master or one of his family had been murdered by a slave, punishment was inflicted upon all of the slaves.

24. Mihi vero, &c. Cicero here speaks as the orator, not as the philosopher.

25. In his hominibus = in regard to these men, in the case of these men.

29. Id egerunt, ut. Z. 614. Is the id necessary? Z. 748.

33. Nisi vero has the same sense as nisi forte. Z. 526.

34. L. Caesar. This was L. Julius Caesar, who was consul with C. Marcus Figulus, a. u. c. 690.

35. Sororis suae. Julia, who, after the death of her first husband, M. Antonius Creticus (by whom she had M. Antonius the Triumvir), married P. Cornelius Lentulus.

37. Avum. M. Fulvius Flaccus (Cf. 1 Cat. 2, 4). His daughter Fulvia was the wife of L. Julius Caesar (consul, a. u. c. 664), and L. Caesar was their son. 2 Phil. 6, 14: L. Caesar, avunculus tuus, qua oratone, qua constantia, qua gravitate sententiam dixit in sororis sua virum? M.

38. Filiumque ejus impuberem. Vell. 2, 7, 2: juvenis, specie
excellens, neodem duodecim simum transgressus annum, immunisque delitorum paternorum, Fulvii Flacci filius, quem pater legatum de conditionibus miserat, ab Opimio intercumpt est. Quem quum haruspex Tusces, amicus, fletem in custodiem duci vidisset, Quin tu hoc potius, inquit, facis? protinusque illiso capite in postem lapideum januae carceris effusaque cerebro exspiravit. M.

40. Largitionis voluntas, sc. frumentaria, for the purpose of gaining the favor of the people.

42. Hujus avus Lentuli. [Consul, a. u. c. 592.] Cf. Phil. 8, 4, 14: Num igitur temerarium civem aut cruorem putares . . . . P. Lentulum principem Senatus, complures alios summos viros, qui cum L. Opimio Cos. armati Grachum in Aventinum persecuti sunt? quo in prælio Lentulus grave vulnus accepit? Cf. 3 Cat. 5, 10.

2. Attribuit nos trucidandos Cethego. See Z. 653.


5. Vereamini, censeo, &c. This parenthetical insertion of censeo with an ironical force is unusual (Matthiae says he knows of no other instance). With credo it is very common. Z. 777. Cf. Sall. 52: Misereamini censeo. In the next line Madvig reads ac nefario alicquid severius, &c. The common text is nimit alicquid severe.


Ch. VII.—11. Exaudio. The usual signification of the compound is to hear from a distance, or ex strengthens the meaning, so that it = to hear distinctly.

12. Jaciuntur. Others would read jactantur. But Ernesti remarks that jactare would imply insolence, bravado, &c., whereas Cicero is speaking of good citizens, who were disposed to support him, but were timid and apprehensive. Such persons threw out the remarks in question in conversation with their friends. Jacere voces is, he says, the right term to express this. M. But jactare does not appear necessarily to imply bravado: in Liv. 8, 29, we have quæ res, sicut eo anno sermonibus magis passim hominum jactata, quam in ullo concilio est, ita insequantibus annis Consultibus . . . . nulla prior potiorque visa est, de qua ad Senatum referrent.


24. Cum omnibus . . . . perire voluerunt. Cf. 2 Cat. § 21
31. Summam ordinis cousilique, "i. e. locum primum inter ordinis et jus de re publica deliberandi ac decernendi: exquisita Latinitate."—Ernesti.—Ita . . . . ut = quidem . . . . sed. So pro Rosc. § 72: Ita vivunt, dum possunt . . . . ut ducere animam de caelo queant. M. See Z. 726.

32. Quos ex multorum annorum dissensione, &c. The quarrels alluded to are those that arose from the changes introduced of late years in the judicial departments. In a. u. c. 632, C. Gracchus had deprived the senate of their judicial power, and transferred it to the equites; Sulla restored it to the senate in 673; and L. Cotta, in 684, had made another change (that would naturally satisfy neither the senate nor the knights), and confided it jointly to the senate, the equites, and the tribuni aerarii.—Though this arrangement had existed for some years, yet Cicero speaks of this day as the day that had united the senate and the equites, because it was (we must assume) the first day of their cordial reconciliation; the common danger having made both senators and knights co-operate zealously with Cicero against Catiline. But differences broke out anew, particularly in a. u. c. 693 and 694. See 2 Phil. 8, 19.

35. Confirmatam. Cf. ad Att. 1, 15: tueor, ut possum, illum a me conglutinatum concordiam.

39. Tribunos aerarios. These were officers who assisted the questors (from b. c. 49, the ædiles) in the management of the treasury. Their principal duty was to collect each from his tribe the pay of the army. They were plebeians. Madvig, Opusc. Alt. p. 242, seq., endeavors to show that there was no connection between the tribuni aerarii of an earlier date, in the sense above explained, and the tribunt aerarii of the Lex Aurelia, who are here intended. His language is: Gradum aliquem et distinctionem civium universorum certa aliqua norma factam, quemadmodum equites censu separabantur, illud nomen tribunorum aerariorum notare debeut. His view is that the tribuni aerarii of this period were those who possessed a property qualification next to that of the equites, and that they were so called in the law of Cotta, from some resemblance in this respect to the earlier tribuni aerarii, who, he supposes, were private men, whose property, of a prescribed amount, made them responsible for the trust reposed in them. The amount of property required in either period is not known.—Scribas. The scribae were public notaries, and received a salary. From the ab expectatione sortis and the Scholiast, we learn that it was decided by lot to which magistrate each should be attached ("Ipso die conveniunt ad aerarium scribae, ut sortirentur officia, qui scriba esset consulis, qui tribuni plebis"). "In Cicero's time it seems that any one might become a scriba or public clerk by purchase; and, consequently, as freedmen and their sons were eligible, and constituted a great part of the public clerks at Rome, the office was not highly es-
teemed, though frequently held by ingenui, or free-born citizens. Cicero, however, informs us that the scribae formed a respectable class of men; but he thinks it necessary to assign a reason for calling them such, as if he was conscious that he was combating a popular prejudice." (Dict. Antiq.) His words are: Ordo est honestus. Quis ne-gat? aut quid ea res ad hanc rem pertinet? Est vero honestus, quod eorum hominum fidei tabellae publicae periculaque magistra-tuum [the books in which the sentences pronounced were recorded. Cf. Nep. Epam. 8] committuntur. 3 Verr. 79, 183.

44. Quos quum casu hic dies ad ærarium frequentasset. They did not happen to meet on that day; but that day, the day on which Cicero was speaking, happened to be the regular day that brought the scribae to the ærarium.—Frequentare is here = frequentes cogere, or congregare; an unusual use of the word. But Klutz observes properly that frequentare = frequentem facere or reddere; so that it may very correctly be said of the person or occasion that causes men to be numerous in any place. It is used in the same way in the Or. pro domo sua [the genuineness of which is disputed]: quem tu tamen populum nisi tabernis clausis frequentare non poteras: and at any rate Cicero uses the word in other places in the sense of bringing or heaping many things together; e.g. acervatim multa frequen-tans (Or. 25, 85).

45. Ingenuorum .... etiam tenuissimorum. See the extract from Dict. Antiq. in note on scribas above. Cf. 2 Verr. 79, 183: Itaque ex his scribis, qui digni sunt illo ordine, patribus familiis, viris bonis atque honestis percunctaminii, &c. He also mentions that Imperatores, after victories, often raised their scribae to the rank of knights (scribas suos annulis aureis in concione donarunt: ib. 80, 185).

46. Libertinorum. Libertus means the freedman, with reference to his master, in opp. to servus; libertinus, with reference to his rank, in opp. to civis and ingenuus. Död.

47. Fortunam .... civitatis, i.e. the right of citizenship. He calls it fortuna civitatis, because, though gained by merit, yet meret could not always gain it: a man must be lucky enough to have a good opportunity of calling attention to his claims.

7. Sed quid ego .... commemoro? Heumann, "Quid ego commemorem, inquit, est formula prateritionis, ac tum usurpatur, quum aliquid non sum commemoraturus. At quum jam commemoravi aliquid et ad ultimum dicere volo, commemorationem illa me potuisse supersedere, subjungo quid eos commemoro? hoc est, cur tam longus sum in iis commemorandis? pro Mil. 7, 18." But M. quotes the following passages to prove that the subjunctive, in questions of this sort, does not always imply that the speaker does not do what he asks why he should do. Or. 3 8, in.: Sed quid ego vetera conquiram? Tusc
1, 45, in.: Sed quid singulorum opiniones animadvertam? Fin. 5, 22, 63: quid loquar de nobis?—Madvig, with others, reads Sed quid ego hosce homines ordinesque rememor? Klotz, with Orelli, as in the text.

8. Hujusce ordinis. The libertini. It is strange that Matthew should deny the possibility of their having privatae fortuna.

11. Qui modo . . . . sitt. Z. 559.

13. Quantum . . . . voluntatis. M. quotes the following similar instances of a genitive dependent on tantum, though removed to a considerable distance from it. Or. 3, 23: Non tantum ingenioso homini et ei, qui forum, qui curiam, qui causas, qui remp. spectet, opus esse arbitror temporis. Ib. 24, in.: satis video tibi, homini ad perdiscendum acerrimo, ad ea cognoscenda, que dicis, fuisse tempo. 1, 47, 207: quoniam id nobis, Antoni, hominibus id actatis, oneris ab horum adolescentium studiis imponitur. Offic. 2, 9, extr.: quantum volet, habebit ad faciendam fidem virium. Cf. de Or. 1, 1, 3; pro Arch. § 13. M. The common text is non tantum, quantum, &c. Klotz reads qui non quantum audet et quantum potest, tantum conferat, &c.

15. Lenomen quendam Lentuli. Sall. c. 50: Dum hae in senatu aguntur et dum legatis Allobrogum et Tito Vulturcio, commutato curum indicio, praemia decernuntur, liberti et pauci ex clientibus Lentuli diversis itineribus opifices atque servitut in vicis ad eum eripienda solicitantur. Cf. Dio Cass. 37, 35, p. 134; Appian, B. C. 2, 5, p. 180. M. He uses leno for nuntius or administrator, that he may give a sideblow to the dissipated habits of Lentulus. The word seems to have been used by later writers in the general sense of internuntius, &c. Scythis bellum indixit, missis primo lenonibus. Just 2, 3, B.

16. Tabernas = workshops, though properly it signifies the place of sale of wares elsewhere made. Hence just below the paraphrase sellae, &c., whence the workmen were called sellularii or sedentarii.

21. Denique. See Z. 727.—Otiosum = remotum a bello et tumultu, quietum, i. e. peaceful. Cf. line 24, otii.

22. Velint. Inventi sunt, being followed by pres. subj., must be construed by the perf. definite.


26. Occlusus tabernis. This occurred, by command of the magistrates, on the breaking out of public disturbances, and in general mourning.


Ch. IX.—30. Ex plurimis . . . insidiis atque ex media morte. Atque = atque etiam or atque adeo. Cf. 2 Cat. 12, 27.

19*
35. Supplex manus tendit patria. Compare 1 Cat. 7, 17. Such a personification is frequently resorted to, to move the feelings of the hearers.


38. Vobis omnia deorum templar. Klotz and Madvig read ro-
bis omnium deorum templar. Orelli does not notice this variation.


43. Quæ . . . facultas datur = cujus generis or qualem ducem
non semper habere contingit.

2. Cogitate, quantis, &c. If the participial construction is employed in a sentence introduced by a relative or interrogative, in translating we may use a substantive and preposition, or change the participle into the finite verb, and add the finite verb in an accessory clause, or we may make of the participle a leading sentence and connect it with the other sentence by and, but, and therefore, &c. Here, for example, we may translate, “consider, by how great labors the empire was founded, &c., and how a single night almost destroyed them.”

5. Una nox. That on which the Allobroges were taken. Cf. p Flacc. 40, 102.—Ne unquam . . . non modo . . . sed ne . . . quidem. Z. 754, Note.

9. Mea vox, &c. Cf. p. C. Rabir, 1, 3; and 3, 6, of this oration. Ch. X.—11. Ad sententiam, sc. rogandam.

14. Sed eam, &c. Klotz reads sed eam esse judico turpem et
infirmam et objectam; Madvig, sed eam esse turpem judico et
infirmam et abjectam.

15. Si aliquando alicujus. Si aliquando, si aliquis, &c., “dif-
erunt a si quando, si quis, &c., eo quod plena vocabula ponuntur,
 quando in is vis inest, et nunquam, nemo, nullus vel multi, omnes
 opponi potest, ut h. i. non significat nunquam cujusquam manum
 plus valituram esse, sed concedit fieri posse, ut aliquando alic., &c.,
 si quando autem et si qui ponuntur, quando condicio tantum spectatur.
Cic. Phil. 13, 1, extr. Proximo bello si liquid de summa gravitate
Pompejus, multum de cupiditate Caesar reminisset. Brut. 82, 255:
Quem igitur imitaris? si aliquem, ceteri ergo Attice non dicebant;
si omnes, &c.” M. See P. C. 391; Z. 708.

19. Mihi is omitted by Klotz and Madvig.

22. Gratulationem = “supplicationem qua gratiæ diis aguntur.”
Fam. 11, 18: hac tam recenti gratulatione, quam diis ad omnia tem-
pla fecimus: and Phil. 14, 3, 7.

23. Sit Scipio. P. Cornelius Scipio Afric anus major, who put
an end to the second Punic war by the battle at Zama, a. u. c. 552.

24. In Africam redire atque Italia decedere. Benecke di-
rects attention to the ἕστερον πρῶτερον in these words, which would be more correct if inverted. But such instances are not uncommon.

25. Alter .... Africanus. Africanus minor. He was the son of L. Emilius Paulus, and adopted by the son of the elder Africanus. He put an end to the third Punic war by the destruction of Carthage, A. u. c. 608.


27. Paulus III. The father of the younger Africanus.


33. Nisi forte, ironically. Z. 526.

35. Ut .... illi, qui absunt .... revertantur. Cf. de Offic. 1, 22, 75: Mihi quidem certe vir abundans bellicis laudibus Cn. Pompeius, multis auditentibus hoc tribuit, ut diceret frustra se triumphum tertium deportaturumuisse, nisi meo in rem publicam beneficiocubi triumphantaret, esset habiturus. See also 2 Phil. 5, 12. Pompey was absent, being in command of the army in the war against Mithridates. M.

36. Revertantur. Z. 209, in fin.—Quamquam. See note on p. 15, line 22.—Uno loco = una parte, in one respect.

42. Quare mihi, &c. So pro Sull. 9, 28: Etenim in qua civitate res tantas gesserim memini; et in qua urbe verser, intelligo: plenum forum est eorum hominum, quos ego a vestris cervicibus depuli, judices, a meo non removi.—Quare non sum nescius, quanto periculo vivam in tanta multitudo improborum, quum mihi uni cum omnibus improbis aeternum videam bellum esse suscipient.

5. Consiprationem = consensum, unanimitatem. Ch. XI.—7. Pro imperio .... provincia, instead of pro imperio exercitus in provincia. Cicero separates the notions for the sake of emphasis. Some understand him to mean the province of Macedonia, which he relinquished to his colleague Antonius to gain him to his side, or at least to neutrality in regard to the conspiracy of Catiline. It is, however, better to refer it to the province of Gallia, which Cicero gave up because of the dangers which threatened the state. Cf. Plut. Cic. 12. In Gallia there was yet much opportunity to gain warlike renown and honors.

10. Pro clientelis. The colonies, allies, provinces, and especially the countries dependent on Rome, chose from the most distinguished men in Rome a patron who represented them in the city, and took care of their rights and interests. Thus Q. Fabius Sanga (Sall. 41)
was the *patronus* of the Allobroges, probably because Q. Fabius Maximus had conquered them. Cf. de Off. 1, 12, 35. So Cicero was the *patronus* of the Sicilians.—*Hospitiiisque*. Such ties of hospitality often grew into the relation of patron and client, and increased the dignity and authority of the Roman citizen who was the patron.

11. Urbanis opibus = auctoritate et potentia amicorum et clientum urbanorum.

12. *Igitur* = inquam (Z. 739), and in this connection with *igitur* the pronoun is not *is* but *hic*, since the latter refers more distinctly to the preceding.

15. Consulatus memoriam. Compare 3 Cat. 11, 26.

16. *Dum* crit. *Dum* with the future = *quamdiu*.


24. *De aris ac focis*. A well-known formula for private dwellings. For *foci* were fireplaces in the *atrium* for sacrifices to the household gods (*lares*), and *arce* were little altars in the *impluvium* for sacrifices to the guardian deities (*penates*).—*De fanis atque templis*. P. C. p. 128, note y.

The result of this debate is given in the General Introduction, p. 144.

It may here be briefly stated, that the genuineness of the Orations against Catiline has not been unquestioned. Each in its turn has been attacked. The second oration was early assailed, in consequence of a remark of F. A. Wolf, that one of the four was spurious, he at the same time adding, "*esse alteram e mediis duabus*." Wolf however, it appears, intended the third, and he seems to have adopted this opinion from a suggestion made by Eichstädt. But the genuineness of the fourth oration has been most warmly assailed, and by the largest number. The first had escaped, until recently it has found an assailant in R. A. Morstadt. Orelli (*Oratt. selectt. Cicer* pp. 176–182) endeavors to prove that all, with the single exception of the first oration, are spurious. But notwithstanding these attacks, the genuineness of these orations has had able defenders in Madvig, Drumann, and many others.
THE ORATION FOR THE MANILIAN LAW.

INTRODUCTION.

Mithridates, king of Pontus, had been checked in his plans of conquest and aggrandizement, by L. Sulla, as early as A. u. c. 669, by the battles of Cheronia and Orchomenos, and compelled to restrict himself to the dominions which he held before the commencement of the war. But he had from this time improved every opportunity to carry into effect his long-cherished hopes. Therefore, in the years 671 to 673, he had renewed the war, and defeated the Roman general, Murena, near Sinope. In 680, while the Roman arms were occupied in Spain with Sertorius, in Italy with Spartacus, while too the pirates who infested the coasts of Cilicia and Insauria, increasing in boldness after the downfall of Carthage, caused alarm along the sea and coasts of the Roman empire, Mithridates thought the most favorable moment had arrived for carrying his plans into execution, and directed his first effort to grasp Bithynia, which, by the will of king Nicomedes, was to become a Roman province. In pursuit of similar aims he sought to gain his son-in-law Tigranes, king of Armenia, and commenced a secret correspondence with Sertorius in Spain, for the purpose of bringing about some concert of action. The consuls of the year 680, L. Licinius Lucullus and M. Aurelius Cotta, marched against Mithridates from Rome, and although Cotta lost a battle on land and sea, Lucullus was afterwards so successful on land, that he not only signally defeated Mithridates in several battles and drove him from his kingdom, but also several times routed, in the years 685 and 686, Tigranes, who had received and protected Mithridates in his flight. Thus Lucullus probably would have completely frustrated the last efforts of the combined kings, if other circumstances, of which he was partly the cause, had not prevented. Lucullus had received his army in a wretched and insubordinate condition, but as a skilful general he had brought them under subordination thus far by strict discipline, until his insatiable avarice, which he sought to gratify at the expense of the legions, excited the minds of the soldiers against his severity. It was thus easy for his enemies in Rome, who, without his knowledge, had their agents even in his army, to foment insurrections in his legions, and in this way so to paralyze his energy, that Mithridates was enabled again to establish himself in Pontus. Thus his opponents in Rome, at the head of whom was Pompey, succeeded in effecting his recall from the command of the army, A. u. c. 687. He was succeeded by M'. Acilius Glabrio, consul of this year, who, however, showed such incapacity and so little activity, that Mithridates disgracefully defeated two Roman legates, Fabius and Triarius. At the same time also the pirates from the coast of Cilicia and Insauria, against whom Servilius Isauricus, M. Antonius, and Cæcilius Metellus Creticus had fought, had made the most daring assaults upon Roman territory and property, and caused serious losses to the public treasury as well as to private individuals. This state of things led the tribune, A. Gabinius, a friend of Pompey, to propose a law that some one should be clothed with extraordinary powers for three years for the purpose of putting
the disturbance of the pirates, who carried on open and formal war against Rome. Although this bill was directed less against the pirates than the existing constitution of the state itself, since that "some one" could be no other than Cn. Pompey, who after his consulship had remained in Rome without a province, and only thought how he might secure to himself political preponderance, it nevertheless was passed, and Pompey received the command on all seas and coasts for 400 stadia inland with the most extensive powers. Pompey executed this trust with such success, that within fifty years he had entirely conquered the pirates and in part brought them back to a better mode of life. But instead of laying down his power after the conclusion of the war against the pirates, he sought to extend it still more, and when Mithridates came forth against Glabrio with renewed strength, L. Manilius, a tribune, of Pompey's party, a. u. c. 688, proposed a bill that the extraordinary powers conferred on Pompey should not only be prolonged, but extended so as to include Pontus, Bithynia, and Armenia. This bill was opposed by many patriotic citizens, as Catulus and Hortensius, but C. Julius Caesar supported it from deep political motives, and M. Tullius Cicero, who had been chosen prætor, recommended it to the people in this oration, the first he ever addressed to the assembled people, and in this year, 688, under the consulship of M'. Æmilius Lepidus and L. Volcatius Tullus the bill was carried. The Romans, however, had no occasion to regret the step they took.

ANALYSIS

In this lucid and finished oration the orator commences with a modest recital of the reasons which have hitherto prevented him from addressing the people from the rostra, testifies his gratitude for the office of prætor conferred upon him by the people, and promises to devote the influence of his office, and his eloquence to the good of the state. (Ch. 1.) He then briefly reviews the condition of the Romans in Asia Minor and the position of Mithridates, which had occasioned the Lex Manilia (§ 4, 5), and distributes his speech into three parts; the first of which treats of the character of the war, the second of the magnitude, and the third of the general in whom are found the qualifications requisite to bring it to a successful issue. (§ 6.)

1.) On the first head, the character of the war, the orator shows (a) that the honor and dignity of the Roman people are endangered (§ 6-11); (b) that the protection of the allies in Asia deserves the closest attention (§ 12, 13); (c) that the largest and surest revenues of the state are exposed to the greatest danger, if help is not speedily rendered (§ 14-16); (d) that the property of many Roman citizens, especially of the farmers of the revenue and of merchants, is depreciated, so that in Rome itself the most disastrous consequences to the credit of the state must ensue. (§ 17, 18.)

2.) Cicero speaks of the greatness and importance of the war, mentions with due praise the many and great victories of Lucullus (§ 20, 21), shows, however, at the same time, how powerful Mithridates has again become since his defeats, (a) by the aid of Tigranes and many nations of Asia; (b) by the resistance of the army which has refused to follow its general; (c) by the return of Mithridates to his kingdom, and the frightful overthrow which he caused the Roman army when Lucullus had been recalled from the command by the Roman people. (§ 21-26.)
(3.) He seeks to show that to no other general than Pompey, who unites in himself all the qualities of a commander, can the command in this war be given (§ 27); for (a) he possesses the most accurate knowledge and experience of war (§ 28); (b) the greatest bravery as shown in the Italian, Sicilian, Gallic, and Sertile wars (§ 29, 30), and especially in the war against the pirates (§ 31-36). He besides possesses the greatest purity of character and disinterestedness (§ 37-39); self-command (§ 40, 41); good faith, courtesy, eloquence, and humanity (§ 42); respect and authority among all nations, friends and foes (§ 43-46); and finally, the marked favor of fortune everywhere attends him (§ 47-49). He can besides best take charge of this war as he is already in the neighborhood of it. (§ 50.)

The orator having sufficiently dwelt upon these points, proceeds to refute two opposite opinions (§ 51):

(1.) That of Hortensius, who had objected that all power ought not to be conferred upon one man. Cicero weakens this objection by showing that if the conduct of the war against the pirates, in accordance with this view of Hortensius, had not been given to Pompey, the welfare of the Roman people, nay, even its world supremacy would have been lost (§ 52-56). He thus gives to his own opinion greater weight, and casts suspicion upon that of Hortensius, as opposed to the welfare of the state. He further adds, what does not properly form a part of this cause, that some had unworthily opposed Gabinius, in preventing his appointment as legate to Pompey, when he had been the proposer of the Lex by which Pompey was charged with the command of the war against the pirates (§ 57, 58).

(2.) That of Catulus (to whom he testifies his respect for his merits,) that such a proceeding was contrary to the institutions of their ancestors; by showing, (a) that the Roman people, for its own advantage, had often made exceptions and put many wars in charge of one man (§ 60); and (b) that Catulus himself had previously, to honor Pompey, voted for extraordinary measures. Praise of Pompey (§ 60-62).

Finally, Cicero concludes with urging that, in accordance with the judgment of the people, Pompey should be appointed to the command of the army against Mithridates (§ 63), especially because he possesses the self-control which is necessary in an Asiatic war (§ 64-67). He then offsets to the authority of Hortensius and Catulus the views of other distinguished men who had supported the Manilian bill (§ 68). At last, praise of Manilius for his bill, encouragement to perseverance, and, with the promise of his support, the most solemn assurance also that the orator has been influenced solely by the good of the state to defend this bill and cause (§ 69-end).

2. Multo jucundissimus. See Z. 108 and 487.—Hic autem locus. The rostra, from which the orators addressed the people. Consult Dict. Antiq. Rostra.—Autem = "and though," &c., serves to continue the discourse. See note on p. 30, line 23.—Ad agendum . . . dicendum. The distinction between agere and dicere in this passage is given in Gell. 13, 15. Only magistrates had the right of submitting questions to the people (agere cum populo) for their approval or disapproval; while to harangue them was open to any one, though not invested with office, to whom the presiding magistrate gave the authority.—Ad = quod attinet ad. See note on p. 12, line 29.

4. Hoc aditu laudis. The Rostra, the grand entrance to glory and fame at Rome.—Optimo cuique maxime patuit. Z. 710, b.

5. Vitæ meæ rationes. My chosen plan or course of life, i.e. pleading causes.

6. Ab ineunte ætate. Referring to manhood, not boyhood. At the age of 26 Cicero argued his first private cause for P. Quinctius, and in the following year his first public cause for Roscius of Americi.

—Nam, quum, &c. Three causes deterred him from the rostra: 1. his plans of life, 2. his modesty, 3. the talents and industry requisite for such an undertaking.

7. Per ætatem. Cicero was now in his forty-first year, had been pleading causes for nearly twenty, and had held the offices of quaestor and ædile.—Hujus auctoritatem loci = hunc locum, qui auctoritatem tribuit convicionibus ex eo. But Benecke considers the words hic locus ad ag. amplissimus, ad dic. ornatissimus and hujus auct. loci attingere adeeam, statuereque nihil hic nisi perfectum ingenio, &c., as mutually corresponding, and explanatory of each other. Locus ad agendum amplissimus is therefore one to which only magistrates and men of the highest dignity were admitted, and ad dicendum ornatissimus where the finished and elaborate eloquence of the most perfect orators was wont to be brought forward. Consequently, hujus auctoritatem loci is that to which the highest authority belongs, because from it men of the highest standing and influence were wont to consult the people.


11. Ita neque hic locus. Sensus est: Eo pacto, dum privatis servio, vestram mihi benevolentiam conciliavi, quum interea tamen desertus hic locus non esset. Hotoman. For a dependent thought, which should be thrown in, as an intervening or accessory clause,
subordinately to the rest of the sentence, is sometimes put in co-ordin-
ate relation with the leading thought, notwithstanding it does not pro-
ceed from it; as e. g. this passage does not follow from the preceding
Cicero, however, could boast of having preserved by his activity as an
advocate many citizens to the state, who now could defend its inter-
est. Especially was this the case before his praetorship.—Neque . . .
et. Z. 338.—Ab iis = talibus; therefore the subjunctive defende-
rent. Z. 556.

12. Causam = id in quo utilitas vestra posita est; interest. So
causa rei publica, § 4; pop. R. vera causa, § 53.—Periculis = trials,
prosecutions. Pericula in Cicero is a standing expression for judicia
publica, or criminal prosecutions instituted against private individuals.

13. Caste integreque versatus. These words refer to the cus-
tom of conferring gifts and favors upon lawyers and orators to induce
them to defend even the worst causes. To put a stop to this abuse,
the Lex Cincia de donis et muneribus was passed, A. u. c. 550, in
the comitia tributa, having been proposed by the tribune Cincius, and
supported by Q. Fabius Maximus. It prohibited advocates from re-
ceiving fees or gifts from their clients. Caste and integre are else-
where found together. They both denote purity and integrity of char-
acter, but particularly freedom from cupidity and corruption. De Fin.
4, 23, 63: caste et integre vivere; id. 1, 9, 30: incorrupte atque in-
tegre judicare; pro Sest. 43, 93: homo castus ac non cupidus.—Ju-
dicio, as expressed by acts, in electing him to the office of praetor.

14. Propter dilatationem comitiorum. The higher magistrates,
consuls, praetors, and censors, could only be chosen at the comitia cen-
turiata. The comitia might be broken off for some informality in tak-
ing the auspices, by a tempest, by the intercession of a tribune, or
for other reasons. The grounds of postponement were more frequently
political than religious. In this instance it arose from the ferment in
which the city was kept by the promulgation of the Gabinian, Ros-
cian, and other laws, and the assembly had been twice adjourned be-
fore completing the election of the entire number of praetors, which
was then eight.

15. Praetor primus. These words do not mean that Cicero was
chosen praetor urbanus, as of higher rank than either of the other
praetors, but merely that he was the first choice of the people at three
successive trials. The particular duties of the praetors were after their
election decided among themselves by lot. To Cicero fell the questio
de pecuniis repetundis.—Centuriis. See Bojesen’s Roman Antiqui-
ties, p. 33, § 10; and p. 49, § 6.

17. Quid aliis præscriberetis. The approbation which the
people had expressed of his course by conferring their honors upon
him, set it up as an example for others to follow.

21. [Ea] apud cos utar. Klotz and Madvig omit ea altogether
22. In dicendo. The common text omits in; and this reading
Matthiae explains as = efficere, quod opere pretem sit. Benecke,
from Cod. Erf., receives in and explains: si quid in ipsa arte oratoria
efficere possum, si quam facultatem dicendi habeo, &c.
23. Potissimum. See Arnold’s Nepos, Mitt. 1, [2], 6.—Ei . . .
rei = facultati dicendi.
27. Possit. Z. 556. The common text gives potest.

1. Virtute = high qualities, merit, talents.—Hujus autem orationis, &c. The position of a genitive, which is governed by two or
more substantives, is either before or after the governing substantives,
not between them. The resemblance of this passage to the following
from Lysias against Eratosthenes, § 1, is striking: αὐξ ἄρξατει μοι
δοκεῖ ἄπορον εἶναι, & ἀνδρεῖς εἰκασται, τῆς κατηγορίας, ἄλλα πάνσαθαι
λέγοντι.
3. Copia = materials for eloquence.—Modus, moderation in the
use of them.

Ch. II.—7. Vectigalibus. Tributaries.—Sociis, particularly Ariobazanes,
of whom below, ch. 5, rex, socius populi Rom. atque amicus.
8. Alter, Mithridates, relictus, non prorsus debellatus a L. Lucullo.
See § 22.—Alter, Tigranes ab codem Lucullo iacessitus dumtaxat,
non victus. § 23.
9. Occasionem . . . ad occupandam Asiam. We might ex-
pect the genitive of the gerundive after occasio. For one substantive
is seldom joined to another by a preposition in Latin, except after a
verbal substantive, retaining the construction of the verb from which
it is derived (aditus ad portum); and when the substantive with its
preposition expresses the material (monile ex auro).—Asiam. Procon-
sular Asia, a portion of Asia Minor, including Mysia, Troas, Æolis,
Ionia, Lydia, Caria, and the two Phrygias. These were the finest
and richest districts of Asia Minor, and from them the Romans de-
uced large revenues.
10. Arbitrantur. So also Klotz and Madvig. It is defended by
Wunder, Varr. Lectt. Cod. Erf. p. LXIX. against the common read-
ing arbitratur, and by Benecke, since it refers to neither singly, but
to Mithridates and Tigranes conjointly as allies.—Equitibus Romanis.
The equites, as possessing large wealth, were usually the farmers of
the public revenues. The revenues were let out, or, as the Romans
expressed it, were sold by the censors in Rome itself to the highest
bidder. The publicani, which word is used as synonymous with equi-
tes, had to give security to the state for the sum at which they bought
one or more branches of the revenue in a province; but as for this
reason the property of even the wealthiest individual must have been inadequate, a number of equites generally united together and formed a company (socii, societas, or corpus), which was recognised by the state. The credit of these companies, and the flourishing state of their finances, were of the utmost importance to the state, and in fact its very foundation. See ch. 6. Cicero, p. Planc., calls them the oр-
numentum civilis et firmamentum rei publicae.

12. Aguntur = are at stake, employed in the farming of your revenues.—Exercere vectigalia is said of the equites; exigere of their subordinates (vid. § 16). Vectigalia is the general term for all the regular revenues of the Roman state. These were derived partly from the tithes paid to the state by those who occupied the public land (decumae); partly from the sums paid by those who kept their cattle on the public pastures (scriptura); and partly from the harbor duties raised upon imported and exported commodities (portorium). There were other revenues from the salt-works (salinae) and the mines (metalla). These various branches of the revenue were let out by the censors, who had the charge of this business, to the Publicani for a fixed sum and for a certain number of years. The letting or sale of the revenues generally took place in the month of Quintilis, and was made for a lustrum. The responsible person in each company, and the one who contracted with the state, was called manceps. There was also a magister to manage the business of each society, who resided at Rome, and kept an extensive correspondence with the agents in the provinces. See Dict. Antiq. Vectigalia and Publicani.

13. Pro necessitudine. For Cicero himself belonged to their order, and, regarding them as holding the balance of power in the state, zealously defended their interests. Cf. p. Rabir. Post. 6, 15; ad Q. frat. 1, 1, 12.

14. Causam rei publicae. See note on vestram causam, p. 47, line 12. He adds the public interest to the private interest of the equites, that he may not seem to be solicitous for these only.

15. Bithyniae, .... vicos exustos esse. The construction which the parenthesis had interrupted is here continued, and these words depend upon afferuntur .... literae.—Vestra provincia. By the will of the deceased king Nicomedes Philopator, A. u. c. 679, who bequeathed it to the Roman people, because Sulla had restored him to the throne when driven out of his kingdom by Mithridates. It became a Roman province, and was governed sometimes by proconsuls, sometimes by praetors.

16. Regnum Ariobarzanis, sc. Cappadocia, of which, on the re-
call of Lucullus, Mithridates again took possession.


20. Unum, sc. Pompeium, whom Cicero designedly omits to name.
It is greater praise of Pompey that he does not need to be named, and the attention is more awakened.

21. Deposci atque expeti = magnopere et instanter posci atque valde ac præ ceteris desiderari. The prepositions strengthen the meaning of the simple verbs.

24. De genere belli; as being in defence of civil rights and freedom, for supremacy, or for honor and glory.

25. Deligendo. Of choice from among several objects, with the accompanying notion of superior fitness. Cf. § 63.

28. In quo agitur. On the use of the relative in Latin, where we should use the demonstrative or personal pronoun and some copulative or causal conjunction, see Z. 803. This sentence is explanatory and not dependent upon genus est enim, &c.; therefore agit ur is indicative, while debeat is subjunctive, by Z. 556. Notice also the ἵσαναφόρα, Z. 821.


31. Magna et gravia bella. They are mentioned below, ch. 6, 14.

32. Certissima . . . vectigalia. Such were the riches and fertility of Asia, that the revenues could be depended upon, unless interrupted by the calamities of war. Cf. 6, 14: Asia vero, &c.

33. Pacis ornamenta et subsidia bella. Below, ch. 7, 17, he calls them nervos rei publicae.—Requiretis = desiderabitis, carebitis. The consequent standing for the antecedent, for we commonly miss and seek what we have lost. Compare Div. in Cæcil. 22, 71: nihil de suis veteribus ornamentis requirit, where Pseudo-Asciouins interprets it amissum sentiet. Here its relation to quibus amissis just before may be noticed.

34. Multorum civium. The collectors of the revenue and others, who were engaged in business in Asia.—A vobis. Why is the preposition with the ablative here preferable to the dative, which is regularly the case of the agent with this participle? Z. 651.

35. Et rei publicae causa. Because losses to the equites, who had farmed the revenues, would react upon the state, in case of their inability to meet their engagements.


38. Mithridatico bello superiore. A. u. c. 666. For an account of the manner in which it commenced, see Schmitz, Rome, p. 356, fol.

40. Uno die. Velleius Paterculus says, eodem die atque hora.—Tota Asia. On the omission of the preposition in, see Arnold’s Nepos, Pref. [5], 1; Iphicr. 2, [3], 4, and Z. 482. Klotz reads tota in Asia.

41. Una significatione litterarum. Z. 791.

42. Denotavit. Cf. 1 Cat. § 2. Klotz reads curavit. Some writers state the number of those who perished in this massacre at 80,000; Plutarch makes it 150,000.

2. Emergere. Emergere propre dicuntur, qui aqua mersi eluc- tant et evadunt, unde pulchra nascuntur translationes v. c. de eo; qui ex obscuro loco ad illustriorem adspirat, aut ex infelice fit felix, aut a vita pravitate se recipit ad bonam frugem. Ruhnken ad Terent. And. 3, 3, 30. Sic igitur emergere etiam Mithridates dicitur, qui e patrio et non ita nobis regno profectus totius Asiae imperium affectavit.


4. Insignia victoriae. These are triumphs, as may be seen from the following triumphavit. Reportarent then, which is strictly applicable only to victoriam, comes under the figure zeugma. Z. 775. Manutius considers insignia as = sigua et indicia victorie (ut capti- vos, aurum, argentum, vestes, &c.).

5. Triumphavit L. Sulla. Schmitz, Rome, p. 359, fol. Sulla made peace with Mithridates in 670, and returned to Italy in 671. He triumphed in 673.

6. Triumphavit L. Murena. Schmitz, Rome, p. 369. Though he was defeated and recalled, a triumph was still granted him, in the same year with Sulla.

7. Ita triumpharunt. Ita with a restrictive meaning. Z. 726. —Pulsus superatusque. What writers join the particles quamquam, quamcis, etiam, and vel with the participle itself? Z. 635 and Note.

9. Quod egerunt, . . . quod reliquerunt. Quod in both in- stances is to be considered as a causal conjunction, and the verbs are to be taken absolutely, the action, and not the object to which it is directed, being the prominent notion. Thus quod egerunt = quod non otiosi, sed strenui in bello Mithridatico gerendo fuerunt. The absolute use of agere is common, and here relinquere for the sake of conciunty is likewise so used.

10. In Italiam res publica. His opponents, the Marian fac- tion, having gained the ascendency in Rome. His recall too of Mure- na may have arisen from pressing occasion for all these troops in Italy. Consult Schmitz, Rome, p. 369, fol.

Ch. IV.—12. Omne reliquum tempus. After the return of Murena.

14. Posteaquam . . . ædificasset. Z. 507, b. But Madvig adopts the conjecture of Benecke, qui postea, quum maximas, &c.— Ornassetque = instruisset. On the omission of the English verb "to order," or "have," see Z. 713.
16. Bosporani. Accolis Bospori Cimmerii. They had revolted from Mithridates, but he afterwards reduced them to submission and established Machares, one of his sons, as king of that country.


21. De imperio, i. e. de conservatione vestri imperii vestraeque libertatis.

22. Alterius partis periculum = periculum, quod ab altera parte vobis imminet.


27. Haec autem extrema. See ch. 9.

Ch. V.—35. Mercatoribus aut naviculariis, &c. Compare Verr. 5, 58, in. Quot bella majores nostros et quanta suscepsisse arbitramini, quod cives Romani injuria affecti, quod navicularii retentii, quod mercatores spoliati dicerentur? Madvig reads majores vestri; and after naviculariis, with Klotz, nostris.


40. Extinctum esse voluerunt. Z. 611 Extinctum is chosen with reference to lumen, and therefore the agreement with the noun in apposition instead of Corinthum . . . extinctum esse. Z. 370, *Note*. Cicero calls Corinth, Gracia totius lumen, but Rome (4 Cat. 6), lucem orbis terrarum; Corinth is compared to a glimmering point of light; Rome is distinguished as that city in comparison with which all other cities lie in darkness. Dōd.

41. Legatum. Manius Aquillius, who had been consul a. u. c. 653, and as proconsul had put an end to the servile war in Sicily, a. u. c. 655. He was sent in 664 into Asia to Nicomedes and Ariobarzanes. Mithridates, into whose hands he had fallen, treated him in the most barbarous manner, and put him to death by pouring molten gold down his throat.

43. Civium Romanorum, i. e. naviculariorum.

1. Persecuti sunt = ulti sunt. *Persequi* corresponds to the following *relinquere*.

2. Relinquetis. Verr. 1, 33, 84: cum injurias tuas reliquisti? i. e. nec persecutus, non ultus es. This figurative use of *relinquere* is derived from its sense as = omittere, praeterire.—Vide, ne, = cavete, veremini, &c.

6. Quid, quod. On this familiar formula, see Z. 769.
8. Socius p. R. atque amicus. Such honorary titles were received by friendly kings from the Roman people for services rendered. They were conferred by decree of the senate, and accompanied by rich gifts—as a golden crown, a golden patera, an ivory curule chair, an embroidered toga, an ivory sceptre, and a tunic with a purple border. Those who had received this title, in foreign countries placed their throne next to the seat of the Roman generals, and had a squadron of Roman cavalry as a guard.

11. Cuncta Asia. Cf. tota Asia, 3, 7. "At non idem est in tota Asia et in cuncta Asia. Nam cuncti significat quidem omnes, sed conjunctos et congregatos, ait Festus." Matthim. So some separate these words from the preceding by a comma, and take them as nominatives.

14. Alium miseritis. M. Acilius Glabrio, the consul of the previous year. See §§ 5 and 26.—Sine summo periculo, ne offendent Glabriorem.

16. Summa omnium. The greatest virtues, the highest qualities.

17. Propter esse, i. e. in Cilicia, employed against the pirates. This war however he brought to an end in 687 and landed his forces in Cilicia and Pamphylia, where he waited hoping to receive the command in Asia.—Quod .... egregius = et eo egregius are, sc. Pompeio. These words are included in a parenthesis by Klotz and Madvig, and the following cujus brought into immediate connection with cum propter esse.

22. Dignos .... quorum .... commendetis. Z. 568.

23. Atque hoc etiam magis. Supply dignos existimetis. Hoc magis stands with stronger emphasis for eo magis.—Quod ceteros, &c. The common reading is quam ceteros, quod ejusmodi hom. in prov. Beneceo explains the text as arising from brevity of expression, for quod ceteri homines, quos in provinciam mittimus, ejusmodi sunt.

24. Cum imperio, sc. military, quod habent ii, quibus potestas belli gerendi data est. Hoc imperum qui habent, dicuntur esse cum imperio. The wealth of the Asiatic provinces excited, more than any other, the avarice of the Roman generals. Cf. chaps. 22 and 23.


26. Ab hostill expugnatione. For the conduct of the Roman praetors in Asia, see chaps. 22 and 23, and compare ad Q. frat. 1, 2, 9.

27. Hunc audiebant. When he was carrying on war in Italy, Africa, Gallia, and Spain.—Tanta temperantia, &c. What ablatives are these? Z. 471. Hanc virtutem primam nominat, ut opponat aliorum libidini et rapacitati.

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32. Cum Pœnis. 490-512; 536-553; 605-608.

36. Tanta sunt, i. e. tantilla, tam exigua. Z. 726.

38. Asia vero tam opima, &c. Opima in reference to the soil and pasturage; fertilis in respect of the grain and produce.—Ubértate agrorum, &c. Three sources of revenue are referred to: decuma, scriptura, and portorium. See note on p. 48, line 12.

40. Exportantur. See Z. 547. Klotz, however, from the Erfurt and some other MSS., reads exportentur.

42. Heili utilitätatem, res eas, quæ ad bellum gerendum bellique sumptus sufferendos sunt utiles. Retinere is the reading of the best MSS. Est autem inter sustinere et retinere illud discrimen; ut sustinère dicatur res ea, quæ ne labatur ac corrunt, provideamus; retineri, quæ ne amittatur periculum sit.

43. A calamitate. Calamitas is here loss of crops by devastation and by the expulsion of the cultivators, or by checking the pursuit of husbandry. Hence loss, misfortune, in general.

44. Facta est . . . pecu. So Benecke and Madvig; Klotz, pecora.

6. Scriptura. The publicani had to keep lists of the persons who sent their cattle upon the public pastures, together with the number and quality of the cattle. From this registering (scribere), the duty itself was called scriptura. See Dict. Antiq., Scriptura.

9. Qui vectigalia . . . pensitaut. The inhabitants of the provinces.

10. Qui exercent atque exigunt. The Roman equites or publicani.

13. Familias maximas = servos.

14. Custodiis. These were places where the servants of the publicani kept watch, lest any goods should pass without paying custom. Consult Dict. Antiq., Portorium. As this formed a part of the portorium, portubus and custodiis are rightly joined by atque, while the other three sources of revenue are distinguished by quas in.—For salinis various conjectures have been proposed, that this passage may be made to correspond with the one in § 14, where three sources of revenue are referred to. But the MSS. give, almost without exception, salinis. These too were sources of revenue, and Pliny, H. N. 31, 7, speaks of numerous salt-works in Asia. Cf. Dict. Antiq., Salines.

15. Magno periculo. Z. 472
16. Illis rebus, vectigalibus.—Eos, publicanos.—Fructui sunt, i. e. fructum præbent; sc. et socii et publicani. Z. 422. Cf. vobis curae esse debent, below.

Ch. VII.—20. Quod mihi ego, &c. Quod is here the pronoun; in the next line it is the conjunction depending on negligendum.

22. Quorum . . . habenda est ratio. Rationem habere aliquis rei = to regard something.

23. Nam et publicani. This sentence is anacolutous. We should expect below, to correspond with this commencement, a second et. But in its place, at § 18, the orator begins a new period with deinde. See, however, Hand, Tursell. ii. p. 508, seq.

24. Honestissimi, i. e. splendidissimi, an epithet of the equites. Honestus is one who deserves honor, honorable; honoratus, one who is honored, qui magistratus gerit aut gessit.—Ornatissimi. A common epithet of those who are distinguished for their high qualities, or for their rank and splendor.—Rationes = resources, property.


29. Ex ceteris ordinibus, præter ordinem publicanorum.

30. Negotiantur. Negotiari is used of such Romans as sought for gain, partly by putting out their money to interest in the provinces, or in the purchase and sale of grain. They are expressly distinguished from the publicani. The former mode of employing capital was more profitable, as the rate of interest was not limited by law in the provinces. Cicero also distinguishes those who pursued their business in Asia, from those who remained at Rome and put out their money there.

31. Partim corum, sc. nonnulli, aliquot. Z. 271, in fin. Some read partim suas et suorum, but on insufficient authority.

32. Collocatas habent. Z. 634.

33. Calamitate prohibere. Compare p. 52, line 1, and see Z. 469. The proposition is more commonly expressed.

34. A re publica sejunctam esse non posse. Cf. de Off. 3, 15. 63: Singulorum enim facultates et copia divitiae sunt civitatis.—Illud, sc. quod mihi responderi possit.

35. Illud parvi refert. Z. 449. Does refert occur in Cicero with the genitive of the person?

36. Publicanis amissis, i. e. perditis. The common reading is amissa.

37. Redimendi. Redimere = to farm or purchase the revenues. Here re may have its force of again.

40. Initio belli. Twenty-three years before. Benecke and Madvig, id quidem certe; Klotz as in the text.

41. Nam tum, &c. After certe id quidem . . . memoria reti-
neri debemus, we should expect quod tum, quum, &c. But instead of the second member with quod, in imitation of the Greek usage, a new sentence begins with nam.

42. Solutione impedita. Payments were suspended in Rome because the publicani and capitalists had not received returns from Asia.

43. Non enim possunt . . . ut non, &c. What is more common than ut non in this construction? How is the clause to be translated? Z. 538 and 539. Compare below ruere illa non possunt, ut haec non, &c.

52 3. Ratio pecuniarum. Z. 678.—In foro, in tabernisargentarios. The shops of the bankers were in the cloisters round the forum.

5. Illa, sc. vectigalia Asiatica.—Haec, vectigalia Romana.


18. Maximas Mithridatis copias. Appian informs us that the army of Mithridates, at the beginning of the third war, consisted of 140,000 infantry and 16,000 cavalry. Lucullus had only 30,000 infantry and 1600 cavalry. Cicero, in order to elevate Lucullus’s bravery, first mentions Mithridates’ prosperous condition, and then proceeds to the victory gained by Lucullus.


23. Liberavit. In grateful remembrance of the relief which he brought, the inhabitants celebrated a yearly festival, called Lucullæa.

24. Ducibus Sertorianis. L. Varius. Lucullus gained two naval battles; one near Tenedos, the other near Lemnus, where Varius was taken and put to death, since he was a Roman senator and could not be led in triumph.—Studio atque odio inflammata. Madvig omits atque odio. Others read s. a. o. inflammato.

28. Sinopen atque Amisum. The former was a city and Grecian colony in Paphlagonia, on the Black Sea, and the birthplace of the cynic, Diogenes. The latter was a city and Grecian colony in Pontus.—Ex omni aditu. Benecke directs attention to therarer use of ex where ab might be expected.

29. Domicilia. The Asiatic kings had palaces in several places.

32. Patrio atque avito. This was the sixth from Mithridates I. the founder of the kingdom.

33. Ad alias gentes, sc. Iberos, Caspios, Albanos et utrosque Armenios.

35. Atque ita. Understand esse again, i.e. atque ita laudatum esse Lucullum.
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36. A nullo istorum, i.e. Catulo et Hortensio. Why nullo? Page 52

Z. 676.


43. Medea illa. Z. 701. In this sense ille usually stands after its substantive, or after an adjective connected with the substantive.

44. Fratris. Absyrtus. Pares, Æetes. See de Nat. D., where Cicero has preserved the following lines of an old poet:—

postquam pater

Appropinquat, jamque, pane ut comprehendatur parat :

Puerum intera obturcat, membraque articulatim dividit,

Perque agros passim dispersit corpus; id ea gratia,

Ut dum nati dissipatos artus captaret pares,

Ipsa intera effugerat, illum ut maior tardaret sequi,

Sibi salutem ut familiaris pararet parricidia.

1. Eorum collectio dispersa. This figure is called hypallage, 53 where the adjective is joined with a substantive different from that to which it seems properly to belong. This is done only when the adjective itself can be transferred to the other substantive. Thus here, as the limbs had been scattered, their collection also could be called dispersa.

3. Maximam vim. Plutarch and Appian say he owed his escape to his shrewdness in opposing a mule laden with his treasures to his pursuers, who were on the point of overtaking him, and to his scattering his money as he fled, with the collection of which his pursuers were retarded so that he escaped with 2000 horsemen to Tigranes in Armenia. Cf. Flor. 3, 5, 18: Rex callidus Romanæque avaritiae peritus spargi a fugientibus sarcinas et pecuniam jussit, qua sequentes moraretur.

12. Venit. What mood and tense usually follows posteaquam and the conjunctions which are equivalent to the English “as soon as?” P. C. 514; Z. 506 and 507, b.—Plures gentes. Plut. Luc. 26, gives the names of a number.

15. Neque lassocendas bello neque tentandas. Döderlein understands tentare of peaceful attempts on the part of Rome to form connections of friendship and alliance with other nations.

16. Per animos . . . pervaserat. The preposition is rejected, on the authority of the Erfurt MS., by Wunder, Benecke, Klotz, and Madvig. See Z. 386.

17. Fanl, &c. The temple of Bellona in Comana, respecting which compare Hirt. de B. Alexandr. 66; Venit Comana, vetustissimum et sanctissimum in Cappadocia Bellona æ templum, quod tanta religione colitur, ut sacerdos ejus deæ majestate imperio potentia secundus a rege consensu gentis illius habeatur.

22. Plura non dicam. For the Romans had suffered a severe defeat, which Cicero (§ 25) ascribes to the misfortune of Lucullus's absence.

23. Ex ipsius regno. Madvig reads ex ejus regno, and includes only the et before eorum in brackets. This accords with the conjecture of Matthiae, who omits et and explains sua manum confirmavit eorum as = quae constabat ex iis, qui se coll. Orelli, because of the involved explanation of the common text, (sc. "et eos, quos ante secum habuerat, et eos, qui denuo se ad eum adjunxerant,") and of another reading found in one MS., supposes with Benecke a double interpolation of the text.


36. Ut illam . . . attingeret, depend upon acciderat.

38. Sicut poetae solent. He appears to allude to the first Punic war of Cn. Nævius, and to the annals of Q. Ennius.

39. Nostram calamitatem. The defeat, first of M. Fabius then of C. Triarius, in which the Romans lost more than 7000 men.


44. Imperii diuturnitati. Lucullus had been in command of the army for seven years, from a. u. c. 630–636. Cf. Liv. 4, 24: maximam libertatis pop. R. custodiam esse, si magna imperia diuturna non essent, et temporis modus imponetur, quibus juris imponi non posset.

2. Stipendiis confecti erant. Madvig, with others, confectis, i. e. who had served out their time. Confecti = fracti, debilitati. For the infantry exemption was allowed after 20, for the cavalry after 10 years' service.


5. Conjungant = conjunctim gerant.

Cr. X.—8. Quare esset. The imperfect, because not merely a result is denoted, but an action from its commencement. Z. 515.


19. Sic existimo. Z. 748.

20. Scientiam . . . felicitatem. An asyndeton for the sake of distinctness and emphasis. The orator speaks in this chapter of the military science of Pompey; of his bravery, ch. 11–14; of his weight of character and authority, ch. 15–16; of his good fortune, ch. 16.

23. Bello maximo, sociali, a. u. c. 663–665. In this war Italy
lost no less than 300,000 of her sons. Schmitz, Rome, p. 352, foll. On
the omission of the preposition in, see Z. 475.—Acerrimis hostibus.
Compare Z. 645.—Ad patris exercitum. Cn. Pompeius Strabo. It
was in his 18th year that Pompey entered upon his military career.
25. Extrema pueritia. Z. 685. So just below, ineunte ado-
lescentia.
26. Imperator, in the 23d year of his age, when he collected an
army of three legions, and went to the aid of Sulla, by whom he was
saluted imperator as a mark of distinction.
27. Hoste is contrasted with inimico. Hostis is "the enemy,"
in the field and war; inimicus, "an enemy," in heart. Dôd. Ob-
serves also the choice of verbs, concertare and configere. With the
former Manutius supplies verbis, and compares ad Att. 3, 12: nun-
quam accidit, ut cum eo verbo uno concertarem.
Liv. 40, 28: confera provincia decedere.
32. Non stipendiis, contrasted with triumphis, and = inactive
campaigns, the time merely of service as measured by the soldiers' pay.
34. Civilc. Between Sulla and the Marian faction, against Car-
bo, Cinna, &c., 666.—Africanum, 673. Against Cn. Domitius and
Hiarbus, king of Numidia, whom he conquered, and then restored
Hiempsal to his kingdom. Schmitz, Rome, p. 369.—Transalpinum,
677. The history of this war is obscure, and only known from § 30
and the letter of Pompey to the senate in Sallust's Hist. frag. III.,
where Pompey says of himself: diebus quadraginta exercitum para
vi, hostesque in cervicibus jam Italicæ agentes ab Alpibus in Hispa-
niam summoni; per eas iter aliud, atque Hannibal, nobis opportu-
Sertorius appears to have formed an alliance with the Gauls that dwelt
between the Pyrenees and the Alps, for the purpose of cutting off or
obstructing the march of the Roman armies through Gallia, and of
securing easy access for himself to Italy.—Hispaniense. Sertorianum,
676–682.
35. Mixtum, &c. Madvig reads mixtum ex civibus atque ex
bell.; Steinmetz, Benecke, and Klotz, m. e. civitatibus atque ex bell.
Orelli explains his text as = quod varie gerebatur, hic finiebatur, illic
rursus incipiebatur ab incitatis et bellicosissimis nationibus Hispaniæ.
Süpfle remarks that prominence is to be given to the circumstance,
that the last-named Spanish war, as also in part the previously men-
tioned wars, was carried on by states that were connected with Rome
(as the citizens of Roman colonies in Spain), and at the same time by
foreign nations that were not Roman. It was thus a bellum mixtum.
376, foll.
36. Navale. Against the pirates, 687, see § 35.—Varia ... ho-
pages 54-55

NOTES.

54. stium. In apposition with the preceding. Varia dicuntur quae non ejsudem sunt generis, diversa, quae dissimilia.

Ch. XI.—40. Jam vero mark transition. See note on p. 21, line 18.—Virtuti, in a general sense of merit, virtue.

41. Quid est, quod quisquam. Z. 562 and 709.

43. Neque enim illæ sunt, &c. Cicero here speaks generally of the ordinary virtues of a commander, and extols Pompey's possession of them, but forgets to add what the reader will expect, sed aliae etiam, &c. These are mentioned in § 36.

55. 2. Tauta . . . quanta. The neuter as referring to all that has gone before.


6. Sicilia. Being sent thither by the senate, when 25 years old, he drove out Perperna, and took Carbo captive and put him to death, A. u. c. 672. From Sicily he crossed into Africa.

7. Explicavit, instead of explicuit, for rhythmical reasons. Gell. N. A. 1, 7. Cinctam, in the previous line, and explicavit are both used figuratively, as of escape of the game when surrounded by the nets or toils of the hunter.—Africa. Where, in the war against Cn. Domitius and Hiarbas, of an army of 20,000 only 3,000 escaped.


14. Expetivit. What Plut. says, Crass. 11, may be referred here. This praise of Pompey is greatly exaggerated.

17. Exteræ gentes ac nationes. Gens and natio denote a people, in a physical sense, in the description of nations, as a society originating in common descent and relationship, without any apparent reference to civilization. Gens includes all people of the same descent; natio, a single colony of the same. Död. On exteræ, consult note on p. 26, line 22.

19. Toto mari, sc. mediterraneo = per totum mare. Z. 482. Observe how Cicero, in order to excite the attention of his hearers, begins with the most remote coasts and countries, which were dissected by the pirates, and draws nearer and nearer, until he exhibits these daring foes at the very mouth of the Tiber.

22. Committeret. Committere = to expose. It is often used of a thing of doubtful issue. The thought is expressed in a general way and therefore the imperfect. In another form it would be: quicunque navigabat, se committebat. Commiserit would be used of an actual fact.—Hieme. Because the sea, owing to the season, was less full of pirates, navigation being generally suspended during the winter months.

24. Vetus. It was begun A. u. c. 667, in the consulship of Octa
vins and Cinna, and ended in the consulship of Lepidus and Tullus, A. u. c. 688.

25. Quis . . . arbitraretur. See Z. 528, Note 2 in fin.

31. Captas. A. u. c. 686. The pirates had more than 1000 ships on the sea, and had taken 400 cities. Their chief stations were in Crete and Cilicia. See Plut. Pomp. 24.

Ch. XII.—33. Quid . . . longinquaque commemoror. See note on p. 44, line 7.

34. Fuit proprium populi Romani. The repetition of the verb contributes to the emphasis. See note on p. 9, line 25. What case does proprium take? Z. 411.

35. Propugnaculis. Ernesti understands this of the colonies founded in subdued nations, to keep the conquered in subjection, and to restrain the neighboring nations from attacks upon the provinces. See p. Font. 1. Sometimes fleets and armies are so called, and in this sense, since Cicero adds sua tecta and is speaking of the piratic war, Benecke and others take it here.

37. Clausum. In consequence of the waylaying of the pirates.—A Brundisio. Brundisium is particularly mentioned, because it was the port from which the Roman forces set out for the war against Mithridates and the pirates. It was also in the usual route to Greece. The preposition is sometimes added to the names of towns, particularly where the departuro or starting is had in view rather than the route. But see Z. 398, Note 1. Madvig reads sociis ... vestris and exerc. vestri.

38. Hicme summa. In the dead of winter. See note on line 22.—Transmiserint, used absolutely. Z. 392.

39. Venirent = venire vellent.—Querar. Z. 530. So dicam, line 41, and commemorem, line 44.

41. Duodecim secures = two praetors, for in the provinces a praetor had six lictors, while in the city he had only two, and without the axe. Plut. Pomp. 24, gives the names, Sextiliius and Bellinus.

42. Cnidum. A city of Caria, situated on a peninsula, with two harbors, and distinguished for its commerce and for the Venus of Praxiteles.—Colophonem. A city of Ionia, famous for its horses.

43. Samum. An island and city of Ionia in the Icarian Sea, known as the birthplace of Pythagoras.

1. Quibus vitam et spiritum ductitis. For through them supplies of grain were brought from Sicily, Sardinia, and Africa.


3. Prætore. Probably Marcus Antonius, son of the orator and father of the triumvir, surnamed Ceticus. In an attack which he made upon Crete, he entirely failed, and shortly after died there.


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52. *Tanta...quanta*. The neuter as referring to all that has gone before.

4. *Testis est Italia*. Notice the anaphora and the metonymy, the names of the countries standing for the inhabitants.—*Quam...L. Sulla...confessus est liberatam*. Cf. § 28, and note on p. 54, line 26. *Liberatam* a dominatione partium Marianarum.

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3. Praetore. Probably Marcus Antonius, son of the orator and father of the triumvir, surnamed Creticus. In an attack which he made upon Crete, he entirely failed, and shortly after died there.

5. Liberos. Plut. Pomp. 24, informs us that the daughter of Antonius was taken by the pirates. Various passages show that it was customary for orators when speaking of one son or one daughter to use the plural liberī. The thing and name, and not the number, are regarded.

6. Ostiense incommmodum. Dio Cass. tells us that the pirates ventured to enter the harbor of Ostia at the mouth of the Tiber and to burn or plunder the shipping.

9. Consul. Cicero conceals the name, to cover the disgrace.—\textit{Capta atque oppressa}. Weiske explains \textit{capta} of those that came into the power of the pirates; \textit{oppressa} of those that were destroyed or greatly damaged. Others find here a \textit{εὐστερὸν πρῶτερον}, understanding \textit{opprimere} as = subito et improviso invadere in classem. Benecke considers \textit{opprimere} in this connection as but an amplification of \textit{capere}, and = capta classe, plane tenere eam dominumque ejus fieri. They are likewise found together in Verr. 2, 19, 46; Sest. 15, 35


14. Oceani ostium = \textit{fretum Herculeum}, the straits of Gibraltar. The expression is chosen to correspond to \textit{Ostium Tiberinum} and \textit{ostium} is repeated with emphasis.

15. Hac ... \textit{prātercunda non sunt}, for \textit{prātercundum non est}, &c. The subject of the accessory clause is sometimes, for the sake of prominence, drawn into the leading sentence, and made its object or subject. In the latter case the leading sentence becomes personal. In both cases a kind of attraction exists, by which the leading and accessory clauses are interlocked. The verbs of the leading clause are principally such as express some mental activity, and not seldom also the verbs of causing or effecting (\textit{facio, efficio}). Cf. Læl. 17, 63: \textit{Quidam sæpe in parva pecunia perspiciuntur, quam leves} (for perspiciuntur, quam leves sint quidam).

17. Aut obeundi negotii aut consequendi quæstus studio. The former refers to the \textit{negotiatores} or money-lenders, the latter to the \textit{mercatores} or traders.

19. Belli impetus navigavit. The language is here poetical. \textit{Impetus bellī = bellum}, with the accompanying notion of its magnitude and impetuosity. \textit{Navigavit} is equally poetical and appropriate, as the \textit{impetus bellī} consisted in the fleet of Pompey. It may also have special meaning with reference to the following \textit{nondum temp. ad navigandum mari}. Cf. Florus, 2, 2, 7: \textit{Regulo duce jam in Africam navigabat bellum.}


24. Duabus Hispanis. Spain was divided into nither and farther Spain.—\textit{Gallia}. Intelligendum de Ligustico sinu et Gallico
Florus, 3, 6, 9. Quod vulgo inculcatur vel Transalpina vel Cisalpina del. est. Orelli.

27. Duo maria. The Adriatic and Tuscan seas.—Adornavit pro simplici ornavit, i. e. instruxit. M.

28. Undequinquagesimo die. According to Zonaras, 10, 3, Pompey cleared the Tuscan and Libyan seas and the sea around Sardinia, Corsica, and Sicily in 40 days. Steinmetz retains the preposition before Brundisio. See ch. 12, 32.

32. Cretensibus. Pompey's interference in the affairs of the Cretans was quite unwarrantable. Q. Cæcilius Metellus was charged with the conduct of the war against Crete, and several towns had fallen into his hands, so that the war seemed almost at an end, when the Cretans sent to offer their submission to Pompey, from whom they hoped to obtain more favorable terms than from Metellus. Metellus, however, refused to take any notice of the legates whom Pompey sent, and continued to attack and subdue the towns until he brought the war to a close. Schmitz, Rome, pp. 379 and 381. On the construction, see Z. 812, in fin.

34. Spem . . . . non ademit obsidesque imperavit. On que after a negative, see note on p. 27, line 32.

36. Quo bello. See note on p. 11, line 1.

37. Extrema hieme. Z. 685

Cn. XIII.—40. Quid ceterae, &c. In transitions, the noun, on which the emphasis rests, and the pronoun which serves as it were to prepare the way for what follows, are often prefixed with quid to the interrogation itself. Cf. de Senect. 7, 22: Quid jurisconsulti? quid pontifices? quid augures? quid philosophi senes? quam multa minerunt? Tusc. 1, 14, 32: Quid illud? num dubitas, &c. See Z. 769.

42. Quærenda est, i. e. postulanda, requirenda. Cf. § 64.

43. Artes = virtutes, qualities.

44. Innocentia. Innocentia est affectio talis animi, qua noceat nemini. Tusc. 3, 8, 16. Cicero here uses it, as he explains more fully, § 37–40, for disinterestedness, as particularly opposed to avarice.

2. Quanta facilitate. See § 42, where also consilium and dicendi gravitas et copia, i. e. eloquence, correspond to ingenio.


7. Ullo in numero putare. We may supply esse or ponendum. —Centuriatus veneant atque venierint. Allusion appears to be made here to Glabrio. Madvig: veneant cent atque venierint.

9. Cogitare. Supply putare possimus. Benecke places a comma after quid, and construes the accusative and infinitive absolutely, as a question expressing indignation, according to Z. 609.
10. Aut propter cupiditatem provinciarum. From desire to continue in his province, by their permission or assistance. For the custom had arisen of extending the time of office.


17. Ferant. Ambigue dictum est: nam significare potest et asse-rant et ipsi perferant. M. The context seems to decide for the former sense. If you supply from quocunque an eo with ferant, the ambiguity ceases.—Itineræ. The marches in the social war, and in the wars between Sulla and Marius, against Sertorius, and Spartacus.

18. Per hosce annos. Of late years.

19. Fecerint. Madvig reads fecerunt, making the clause merely explanatory of the preceding substantive, itinera; the subjunctive brings it into dependence on recordamini.


24. Continere = reprimero, coercere. Cf. ad Q. frat. 1, 1, 2: quid est enim negotii, continere eos, quibus præsis, si te ipse continéas.—Ipse. Z. 696, where ipsum the common reading is given, but see the end of that §, and compare the passage from Q. frat. 1, 1, 2.

26. Hic miramur, i.e. quum ita se res habeant, with a mixture of indignation, and irony.—Tantum excellere. See Z. 488, Note 2.

27. In Asiam pervenuerint, hello piratico. Bake places a mark of interrogation after ceteris, and defends the reading pervenerunt. The subjunctive in the text expresses the ground of the wonder, or rather is given as the thought of those who wonder.—Ut non modo, &c. = non modo nihil rapiisse, sed ne pedem quidem, ubi non lieebat, posuisse. On non modo for non modo non, see Z. 724, b.

30. Hibernent. Pompey was encamped on the borders of Cilicia.

31. In militcm, upon a soldier, in usum militum.

32. Hiemis... perfugium est, quo hiemis vitandæ causa con-fugimus; avaritiæ perfugium, quo avaritia ad e se expleandam confugit. Cf. XIV.—35. Age vero. These particles are used in transitions to give animation to the discourse. The following verb is often in the plural.—Qua sit temperantia. The common text is qualis, &c. Madvig gives quali.

37. Inventum = paratum, effectum. So the Greeks use ctplaxeiw for parare, consequi. Here the word figuratively expresses fertility of invention in devising the means of accomplishing some difficult object.


41. Devocavit. Did not call off or turn aside, allure, attract. He alludes to the common faults of Roman generals, and draws a comparison favorable to Pompey.—Libido. Pompey sent the mistresses of Mithridates back to their parents.
42. Nobilitas urbis ad cognitionem. Alluding to Athens, where he only remained long enough to offer sacrifices, and address his soldiers.

44. Signa. Statues of bronze, marble, ivory, &c.—Tabulas, sc. pictas. Cf. in Verr. 5, 48, 127: In urbe nostra pulcherrima atque ornatissima quod signum, quae tabula picta est, quae non ab hostibus victis capta atque asportata sit. He then proceeds to notice this robbery more particularly, and says that Athens, Pergamus, Cyzicus, Miletus, Chios, Samos, all Asia, Greece, and Sicily are to be seen in the environs of a few Roman villas. So ad Q. frat. 1, 1: Praeclarum est enim summum cum imperio fuisset in Asia triennium, sic ut nullum te signum, nulla pictura, nullum vas, nulla vestis, nullum mancipium, nulla forma cujusquam, nulla conditio pecuniae ... ab summa integritate continentiaque deduxerit.


2. Omnes nunc. The common text has quidem after omnes, which Benecke defends as giving more emphasis to omnes.

4. De ccelo delapsum. So ad Q. frat. 1, 1, 2: Nam Graeci quidem sic te ita viventem intuebuntur, ut quemdam ex annalium memoria aut etiam de ccelo divinum hominem esse in provinciam delapsum putent.

5. Homines Romanos. In a similar way, homines Graeci, homines Latinis, homines adolescentes, and the like occur. But the connection is found only where the genius and character of the nation or men are particularly had in view.

8. Lucet. Klotz and Madvig read lucem afferre caput.


10. Jam vero. In what way are these particles used? See note on p. 21, line 18.

11. Querimoniae. Querimonia and querela are expressions of indignation; the former in the just feeling of the injured person, who will not brook an act of injustice; the latter in, for the most part, the blamable feeling of the discontented person, who will brook no hardship. The querimonia is an act of the understanding, and aims at redress or satisfaction; the querela is an act of feeling, and aims for the most part only at easing the heart. Död.

13. Principibns excellit. Z. 387 in fin.

14. Consilio = prudentia, or, as in § 36, ingenio.—Dicendi gravitate et copia. Velleius, 2, 29, calls him eloquentia medium.


16. Hoc ipso ex loco, i.e. quum ex hoc ipso loco Pompeius concionaret. The common reading is hoc ipso in loco, which Hand, Turs. 2, p. 627, inclines to prefer. Cf. 17, 52 ; 24, 70.
17. Hostes omnes omnium generum. So Benecke, Klotz, and Madvig in accordance with the MSS. The common text is *hostes omnium gentium*, i. e. the pirates.


21. Et quisquam, &c. *Et est commemorantis aliquid, quod fieri indiguetur.* Vid. § 45, 55; pro Mil. 33, 91.—*Transmittendum*, i. e. committendum, mandandum. See note on p. 47, line 10

23. Quodam ... videatur. On this use of *quidam* to soften an expression, see Z. 707; and on the use of *videatur*, Z. 751.

Ch. XV.—25. Certe — at least, to limit an assertion. Z. 266, Note 1.

30. Opinione ... et fama. The common reading is *opinione ... famæ*, i. e. opinione, quæ fama et sermone hominum nititur. But to this Benecke objects that in this use the genitive is not commonly separated from its governing substantive, and the position of *non minus* would lead us to expect another genitive equally dependent on *opinione*.

34. Tam præclara judicia. Summis ad eum delatis imperiis. Besides, a triumph was allowed him in his 26th year, when he was only a knight; and in his 36th year, when he was legally eligible only to the sedileschip, he was elevated to the consulship. *Judicium* often stands of an opinion or judgment which is expressed by acts, not by words. Cf. ch. 1, 2: *ex vestro judicio*, &c.

35. An vero. On *an* see P. C. 120; Z. 353. The orator continues the proof of his former proposition in the interrogative form to give animation to his discourse.

36. Illius diei. When the Gabinian law was passed.

37. Completisque ... templis. The Roman forum was surrounded by porticos, public buildings, and temples. The numbers collected on this occasion were so great that the forum could not contain them, and the steps leading to these buildings were filled. And Plutarch says, that the applause of the people was so deafening, that a crow, which was flying over, was stunned by the concussion of the air and fell among the crowd.

38. Ad commune omnium gentium bellum. Against the pirates.

40. Ut ... non dicam neque, &c. See Z. 347. We use *ne dicam* to indicate that we could say something more important, but do not wish to say it; on the other hand, when we say *ut non dicam*, we signify that we do not wish to say what might be said, because it is not necessary, and we have said enough for the present purpose. So pro Murena, 15, 32: *ut alius nihil dicam*.

41. Quantum auctoritas. Klotz follows the MSS., and retains *hujus* before *auctoritas*. 
43. Qui quo dic. The relative to connect propositions is found even before other relatives. Z. 503.

44. Vilitas annunx. The grain merchant anticipating a large supply from the foreign market, in consequence of the seas being cleared of the pirates, was glad to dispose of his store before its arrival. —Ex summa inopia, i. e. statim post summam inopiam.

2. Spec ac nomine. Plutarch says, as the price of provisions fell immediately, the people were greatly pleased, and it gave them occasion to say, "The very name of Pompey had terminated the war."


7. Ad ipsum discrimin. At the very critical moment. So Benecke, Klotz, and Madvig. Other readings are ad ipsum temporis, and ad id ipsum ejus temporis.

8. Ad eas regiones, sc. in Pamphylia et Ciliciam.

10. Insolita victoria. For he had been conquered by Sulla, Murena, and Lucullus. His victory was over Triarius. —Continuit. This is appropriate to Mithridates, who was near; as retardavit to Tigranes, who was at a distance.


Ch. XVI.—15. Age vero. See note on p. 57, line 38. —Illa res. The following circumstance. Ille often refers forward to what follows. It is here explained by the sentence, quod . . . dediderunt.


25. Ad eum potissimum. Instead of to Q. Metellus who was of consular rank, while Pompey was only a quaestor. That Mithridates ever sent an ambassador into Spain to Pompey seems highly improbable. In the preceding line Madvig omits semper, and line 24 reads in Hispaniam.

28. Judicis. See note on p. 58, line 34.


31. Reliquum est, ut, &c. Z. 621.

32. Meminisse. On the omission of the conjunction vero in adversative clauses, see Z. 781.

33. De potestate deorum, i. e. de re ea quae est tota in potestate deorum, ut cavendum sit, ne in ea plus homini tribuamus. Sic bene explicat fortunam.

34. Timide. Ne quod est deorum, homini tribuisses videar Ideo
Notas.

59 pae, quia timide.—Maximo. Q. Fabius Maximus, called Cunctator from his caution in war.

35. Marcello. M. Claudius Marcellus, celebrated as five times consul, and the conqueror of Syracuse.—Scipioni. Manutius understands the younger Africanus.—Mario. C. Marius, seven times consul. Cf. note on p. 45, line 29.—Et ceteris. In concluding an enumeration of several persons or things, is et common with ali and ceteri? Z. 783.


41. De quo nunc agimus. Some editions give quo de, placing the preposition after its case. On this usage in regard to de, see Z 324.

44. Invisa diis, i.e. if he said, in illius potestate fortunam positam esse.—Ingrata, if he failed praeterita meminisse, reliqua sperare. For quantaque Matthaeus prefers quanta, since Cicero is not speaking of both the greatness of Pompey’s deeds and of his good fortune, but only of the latter. Such a connection, however, of the more important with the less important, by means of an explanatory conjunction, is not uncommon. We might properly have expected, quanta felicitate tantas ille res, &c.

3. Ut = how.—Assenscrint. In Cicero the active form of this word is very rare, except in the perfect tense and in the moods and tenses derived from the perfect. The deponent or middle form answers to its meaning more nearly than the active.

4. Obtemperarilut... obedierint... obsecundarint. Observe the propriety with which these words, which have the same general signification, are selected and applied to their several subjects. Obedire denotes obedience as an obligation, and a state of duty and subjection; obsecundare and obtemperare, as an act of free will. The obtemperans obeys from persuasion, esteem, or fear, evincing his conformity to another’s will; the obsecundans from love and complaisance, showing his readiness to obey. Död.—Tempestatesque. Tempestas is a vocabulum medium, and like valetudo, facinus, dolus, &c., taken not only in malam, but also in bonam partem. The “favor” of the elements was especially apparent in the piratical war.

5. Neminem unquam. See Krebs, 527; Z. 738.

6. Qui... tacitus auderet. P. C. 483 (2); Z. 556. On the use of tacitus, which may be rendered adverbially, see Z. 682.

10. Sicuti facitis. As evinced by the extraordinary honors and offices conferred on him.—Velle et optare. Velle means to wish, and co-operate towards the realization of one’s wish; optare, to wish, and leave the realization of one’s wish to others, or to fate; expetere, to wish, and apply to others for the realization of one’s wish. Död.
12. Quare quum, &c. The general conclusion before proceeding
to the confutation.

16. Dubitabitis . . . quin . . . conferatis. Is this the common
construction of dubito or non dubito when the meaning is "to scruple"
or "hesitate"? Z. 541. Quin is, however, necessary when dubitare
stands in the passive or gerund: Domitius sibi dubitandum non
putavit, quin in praefio decertaret. Ces. B. C. 3, 37. So also, Quum-
que nec mihi, nec fratri meo dubium esset, quin Brundisium conten-

Ch. XVII.—19. Quod si = quare si, is more than the simple si.
Quod serves to indicate a connection with the preceding proposition.
See Z. 342 and 807. How may we express this quod? Z. 807. In
rendering it may also be sometimes unexpressed, and should not al-
ways be translated by "because if."

20. Erat deligendus. Si with the imperfect or pluperfect sub-
junctive is generally followed by the indicative of the historical tenses,
moot frequently by the imperfect indicative, in expressions which de-
ote "must," "should," "can," "may," &c.; also the participle of the
future active, almost without exception, and the gerund and ge-
rundive, regularly are connected with erat, fuit, fuerat. See Z. 519,
a. The subjunctive denotes the simple thought or conception, the
indicative the actual undoubted fact, in itself true and certain.


23. Ab his, &c. Pompey had just brought the piratic war to a
close, and was now in Cilicia, and could receive troops from Lucullus
or Glabrio, the proconsul of Bithynia.

25. Cetera. Supply bella from the next clause, and connect
summa with salute. On the cum, see Z. 472.

26. Bellum regium, adversus Mithridatem ac Tigranem.—Com-
mittamus. So also Klotz and Madvig. See Z. 530.

28. At enim. These particles are used in anticipating an objec-
tion for the purpose of removing it.

29. Vestris beneficiis amplissimis affectus = summis hono-
ribus ornatus; for Catulus had been consul with Lepidus twelve years
before, and offices among the Romans were regarded as benefits,
which the state conferred, and therefore named benefici, to which
amplissima is here added to denote the high dignity of the consulship.
—Q. Catulus. Throughout life he was distinguished as one of the
prominent leaders of the aristocracy, and being consul along with M.
Æmilius Lepidus, a. u. c. 676, the year in which Sulla died, he steadi-
ly resisted the efforts of his colleague to bring about a counter-revolu-
tion by abrogating the acts of the dictator. During the progress of
the Catilinarian plot, he strenuously supported Cicero, and, either he
or Cato was the first to hail him as "parens patriae." Catulus died
during the consulship of Metellus Celer, a. u. c. 694; "happy," says
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Cicero, "both in the splendor of his life, and in having been spared the spectacle of his country's ruin."

31. Q. Hortensius was so distinguished as an orator, that Cicero calls him (Divin. in Q. Cæcil. 7) rex judiciorum. This domination over the courts continued up to about the year, u. c. 684, when Hortensius was retained by Verres against Cicero. The issue of this contest was to dethrone Hortensius, and to establish his rival, Cicero, as the first orator and advocate of the Roman forum. Hortensius attached himself closely to the dominant Sullane or aristocratic party, and after his consulship, a. v. c. 685, took a leading part in supporting the optimates against the rising power of Pompey. Up to Cicero's consulship, a. v. c. 691, Hortensius and Cicero were continually opposed, professionally and politically. After this period they usually acted together professionally, for Hortensius retired from political life in the year 694. He possessed enormous wealth, and of his luxurious habits many stories are told.

32. Multis locis. See Z. 481.

33. Cognoscetis. So Benecke, Madvig, and others, instead of the common reading cognoscitie, which Klotz retains. See Jordan, ad Cæc. pp. 166, 167. Benecke considers this passage as closely connected with chap. 23, § 68: Quod si auctoritatibus, &c., to the close of the chapter. The meaning then is, "Although I shall offset to the views of these men (Catulus and Hortensius) the views of other distinguished men (§ 68), we can however for the present pass these by, and seek the truth from the merits of the case."

34. Auctoritates = sententias, quæ a viris gravibus profectae auctoritatem et vim habent.—Fortissimorum. In reference to the boldness of their declarations, quoniam neque metu, neque ualla alia re deterrebantur, quin libere dicerent, quæ sentirent. It is also an expression of courtesy, as clarissimorum which follows and denotes their rank as senators.

35. Tamem. The repetition of this particle after tametsi is not uncommon in Cicero. Z. 341.—Omissis auctoritatibus, i. e. prætermissa pondere, quod illorum sententia, ut hominum honoratorum habent.


37. Adhuc. Z. 292.

39. Igitur is used as a formula of commencement, to introduce a narration, argument, &c., the subject having generally been mentioned before.

40. [Unum.] Klotz and Madvig without brackets.

43. Tu idem. Z. 127 and 697.—Pro. See Z. 312; and P. C. 56, in fin.

1. A. Gablinium. Gablinius was tribune of the people in a. v. c. 687 and moved that the command of the war against the pirates
should be given to Pompey. Having dissipated his fortune by extrav-
agance and profligacy, if he had not carried his law, says Cicero, 
(post Red. in Sen. 51), such were his embarrassments, that he must 
have turned pirate himself. He afterwards became consul in 696. 
See introduction, at the bottom of p. 225.
2. Uno. For Pompey was not named in the law. See introduc-
tion, p. 226.
3. Ex hoc ipso loco, i. e. ex rostris.
6. Vera causa. The true interests of the state. See note on 
page 47, line 12.
12. Privatam rem. See §§ 31, 32.

Ch. XVIII.—14. Non dico, &c. The sense is, "I speak not 
now of larger states, which were distinguished for their navies and 
marine power; even small islands and states could protect them-
selves against the pirates. How disgraceful then for the Roman em-
pire not to be able to defend itself."
15. Atheniensium, sc. civitatem. For nearly seventy years the 
Athenians commanded the maritime coasts, extending even to the 
Euxine and Pamphylian seas.
16. Karthagienstum. The naval power of the Carthaginians 
was for a long time unrivalled in the Mediterranean.
17. Rhodiorum. The Rhodians often aided the Romans in their 
maritime wars, and Strabo testifies to their excellent discipline and 
naval prowess.
19. Quae civitas unquam tam tenuis. After unquam Klotz 
reads ante, and Madvig [antea].
24. In navallibus pugnis. Particularly the victories of Duilius, 
Regulus, and Catulus in the first Punic war; and of Livius and L. 
Æmilius Regillus over the fleet of Antiochus, A. u. c. 563, 564. About 
half of the Roman fleet was furnished by the Rhodians, and they 
were further assisted by King Eumenes of Pergamus. The fleet of 
Antiochus was commanded by Polyxenidas.—Ac multo = atque adeo 
multo maxima parte.
25. Utilitatis. Rerum ad usum vitae necessariarum, i. e. vecti-
galium.—Dignitatis. See § 32, foll.
27. Persenque. See Z. 52, 4; and note on p. 45, line 28. We 
must infer this defeat, which is not directly mentioned by historians, 
from the naval triumph of Octavius. Liv. 45, 42.
29. II. So § 33 in some editions the reading is vos, qui ... ii 
nunc, &c. This pronoun is often used to resume or repeat with em-
phasis a preceding noun or pronoun. See note on page 27, line 10; 
and compare the next sentence, nos ... iidem.
33. Delos. This island possessed an excellent harbor and situation, lying in the route of those who traded between Asia and Greece, or Italy; and, after the overthrow of Corinth by Mummius, was very celebrated as a commercial place, until it was almost destroyed by the generals of Mithridates.—Tam procul, tamen nostri armis et opibus tuta.

35. Referta divitias. By its commerce and by the costly gifts and deposits made in its temple. Cf. C. Nep. Arist. c. 3.—Nihil timebat. Delos is instanced as furnishing a contrast between former security and present insecurity.

37. Appia Jam via. This led from Rome to Capua and across to Brundisium. Where it touched the sea, or was near to it, it was insecure owing to the landing of the pirates.—Carebamus. Because we had not free and unobstructed enjoyment of them.

38. Non pudebat, &c. Pudori esse debuit oratoribus hac (e rostris) verba facere, quod potestatem illam maritimam penitus amississet populus Romanus. Hortensius may be particularly alluded to in reference to §§ 52 and 53.

40. Exuvilis... spolii. Præda and manubiae denote booty only as a possession and gain that has been made by conquest; whereas spolia and exuviae, at the same time, are signs of victory and of honor. Död.

Ch. XIX.—41. Animo = mente, consilio, with good intention, in good faith.

43. Ea, quæ sentiebatis. Are such circumlocutions common? Z. 714, 3.

44. Dolori suo. Dolor denotes an inward feeling of pain, as from a wound or blow, especially when the sensation or feeling is fresh. Liv. 41, 10, joins it with indignatio, in which sense it may here be taken. The people were indignant at the wrongs and customely they suffered from the pirates.


3. Vere. The ill success of former generals in their efforts to suppress the pirates might have made the Roman supremacy appear questionable. Now, however, it has at last recovered its true ascendancy.


6. Gabinio dicam, anne Pompeio, an utrique. For the forms of disjunctive questions, see Z. 554. Anne is not frequently used, and only in the second member, and generally when the interrogative particle is omitted in the first member.—Id quod. P. C. 36.

7. Ne legaretur A. Gabinius. In his tribunate he procures a law to be passed, investing Pompey with supreme command.
When obtained, Pompey asks for his lieutenant this same Gabinius. Such an attempt, leading to corrupt jobbing, was properly resisted.—

Expetentī ac postulanti. On expetere, see note on p. 60, line 10. Postulare = to make claims, or demand, with reasons of right and equity, or in accordance with relations and circumstances. By the Gabinian law, Pompey, as Plutarch (Pomp. 25) informs us, was empowered to choose out of the senators fifteen legates, or lieutenants, to act under him. He actually chose twenty-four (Plut. id. 26), which number accords more nearly with Appian (B. Mith. 94), who gives the number as twenty-five. The persons appointed to this office were usually men of great military talents, and were nominated by the consul or dictator under whom they served; but the sanction of the senate was an essential point, without which no one could be legally considered a legatus. But the senate baffled Gabinius in his favorite project of following Pompey into Asia, by successfully opposing, or, at least, delaying his election as one of the legates.

9. Idoneus . . . qui impetret. What other adjectives have the same construction? Z. 568. Consult also P. C. 486 and 212*.

14. Periculo. For if Pompey had been unsuccessful, the blame would also have attached to the proposer of the law by which Pompey was put in command.

15. An C. Falcidius, &c. On the form of the sentence, see note on p. 9, line 19. In the second member, the future or subjunctive is more common.

16. Quos omnes. Not quorun omnes. Compare note on p. 13, line 33; and see Z. 430, in fin.—Honoris causa = out of respect, with all due respect.

18. Diligentes = strict, scrupulous, careful, sc. in adhering to the rule that tribunes should not be appointed legates to a general who had received his appointment during their tribuneship. Confirmation of the general’s choice had become so much the rule, that Pompey must have deeply felt the rejection of Gabinius. To wound him still more deeply, laws which, as Cicero claims, had in the case of Falcidius and others been neglected, or not applied, were revived and applied against Gabinius; viz. that no one who had proposed a bill should participate in the commission under it. Klotz retains: in hoc uno Gabinio.

20. Per vos. By your suffrages = vestris suffragiis, at the end of the chapter.

21. Deberet. The subjunctive imperfect refers to the implied conditional clause, si esset in exercitu Pompeii.

22. Ego me profiteor relaturum. Since a legatio required a decree of the senate, it was necessary, if Gabinius was to be a legate to Pompey under the Manilian law, that a decree should approve. And as it devolved first upon the consuls to propose the question, Ci-
zero says, *Consules spero*, &c.; and immediately adds, in order to stimulate the consuls to act, that he (as prætor), in case they decline, will bring forward the business of Gabinius's appointment. For it appears to be going too far to deny, as some do, that a prætor could in the presence of the consil propose a decree. He must however submit, if the higher magistrate interfered to prevent his design.

23. *Impediet . . . quo minus*. P. C. 94 and 98; Z. 543.—*Inimicum edictum*. With reference to the preceding note, this may mean an edict issued by the consuls, either of a general nature to prescribe the mode of conducting business in the senate; or to define the mode of procedure in reference to a single session. Cicero calls it *inimicum*, as intended to trammel and thwart in his purpose the mover of a measure, and declares that he will disregard it and persist in his motion. In such a case nothing was left to the consuls but to intercede, when the prætor must yield. Cicero could be bold, because the grounds of objection to Gabinius's appointment, which existed under the Gabinian law, of which he was the mover, no longer existed under the Manilian law.

24. *Jus*, sc. prætūræ. Ernesti makes it the right which the tribunes had to be appointed legates, and *beneficium*, the honor and rights of the tribuneship itself. Benecke understands *jus* of the right of the people generally to bestow its honors on whom it pleases, and *beneficium* of the favor thereby conferred. L. v. Jan rejects both of these opinions, and understands the words of the right of the people to appoint Pompey to the command of the war against the pirates. As the senate were opposed to this measure, they, in revenge for their defeat, refused to confirm Gabinius as legate to Pompey. The overcoming of this revenge, therefore, by the appointment of Gabinius, will be a triumph of the rights of the people.

25. *Intercessionem*, sc. tribunorum. A compliment to the people, to whose tribunes he was ready to defer.

26. *Qui minantur*, se intercessuros, aut, alii ut intercedant, operam daturos.

29. *Socius adscribitur*, i. e. pro socio Pompeii in bello maritimo habetur, ejus gloriae particeps est. Cicero intimates that the tribunes had no just grounds for interceding, and reminds his hearers of Gabinius's special and peculiar claims to the office of legate. See § 57.


Ch. XX.—32. *Reliquum est*, ut . . . videatur. See Z. 621; and compare § 27: *restat, ut . . . dicendum esse videatur*.

34. *Quæreret*. See P. C. 415, s.; Krebs' Guide, 232 (4); Z 505, Note.—*Si . . . poneritis, si quid eo fuctum esset*. Notice here a double *protāsis* without co-ordination or subordination of the one to the other. In English we might put them in co-ordination by the conjunction *and*, but this is not allowable in Latin, whether they both
stand immediately together, or inclose the *apodōsis*, or leading sentence. Render "When he inquired of you, if you were to place all your dependence on Pompey alone, on whom you would set your hopes, in case any thing should befall him," or (inserting one protasis) "on whom, if any thing should befall him, you would set your hopes."

—*Si quid eo factum esset.* A euphemism to avoid uttering a word of ill-omen or gloomy import. Compare note on p. 39, line 8.—*Ex. P. C. 291, in fin.; Z. 491.* What other case is also found in this construction, and what preposition is sometimes expressed with the ablative?

36. *Quum omnes... dixistis.* Z. 580. This anecdote is given in Plut. *Pomp. 25,* and in Vell. *Pat.* 2, 32. The occasion was when Catulus rose up to speak against the Gabinian law.

37. *In ipso.* Madvig: *in eo* *ipso*; Klotz: *in eo ipso,* who says that as the Quirites could not cry out *in ipso spem habebimus,* but *in te ipso,* &c., so in Cicero's speech *eo* is almost indispensable.—*Talis est vir,* &c. Cf. *Sest.* 47, 101: *qualis nuper Q.* Catulus *fuit,* quem *neque periculi tempestas,* *neque honoris aura* *potuit unquam de suo cursu aut spe aut metu demovere.*

40. *In hoc ipso.* This refers to the words of Catulus: *in uno Cn. Pompeio non omnia ponenda,* and *quod* gives the reason for Cicero's differing from Catulus on this point.

43. *At enim.* An objection. See note on p. 60, line 28.—*Ne quid* is the reading of Benecke, Klotz, Madvig, and others.

44. *Non dicam.* *Non dico, non dicam,* *non commemorabo* are forms of expression by which the orator, without omitting any thing that he wishes to say, under the appearance of brevity gains the goodwill of his hearers, and their attention in expectation of something more important to come. Cf. *in Rull.* 1, 7, 21.

1. *In pace consuetudinii, in bello utilitati.* Thus Marius too, in later times, presented two cohorts of Cameritians with the freedom of the city; on the field of battle, for their gallant resistance to the Cimbrians; and when told that it was illegal, he replied, that the din of arms drowned the voice of the laws. *Val. Max.* 5, 2, 8.


8. *Vobis... esse visum.* That it seemed good to you, that you thought it proper.


Ch. XXI.—14. *Tam novum.* The meaning of *novum* is determined by the words *præter consuetudinem, inauditum, inusitatum,*
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singulare, incredibile, with which Cicero below varies the expression. He introduces further variety in the construction. The first three are followed by quam and the acc. e. inf.; and the second three by quam and ut with the subjunctive. We may also notice the skill with which justness of proportion between uniformity and variety is again consulted for in the answers to the questions.—Adolescentulum, privatum. See note on p. 54, line 26; and compare Vell. Pat. 2, 29, 1.

15. Conficere = comparare, contrahere, conscribere, to enrol, levy.

18. A senatorio gradu. The age at which a person might become a senator, was probably at this period 27. Pompey was at this time only 24.


23. Equitem Romanum triumphare. On his return from Africa, he demanded a triumph, which was at first refused. Pompey however persisted, and was at last allowed a triumph at the age of 25. Plutarch says, it would have been nothing strange if Pompey had been a senator before the age fixed for it; but it was a very extraordinary instance of honor, to lead up a triumph before he was a senator. And it contributed not a little to gain him the affections of the multitude; the people were delighted to see him, after his triumph, class with the equestrian order.

25. Visendam. Visere, as the frequentative of videre, is stronger, and equivalent to studiose videre. Its meaning of "go to see," is also involved. Therefore, Eru.: non modo vidit, sed etiam studiose et frequenter spectavit. Klotz reads omnium for omni.

26. Quid tam inusitatum, quam ut. So below, quid tam singulare, quam ut, and quid tam incredibile, quam ut. See Z. 623. Above, with novum, præter consuetudinem, and inauditum, the construction is the accusative and infinitive.—Duo consules. They were D. Junius Brutus and Mam. Æmilius Lepidus, a. u. c. 677.

28. Bellum maximum. The Sertorian or Spanish war.


32. Pro consulibus. Here is a bonmot, consisting of a play upon words, by which the incapacity of the consuls of that year is intimated. Cicero, who also mentions it in the 11th Philippic, 8, 18, skillfully makes use of it here, as though it had been uttered simply to glorify Pompey.

33. Rei publicæ bene gerendæ, i. e. belli rei publicæ causa suscepti bene gerendi.

36. Legibus solutus. By the lex annalis, a. u. c. 574, it was decreed that the consul should be 43 years of age. The age requisite
for the ædileship, which was the first of the curule magistracies, by the same law was 36. But Pompey was consul when he was only 35.

38. Iterum . . . triumpharet. a. v. c. 683, at the age of 35, over Sertorius. Usually no one could be permitted to triumph unless he had held the office of dictator, of consul, or of praetor.

42. Profecta sunt = ei tributa sunt.

43. A Q. Catuli atque a cet . . . . hominum auctoritate.

On the repetition of the preposition, see note on p. 18, line 5.

Ch. XXII.—1. Videant, ne, &c. Z. 534.

5. Suo jure facere alicui dicuntur, qui libere, pro arbitrio, nullo impediente, impune faciunt. With perfect right.

6. Vel contra omnes. Z. 734.


8. Unum illum ex omnibus. Z. 691.—Quem . . . pra pon eretis. Z. 567.

10. Studia vestra. Your views and wishes.

11. Sin autem vos plus . . . vidistis. But if you then saw more clearly the true interests of the state, if you better understood what was for the real welfare of the state.

14. Et sibi et ceteris populi . . . auctoritati parendum. P. C. 332. Compare de Orat. 1, 23, 105: Gerundus est tibi nos adolescentibus. How might Cicero have avoided the two datives, one of the agent, the other of the object? Z. 651; P. C. 335, h.

15. Atque, &c. This passage down to gaudeant, § 68, is by Orelli printed in italics and included in brackets. With reference to which he makes the following note: "Quæ litteris inclinatis exprimenda curavimus, ea subditicia et ex aliqua declamatiuncula hic inculcata esse viderunt Naugerus, Pantagathus, Blochius, qui subtitliter ea de re disputavit, et Madvig." But Madvig, in his second edition of select orations from Cicero, gives it without any indication of its being of doubtful genuineness.


25. Per hos annos. Of late years.

29. Quibus = ut iis.—Causa belli = prætextus, simulatio belli. Dictur enim causam inferre, qui simulat causam ac fingit.

36. Non modo . . . sed. Z. 724, says, When a transition from greater to lesser things is to be expressed, we usually find non modo
... sed without the ctiam. Arnold (P. C. Part 2, 505) objects, that
the second is always the stronger statement. Here, though a tribu-
nus is in himself less than an imperator or legatus, yet that a prov-
ine could not endure even a tribune, is a stronger assertion than that
it could not bear an imperator or legatus.

37. Animos ac spiritus. Superbiam et que inde oritur, libidi-
nem atque avaritiam. On the plural, see Z. 92.

Ch. XXIII.—40. Quis se a pecuninis. Madvig adopts the con-
jecture of Benecke and omits se. Benecke retains it in [ ].

42. Manus oculos animum cohibere. Cf. de Off. 1, 40: At
enim prætorem, Sophocle, deecet non solum manus, sed etiam oculos
abstinentes habere.

44. Ecquam. Z. 136. For even if a rich city were really dis-
pensed to peace and tranquillity, some occasion was sought to charge
it with disobedience and contumacy, for the purpose of plundering its
riches.

65 4. Requisivit = desideravit.—Videbat, sc. ora maritima, i. e.
habitatores, incola ora maritimae. Z. 675. The common reading is
Videbat enim populum Romanum non locupletari ... neque nos,
&c. The reading of the text is defended by Benecke, and given by
later editors, except that Madvig reads neque nos instead of neque cos.
It best suits the connection, and is nearest to the MSS. The sense
is: For they (i. e. the inhabitants of the coast) saw that the prætors,
with the exception of a few, yearly enriched themselves from the ap-
propriations of the public money, and that they in the name of a fleet
attained nothing else, &c. From this passage it appears that the
prætors, along the Mediterranean and particularly in Asia Minor,
yearly received appropriations from the public treasury, for the pur-
pose of fitting out ships; and that they embezzled this money, and ap-
plicated it to their own use. This neglect of their naval force left them
too weak to resist the pirates, and subjected them to defeats, which
brought disgrace upon the Roman name.

6. Classium nomine. Z. 679.—Detrimentis accipiendo. The
difference in the use of the participle in dus and of the perf. pass.
participle, though we may often render both by a verbal noun in in,
should be attended to. It is the difference of a completed and past
action and one yet to be. Compare urbis condendae principium pro-
fectum a Romulo, and instituta rei publicae clarum exordium. De
2, 72. Sublata superstitione would represent this action as prior to
the other; but tollenda marks it as continuing at the same time. So
in Cat. 2, 10, 21: male gesto negotio for gerendo, would modify the
conception, though in itself giving a just idea.

8. Jacturis, from jacèrè, properly the throwing of goods over-
board in a storm; then any loss whatever; and here, as a kind of
waste or loss, expense, largess, made to those through whose aid they had received their province.


11. Quum .... tum. Z. 723.—Alienis vitiis magnum. Quia vitiis aliorum vacat; with perhaps an allusion to the cognomen of Magnus, which he had received from Sulla.


14. Inter tot annos. The correctness of this expression was formerly questioned, but is sufficiently defended by several similar passages. On the ground of this doubt, however, some editors have erased annos, understanding imperatores; and the correspondence between hic uni and inter tot seems to favor this reading.—Unus .... quem .... gaudeant. P. C. 484 (a); Z. 561.

17. Bellorum omnium, i. e. omnis generis.

18. P. Servilius. Consul a. u. c. 675. He was the first of the Romans who led an army to Mount Taurus, and for his victory over the Isaurians, whom he reduced to subjection, he received the cognomen of Isauricus. He was joint advocate of the law with Cicero.

—Marique. He had been successful in several engagements with the pirates.

19. Quum .... delibertis. The subjunctive denotes a possible case, and asserts conditionally.

20. C. Curio. C. Scribonius Curio, consul a. u. c. 678. He triumphed over the Dardanians, a. u. c. 683; and was the first Roman general who penetrated to the Danube.

22. Præditus. This word does not well suit rebus gestis. Here is a kind of zeugma, and insignis or conspicuus may be supplied.—Cu. Lentulus, Clodianus. Consul a. u. c. 682.—Pro. Z. 312.

24. C. Cassius, Varus. Consul a. u. c. 681.—Cassius, integitate, &c. The genitive or ablative of quality seldom stands, as here, in immediate connection with proper names. The connection is commonly effected by means of the apposition of homo or vir. So too, not sapientissimus Socrates, Corinthus amplissima, but Socrates, sap. homo; Cor. urbs ampl.

25. Videte, ut. This is the reading of the MSS., and suits the sense. See Z. 614, in fin. From ut appears to have arisen utrum, and then num, which is the common text. Madvig adopts a former conjecture of Orelli, and gives videte, horumne.

Cu. XXIV.—33. Cum tuto studio. Z. 472.—Nunc iterum The first was in passing the Gabinian law. An earlier reading is non iterum .... vidimus. Benecke contends also for adesse videmus, claiming with Wunder, p. Planc. 12, 29, p. 101, that the particle
NOTES.

35. De re. De tanto viro deligendo.—De perficiendi facultate. About our ability to carry through this choice. The numbers and zeal of the people show their sentiments.

37. Atque is here explanatory. The beneficium consisted in the praetorship which had been conferred on him.

40. Polliceor ac defero. Defero = utro offero, consero, ut numerosior cadat oratio, adjectum verbo polliceor.

41. Huic loco templique. There were numerous temples around the forum. We are, however, to understand templo of the rostra, as a nearer explanation of loco. Cf. in Vatin. in rostris, in illo, inquam, augurato templo ac loco; Liv. 8, 14: rostraque id templum appellatum, because consecrated by auguries.—Præsident. See note on p. 39, line 7.

42. Ad rem publicam adeunt. Compare ad magistratus remque publicam accedere. Verr. 1, 12, 33. These phrases are used of those who are candidates for public offices, or who are entering upon public life clothed with civic honors.

43. Cujusquam. Pompey or his friends.—Neque quo. Z. 536. We should expect “sed quod hoc rei publicae utilissimum esse confido” to follow, but the construction changes at § 71. In a similar way the construction is broken off, ad Q. frat. 2, 2; and pro Quinct. 3, 11.

2. Honoribus. The consulship particularly, since this was the only remaining object of Cicero’s ambition.

3. Ut hominem præstare oportet. So far as a man can engage to do.


5. Eadem illa nostra laboriosissima ratione vitae, sc. vos defendendi.

7. Mihi. Z. 419.

8. Tantumque abest, ut . . . . ut. And so far from seeming to have aimed at some grateful return, I even, &c. Tantum abesse, followed by two clauses with ut, is almost without exception used impersonally; the first sentence with ut forming its subject, and the second sentence with ut depending upon the tantum.

10. Simultates. See Arnold’s Nepos, p. 177.

11. Non necessarias. For I might have avoided them.—Non inutiles. An instance of the figures litötes and asyndeton. Their advantage to the state Manutius finds, in the ascertaining of the will of the citizens, so as to be able to distinguish the good from the bad; Benecke, because he incurred them in undertaking a cause which would be of the highest utility to the people; M’Kay, because public good often accrues from the disputes of political opponents by reason of the watch which they keep on each other’s actions.
12. **Hoc honore.** The praetorship.

13. **Vestram voluntatem.** Your inclination to confer this command on Pompey.

15. **Commodis et rationibus.** The latter as a synonym of the former is more comprehensive: *omnes enim res dicit, quae ad ipsum pertinent.*
THE ORATION FOR M. MARCELLUS.

INTRODUCTION.

M. Claudius Marcellus had been a friend of Cicero’s from his earliest youth; their views on political affairs had generally coincided, and they continued to act in concert until the breaking out of the civil war. His merits as an orator are said to have been of a high order, and inferior to few except Cicero himself. He is first mentioned as curule edile with P. Clodius, A. u. c. 698. In February of that year he defended Milo, at Cicero’s request, against the charge of violence brought against him by Clodius. In 700, he was one of the six advocates who defended the cause of M. Scaurus; and after the death of Clodius, 702, took a prominent part in the defence of Milo. In the year 703 he was consul with Ser. Sulpicius Rufus, and during the period of his magistracy he showed himself a zealous partisan of Pompey, and sought to secure his favor by urging the senate to extreme measures against Caesar.

But all the party zeal and animosity of Marcellus did not blind him to the obvious imprudence of forcing on a war for which they were unprepared. Though he joined Pompey and his partisans in Epirus, it is clear that he did not engage with any heartiness in the cause, of which, according to Cicero, he foresaw the failure from the beginning; and after the battle of Pharsalia he abandoned all thoughts of prolonging the contest, and withdrew to Mytilene, where he gave himself up to the pursuits of rhetoric and philosophy. Here Caesar was content to leave him unmolested in a kind of honorable exile; and Marcellus himself was unwilling to sue to the conqueror for forgiveness, though Cicero wrote to him repeatedly from Rome, urging him in the strongest manner to do so, and assuring him of the clemency of Caesar. But though Marcellus himself would take no steps to procure his recall, his friends at Rome were not backward in their exertions for that purpose; and at length, in a full assembly of the senate, C. Marcellus, the cousin of the exile, threw himself at Caesar’s feet to implore the pardon of his kinsman, and his example was followed by the whole body of the assembly. Caesar yielded to this demonstration of opinion, and Marcellus was declared to be forgiven, and restored to all his former honors. Cicero wrote to announce to him this favorable result, in a letter now lost; but the answer of Marcellus is preserved, and is marked by a singular coldness, which would lead us to the conclusion that his indifference in this matter was real and not assumed. He, however, set out on his return; but having touched at the Peiræus, where he had an interview with his former colleague, Sulpicius, then proconsul in Greece, he was assassinated immediately afterwards by one of his own attendants, P. Magius Chilo. There seems no doubt that the deed was prompted by private resentment, though suspected at the time to have been committed at the instigation of Caesar. Sulpicius paid him all due funeral honors, and caused him to be buried in the Academy, where a monument was erected to him by the Athenians, at the public expense.—Dict. Gr. and Rom. Bio. and Myth.
The oration for Marcellus was spoken in the senate, A. u. c. 708; and was the first which Cicero delivered after the downfall of the republic. As subsequently written out and published, it was always admired as a finished discourse. "Cicero," says Middleton, "touched by the generosity of Caesar, and greatly pleased with the act itself, on the account of his friend, returned thanks to him in a speech, which, though made upon the spot, yet for elegance of diction, vivacity of sentiment, and politeness of compliment, is superior to any thing extant of the kind in all antiquity." It has been regarded as the model of Pliny's Panegyric of Trajan; and passages from it are quoted and explained by Nonius Marcellus, Lactantius, and Priscian, as well as in the fragments of Commentaries on Cicero's Orations, which have come down to us under the name of Asconius Pedianus.

Notwithstanding this, it is maintained by F. A. Wolf, that Cicero delivered no oration for Marcellus, still less that he wrote one out; and, consequently, that the present oration is a declamatory exercise of a later period, perhaps of the age of Tiberius, shortly before Asconius. This view was assailed by Worm, Kalau, and Weiske, but defended by Spalding, until at a later date Jacob re-examined the whole question, and came to the conclusion that, in accordance with the testimony of the ancients, Cicero delivered and wrote out a speech for Marcellus, and that this speech can be, in a great measure, recognised in the oration which has come down to us, but that it has received later additions and interpolations. This view was received with much favor by Passow and Hand. Independently of Jacob, Hug also, and after him Savel, who gave prominence to the testimony of Cicero himself, endeavored to set aside the doubts respecting the genuineness of the present oration, which Schütz, and after him Orelli, who also directed attention to earlier doubts of a Spaniard, John Andres, again condemned as spurious, though such a sentence, even allowing single interpolations, as also numerous variations of MSS. from each other, on the whole, can hardly be justified or rest on a sure and satisfactory basis, in opposition to the external evidence of the authorities already noticed, or to the finished style and composition of this oration. Some old scholia on this oration, which, although not written by Asconius in their present form, are yet not later than the 4th century, have been discovered by Angelo Mai. Among later assertors and defenders of the authenticity of the oration for Marcellus, may be mentioned Steinmetz, Drumann, R. Klotz, and Süßfle.

For the authorities upon this question, we refer to Dunlop's Roman Literature, vol. 2; and Bähr's Geschichte d. Röm. Literatur. 3e Ausg. 2r Band p. 284, fgg.

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**ANALYSIS.**

1. In the introduction Cicero declares his purpose of again appearing as an orator in public; and justifies his determination, partly by the uncommon and extraordinary goodness of Caesar, partly by his joy upon the pardon of Marcellus, (§ 1-4.)

2. The orator magnifies the clemency of Caesar, by comparing it with his great achievements and victories, which latter must doubtless give place to the former; for—
NOTES.

(a) The victor must share the glory of his victory with fortune and with his army, but not so the glory of his humanity and clemency, (§ 4-7.)

(b) Victory over powerful nations is achieved by bravery and prudence, while acts of gentleness and compassion raise a hero to a level with deity. (§ 8.)

(c) Military exploits excite emotions of dread, but the qualities of a good heart gladden all hearts, even in mere fiction, or when they are found before our time, and do not, as the deeds of Caesar, fall under our own observation, (§ 9-11.) Nay more, this clemency and goodness of heart in a victor excites the highest conceivable joy and gratitude, and by it even the dead are honored in their surviving relatives, (§ 11.)

(d) Time destroys and annihilates the works of our hands and of our power, but deeds of righteousness and mercy continue to shine more and more brightly, (§ 11, 12.)

(e) Caesar has vanquished victory, by showing the highest gentleness and favor to the vanquished, which could not have been expected from the partisans of Pompey, (§ 12-18.) Conclusion of the first part of the oration. (§ 19, 20.)

3. The orator answers the twofold opinion of Caesar, that snares are laid for his life, and that he has lived long enough for nature and for fame. To this Cicero replies,

(1) That— (a) Such a suspicion is incredible, for none of his friends will betray him, and his enemies by his kindness have been made his truest and surest friends and followers, (§ 21.) (b) He wishes and hopes, however, that Caesar will not drop this solicitude, but retain it for the good of the state, which is so closely connected with his safety. (§ 22-24.)

(2) Caesar may have lived long enough for nature, but not for his country. This point is touched with much frankness and discretion, and was by some of the earlier commentators regarded as the finest and most striking part of the oration, (§ 26-32.) Then follows an entreaty to Caesar to take care to preserve his life, and a promise, in his own and the senate's name, of the most faithful protection.

4. In conclusion, he gives repeated thanks for the preservation and pardon of Marcellus, (§ 32.)

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Ch. 1.—1. Diurni silentii, governed by finem... attulit. So de Off. 2, 22, 76. Krebs, Guide, 351, incorrectly says finem facere takes the genitive only, not the dative. It has its object sometimes in the dative as well as in the genitive. Pro Cluent. 67, 191. Cf. 4, 11, Monumentis tuis allatura finem sit atas.—His temporibus. See note on page 15, line 31. The reference is to the period of the civil wars, and the calamities which they had brought upon the state. Cicero, after Caesar's victory, displeased with the new order of things, had avoided all participation in public affairs; but now the pardon of Marcellus had made so favorable an impression on him, that he hoped to see a return, at least in part, to the former republican relations and administration, which he takes this occasion, particularly in ch. 8, § 23, to urge upon Caesar.—Eram... usus, in lively discourse for the perfect, as though this silence had been long past. Wolf condemns it as almost a solecism. Ellendt. ad Brut. 2, 7, (ed. i,) compares several similar passages, where the pluperfect is connected with the present.
2. Non timore aliquo, sc. deterrentius. For Caesar's magnanimity left no room to fear that he would act the tyrant.—Dolore; at the thought of Marcellus's exile.

3. Verecundia. From a sense of propriety. Le sentiment des convenances. Lemaire. Cf. ad Fam. 4, 13: In ipsius (Cæsaris) consuetudinem, quam adhuc meas pudor mihi clausit, insinuabo. Dolor and verecundia are more fully explained in the sentence below, commencing Dolebam enim, &c. Cicero, ad Fam. 4, 4, 4, speaks of this day and his speech as follows: Statueram, non meherecul iner-tia, sed desiderio pristine dignitatis, in perpetuum tacere. Fregit hoc meum consilium et Cæsaris magnitudo animi et senatus officium. Itaque pluribus verbis egi Cæsari gratias, &c.—Idemque, sc. dies, initium, sc. attulit, ... dicendi. Observe the chiastic arrangement of this period.

5. Tantam enim mansuetudinem, &c. It would be highly unbecoming, especially in me, who regard my own former influence and authority as secured by the restoration of Marcellus, to pass over without notice such exalted traits of character.

7. Modum = moderationem animi in omnibus rebus. So p. Sest. § 79.—Denique. Z. 727.—Sapientiam. This almost divine wisdom of Cæsar is exhibited in his control of anger, suppression of revenge, and magnanimous forgiveness of injuries.

8. Tacitus præterire ... possum. Z. 682


13. In cadem causa = in partibus Pompeii. The text of this oration is given from the edition of Klotz, M. T. Cicero's sämttliche Reden, Leipzig, 1835. In this passage the reading, which differs somewhat from the common text, is that of the excellent Erfurt and other MSS. The change of tense in esset and fuisset is because, at the time of which the orator speaks, Marcellus was not, like Cicero, reconciled to Cæsar, but still belonged to the opposite party. So also Schultz and Süpfle: Steinmetz reads: qui in cadem causa, in qua ego, fuisset; &c.—In qua. The omission of the preposition before the relative, when it stands before the same case of the demonstrative, is usual principally in those relative clauses, in which the verb of the demonstrative clause is to be supplied. Z. 778.

16. Vetere is the more common form of the ablative of vetus. Al. veterti.—Illo æmulo atque imitatore. Marcellus was distinguished as an orator. Brut. 71, 248–251. Imitator is not one who simply copies after another, but one who is devoted to the same pursuits. Cf. ad Fam. 15, 9, 1.

20. Signum aliquod sustulisti. Ductum est e re militari et a signo, quod in castris in praetorio attollitur atque proponitur

21. In multis, senatoribus.
22. Sed paulo ante omnibus. Supply intellectum est. See Z. 419, Note. In this construction the passive expresses an intransitive or reflexive activity, and the dative denotes the originator of this activity at the same time as the person who participates in it, or for whom it takes place, while ab with the ablative simply expresses the originator.

23. Commemoratis . . . . offensionibus. Cf. ad Fam. 4, 4, 3, from which letter we learn that Caesar, before he pardoned Marcellus and restored him to his former dignity, complained in the senate of his bitter enmity. Marcellus had, when consul, proposed the immediate abrogation of Caesar's authority as proconsul in Gaul, and had caused a citizen of Comum to be scourged, in order to show his contempt for the privileges lately bestowed by Caesar upon that colony. Steinmetz: senatui populoque Romano concessisti.

24. Dignitatem. For distinguished men like Marcellus give dignity to the state by their high character.


26. Ille quidem. A fine transition to praise of Marcellus, whose character and life are approved both by friends and foes. Orelli and Schultz: ante actae atatis.

28. Ex quo. Refer these words forward to the clause quum in accepto sit tanta gloria, as containing the reason.

29. Laus . . . . gloria. The orator rises from laus to gloria. Cf. pro Balb. 5: laus refers to Caesar, gloria to Marcellus. If it was glorious for Marcellus to receive this favor from the senate, who interceded in his behalf, and from you who restored him, how much more glorious is it for you to have conferred it.

30. Est vero fortunatus ille. His strength of mind and virtues sustained him, and made him happy, even in exile. Cf. Brut. 71, 150. Senec. Cons. ad Helvid. 9, med.—Cujus = quum ejus. Z. 564. Marcellus did not really feel so great joy at his recall, as his friends, to whose wishes he yielded. Ad Fam. 4, 7, 8; 9, 10, 11.


2. Quod, sc. ex ejus salute laetitiam ad omnes pervenisse. Orelli, Schultz, and Steinmetz: quod ei quidem.

Ch. II.—6. Nullius, sc. hominis. Why not neminis? P. C. p. 326*; Z. 676. On the two genitives in different relations, see Z. 423, Note. On the order, Z. 791.—Flumen ingenii. So rich a flow of language, such a stream of eloquence. Cf. p. lege Man., § 36, and Acadd. 2, 38, 119: flumen orationis aureum fundens Aristotelis. Schultz with Orelli reads: Nullius tantum est flumen ingenii, nulla dicendi . . . . tanta vis. But many MSS. give nulli, which may be supposed to have arisen from the omission of the mark of abbre-
viation in nulli' for nullius. The authority of MSS. is therefore in favor of nullius.

7. Non dicam....sed. Z. 724.

9. Pace dicam tua. P. C. 428. So p. Mil. 38, 103. The expression is a formula of courtesy, used to avoid giving offence when we deviate from another's opinion, with implied censure.

10. Eam. Z. 603 (b).—Hodierno die. By the pardon of Marcellus.

11. Ante oculos ponere, sc. mihi. This applies to Cicero, the next clause to others, i.e. ut et alii ex ipsius crebris sermonibus idem sibi ante oculos ponere consuescant.—Idque, sc. quod mihi sēpe ante oculos posui, or for atque id, preparatory to the following clause.


14. Contentionum. Cæsar had contended with the most war-like nations, the Gauls, Germans, Belgians, Helvetians, Britons, with the Romans, and indeed with their entire power. In Gallia all had united against him, and in the memorable siege of Alesia, with an army of only 60,000 men, he had before him in the fortress 80,000 infantry and 10,000 cavalry under Vercingetorix, while 300,000 had surrounded him. Bell. Gall. 7, 68, ff. Plut. Cæs. 27. Schmitz, Rome, chaps. 33, 34, 35.

15. Numero pretiorum. Plin. H. N. 7, 25. Cæsar signis col-lutis quinquagies dimicavit: solus M. Marcellum transgressus, qui undequadragies dimicaverat. Plutarch (Cæs. 15) says he had stormed more than 800 cities, subdued 300 nations, and from time to time fought with 3,000,000.

16. Celeritate, in reference to his victory in Pontus. Flor. 4, 2, 63, ante victus hostis, quam visus. It was concerning this victory over Pharnaces, that Cæsar sent to Rome the celebrated laconic report, Veni, vidi, vici; which was also inscribed on a tablet at his triumph. Suet. Cæs. 35 and 37.—Dissimilitudine bellorum. Nam alia bella civilia, alia externa sunt: alia mari et classe, alia terra geruntur. Quædam inferuntur, quædam depelluntur.

18. Non dicam, nam id mirum non esset. See note on line 7.—Cursibus. Rapid marches, forced marches.

19. Lustrate, i.e. obiœ, peragrate. Lustrare autem plus est, quam peragrarum, nam qui peragratar, pertransit: qui lustrat, ambit, quo plus temporis requiritur. Compare with this passage, p. L. Man. 10, Qui sapius, &c.—Qua guidem ego, &c. This is said in conclusion of what has gone before, Nullius flumen, &c, and is more forcible than if the third person had been used, quæ nisi quis ... fateatur.

20. Mens, the faculty itself, and cogitatio, the exercise of the faculty of thinking.

21. Anens sim. An extravagant and almost servilely flattering
passage, which is only to be excused by the consideration, that Cicero might have felt it necessary to put himself above all suspicion in Cæ- sar's eyes. Similar passages exist in the orations for Ligarius, and for Deiotarus, especially § 36. The oration for Marcellus was the first delivered after his pardon.—*Sed tamen, &c.* A general mode of expression, with reference to § 4 extr. *nullam in his laudem, &c.* In § 7, the orator expresses himself more fully on this point.

22. Nam ... quidam. He speaks with caution, and does not say *alii or plerique* in opposition to himself, but only *quidam, (pauci,)* to show that they might have been mistaken in their judgment. Compare Nepos, *Thrasyb. 1, 4. Sed illa, &c.*


28. *Hujus gloriae,* from pardoning Marcellus. *Lauis* soon follows as a synonym of *gloria.* The former is properly the praise and esteem, which the meritorious and noble man enjoys; the latter, re- nown, fruit of esteem. *Lauis* denotes more the individual and mo- mentary; *gloria* enhances the idea, and denotes the general and lasting. *Gloria . . . est consentiens laus bonorum, incorrupta vox bene judicantium de excellente virtute.* Tusc. 3, 2.

30. *Quantumcunque est.* This expression often restricts and limits; *quod certe maximum* is therefore added to prevent ambiguity.

32. *Præfectus, sc. alarum, qui equestribus turmis præset,* in oppo- sition to *centurio,* a commander of a company of infantry. So, in the next line, *cohors,* of the infantry; *turma,* of the cavalry. This pas- sage is an instance of rhetorical amplification.

34. *Se non offert.* Orelli, Schultz, and Steinmetz place *se* be- fore societatem.—*Cedit.* So Schultz and Steinmetz Orelli, *conce- dit.*—*Tuam se esse.* Orelli, Schultz, and Steinmetz, with Ernesti, omit *se,* understanding *gloriam.* *Tuam = tui arbitrii,* or in tua po- testate positas.

Ch. III.—37. *Barbaras.* The Gauls, Germans, Britons.

38. *Innumerabiles.* The Gauls, and especially the Alexan- drians.—*Locis infinitas.* Britain, Africa, Spain, and Pontus.

39. *Et before naturam* is omitted by Orelli, Schultz, and Stein- metz.


pero in the sense in which it is here used? The accusative here is surprising.

44. Amplificare ejus pristinam dignitatem. Compare ad Fam. 6, 6, 10. From this it has been inferred that Caesar in some way distinguished Marcellus, as a consular man. But he died before his return. See ad Att. 13, 10, 3. But the delicate way in which Marcellus' pardon was granted, so that it seemed to come from the senate, may be all that is intended.

1. Qui facit. Klotz and Süpfe, from the Erf. Oxf. and other MSS., give facit for the common text faciat, which Steinmetz and Schultz retain.

2. Simillimum deo. Wolf was displeased with this expression as too strong. Klotz defends it by reference to the common opinion of the ancients respecting their gods. In popular belief and tradition the distance between a mortal and immortal being was not so great, but that an apotheosis was easily adopted. The language of the enlightened also generally conformed to the belief of the mass. The senate had erected a statue to Caesar in the capitol, with the inscription, Semideus est. See p. Deiot. § 33. Lactantius, 1, 9, cites this passage, reading non modo ego eum. Priscian also quotes it.

3. Illæ quidem. Cf. § 11, and Z. 744. Where quidem has a concessive force — "it is true," "certainly," and introduces a word preparatory to sed, the pronoun, otherwise omitted, is usually inserted. See Z. 278 and 801.—Non solis nostris. Z. 687. Steinmetz and Schultz: non solum. Gernhard, ad Cat. M. 23, 83, incorrectly denies that the adj. non solus can stand for the adv. non solum, when sed or sed etiam follows. See Klotz, Læl. p. 137, fg.

5. Nec uilla unquam. Krebs' Guide, 527. Z. 738.—Sed tamen ejusmodi res .... obstrepi .... videntur. The construction here should be noticed as a departure from the regular form. Obstrepere being neuter should retain its dative in the passive voice, and be constructed impersonally, as Liv. 3, 49: Decemvirio obstrepitur. So too the infinitive of the passive is impersonal, and requires the quasi auxiliaries soleo, possum, videor, &c., to be impersonal, although videor in Latin, contrary to the English idiom, is almost exclusively personal in construction. See P. C. 285 and 297; Z. 412; and Krebs' Guide, 171 and 413. The language is highly figurative, and concinnity of expression is obtained by this construction. Jacob compares, de Opt. gen. 4, 11: nam si ariderentur. Compare for a similar conception, Horat. Od. 2, 1, 17.—Nescio quomodo. Z. 553.

10. Quæ natura insolens. Cf. ad Fam. 4, 4, 2: Victoriae, quæ civilibus bellis semper est insolens; and 4, 9, 3: Victoria, quæ etiam si ad meliores venit, tamen eos ipsos ferocios impotentioresque addit.

12. Sed etiam in fictis. Compare Læl. 7 24. Eleganter ges-
13. *Te vero, &c.* The orator here passes in a lively and animated manner, to that which is before his eyes, and by which therefore his feelings are more deeply and strongly moved.

14. *Sensusque et os cernimus.* So also Orelli, Schultz, and Steinmetz. Whose emotions, as depicted on the countenance, we behold, expressive of the desire to preserve what of the state has escaped the fortune of war. For *et os,* which Ernesti, Wolf, and Spalind defend, some adopt the conjecture of Faernus, and read *sensusque eos,* which Jacob also advocates. *Eos,* i. e. tales, smoothes the connection with the following *ut.*

17. *Parietes . . . gestiunt.* The language becomes more and more bold, as the orator rises to the completion of his climax. Cf. *Cluent. 6, 15.—Medius fidius.* Z. 361, Note.

18. *Ut mihi videtur.* So Orelli, Schultz, and Steinmetz. We should expect *ut mihi videntur,* as from *Cod. Col.* some editions read. See references in note on line 5 above, especially Krebs, *Guide,* 413.

19. *Illa auctoritas.* The abstract for the concrete = *viri maxime auctoritatis.* Others understand it of the former authority and dignity of the senate. Jacob explains it as *illi senatores adhuc exulantem,* regarding the pardon of Marcellus as an earnest of the pardon of others.

Ch. IV.—21. *Equidem quum . . . viderem.* A transition from M. Marcellus to his kinsmen and family, whom the tears of C. Marcellus bring to Cicero’s mind.—*Incomparabili pietate.* On the affection of C. Marcellus for his cousin Marcus, see *ad Fam. 4,* 7, and 9. C. Marcellus was consul A. u. c. 704. He was at first a zealous and uncompromising advocate of the party hostile to Cæsar. He, however, remained in Italy, and obtained the forgiveness of the conqueror. He was the husband of Cæsar’s niece Octavia, and at a later period, as such, enjoyed a place of high consideration. He is often confounded with a brother of M. Marcellus, whose name was the same, and who was consul A. u. c. 705. He appears to have perished in the civil wars. For *incomparabili* Orelli, Schultz, and Steinmetz give *commemorabili,* which variation Kloz omits to notice.

22. *Viderem,* of time, to denote what is casual or accidental, therefore not *videbam.* P. C. 489; Z. 578, 579, Note.

23. *Obfundit.* *Obfundere* denotes to overspread as with a flood; to throw as it were a cloud over any thing; and conveys the idea of something grave and sorrowful. The word here seems suggested by the preceding, *lacrimas.* Sicut C. Marcelli vultus lacrimis, ita pectus Ciceronis dolore suffusum est.


27. Gratulationibus. Days of rejoicing, festival days.—Anteponos. So Klotz and Süpfe, from Erf. and 3 Oxf. MSS., for the common antepone. The present suits the confidence of the presumption. In the following passage, down to offeret laudibus, Klotz defends from MSS. his variations from the common text, which differs in several particulars. The chief difference is in ut nulla tropoeis, where the usual reading is ut tropaeis, omitting nulla. But Osiander thinks the new reading harmonizes as little with the following, as the old did with the preceding sentence. He therefore prefers, with Halm (Zeitschrift für Alterthumswissenschaft, 1838, p. 167,) the conjecture ut si ulla, and below, florescat, instead of either florescit or florescit. Fr. Schneider (Jahrbücher f. Philol. u. Paedag. 52r. Band, 1848, p. 285) rejects nulla, which Klotz received from Erf. and 8 Oxf. MSS., and takes nihil to vetustas as a parenthesis. He gives the connection in the thought as follows: “This act of thy magnanimity is so great, that time brings an end to thy trophies: but thy justice and clemency daily increase in fame;” and remarks, that it is not surprising in Cicero, that a new sentence independent of ut should commence with at.


33. Conficiat et consumat. The former may refer to the commencement, the latter to the end of the destruction.

34. Quotidie. The distinction between quotidie and in dies, which would lead us here, because of the comparative magis, to expect the latter, is not always observed. P. C. 69, t.

35. Quantum . . . tautum. Z. 704.

38. Vereor ut, &c. Cicero here purposely speaks not quite plainly. He did not wish to give full utterance to his thoughts respecting the sentiments of the partisans of Pompey, as he had himself been an opponent of Caesar, and therefore passes rapidly on Compare ad Fam. 4, 9, 2; Att. 7, 3, 4. In the next line Orelli gives ego ipse.

40. Victoriam victisse videris, quum . . . remisisti. See P. C. 488, (c). Quum is used with two indicative verbs in the same tense, to express identity of action as well as identity of time (when the best translation is by the preposition in:) as, Praeclare facis quum puercum diligis, you act a most noble part in thus loving the child.

41. Ipsi victoriae. Victory in itself considered, without regard to the victors who had gained it.

42. Omnes. Orelli and Steinmetz read jure omnes; Schultz, [jure] omnes.
44. Devicta est. The strengthened devicta is well chosen with reference to victi and invictus.

70 1 Ch. V.—1. Atque hoc. . . . . judicium . . . . quam late pateat attendite. This turn of thought could be only agreeable to the senate, and not offensive to Caesar, who sought to lay others under obligations to himself. The favor shown to Marcellus seemed to give assurance to other Pompeians, that they might expect like clemency. On the anticipation, by which the subject of the dependent clause is made the object of the leading clause, see note on p. 56, line 15. With what verbs is this the case in Cicero?

3. Fato . . . nescio quo. Here again, as § 12, from unwillingness to contemplate the origin of the civil war, Cicero hurries on, merely in passing calling it an unhappy and mournful destiny that forced the followers of Pompey to arms. On nescio quo, see Z. 553.

4. Erroris humani. By euphemism, to soften the expression. So in Lig., and in his letters, where Cicero touches upon this subject. —A scelere . . . liberati sumus. Cicero regularly joins the simple ablative with liberare where the notion is not personal. Z. 468.

6. Item. Some read iterum; his first restoration being when he was recalled from exile.

7. Nullo deprecante. Z. 676 and 638.

8. Sibi ipsos. Orelli, Schultz, and Steinmetz read sibi ipsis. In the next line after videtis, Steinmetz places a colon, and quotes the schol. Ambros. in support of it: Quam eos, inquit, C. Caesar, qui contra se pro Pompeio arma ceperant, in senatum introduxit, hostes non fuisse judicavit.

12. Quo quidem in bello. Z. 743.

14. Orationem civium pacem flagitantium. Under this more comprehensive form Cicero doubtless includes himself especially, but he did not wish distinctly to say mean pacem flagitantis. So he begins the next sentence with, Neque enim ego, &c. Compare ad Fam. 9, 6, 3; 16, 12.

15. Illa, Pompeii, whom he avoids mentioning by name, as often in the Ligarius. So below, hominem for eum, or in a merely general way, without regard to his relation to the state, therefore not virum, referring to the implied genitive in illa . . . arma.

16. Mea consilia pacis. See ad Att. 7, 14, and 7, 5.

18. Privato consilio. From considerations of personal obligations, not to serve the interests of the state. See ad Fum. 6, 6, 6; ad Att. 8, 3, 2. Consilio I judge to be a misprint in the edition of Klotz, as I find officio in all others, except Suphle's, who copies from Klotz. Klotz himself notices no variation from Orelli, who also, without variation, gives officio.

20. Prudens et sciens. Prudens denotes one who has ready practical views and circumspection; sciens, one who possesses the re-
prisite information. See Donat. ad Terent., Eun. 4, 1: Prudens est, qui intelligentia sua alicquid sentit; sciens, qui alicujus judicio rem cognoscit.

21. Quod quidem meum consilium. And this purpose of mine, sc. to advise peace.

22. In hoc ordine. In the senate.

23. Integra re. Before the outbreak of the war.

24. Cum captitis mei periculo. For the Pompeians threatened all who counselled peace. Plutarch, Cic. 39, gives an account of another danger which Cicero incurred, from declining the command after the battle of Pharsalia. Pompey the son, and others, with drawn swords, assailed him, calling him traitor, and would have taken his life, had not Cato interfered and saved him.—Ex quo indicate transition, and = igitur, ergo. Orelli, Schultz, and Steinmetz: jam nemo, and below, rerum existimatur.... Caesaris voluntas de bello.... mirum fortasse.

27. Statim, after the battle of Pharsalia, while he was in Egypt. See Lig. § 7. Wolf. But Jacob interprets: statim ut deprecabantur, immediately upon their application, without hesitation. On the omission of the adversative conjunction between the two clauses, see Z. 781.

Ch. VI.—31. Hujus quidem rei, Marcellum a bello abhorruisse. Cicero, having attributed Caesar’s prompt pardon of himself to his advocacy of peace, now advances a like claim on the part of Marcellus, to whose desire for peace he himself bears witness, on the ground of his intimacy with Marcellus, and his knowledge of his views.


37. Non enim jam cause, &c. Compare p. Lig. 6, 19.

38. Vidimus, &c. Weiske notices the beauty of this §, both in respect to the figurative expressions and the construction. The first clause is chiastic. See also Z. 781.

39. Gladium vagina vacuum, &c. Victory had given to Caesar power to avenge himself, but, far from imitating Marius and Sulla, he wished to be formidable to his adversaries only on the field of battle. None of his enemies, with the exception of Afranius, Faustus Sulla, and the younger L. Caesar, perished but in battle. Suet. Caes. 75. But in the camp of Pompey there was only the breath of hatred and revenge. Several days before the battle a list of proscribed had been drawn up, in which were included even those who had remained in Italy, or who had shown indifference to the cause. Pompey him-
70 self meditated vengeance. Cicero says of him, ad Att. 9, 10, Sulla turit animus ejus, et proscripturit diu.

12. Excitaret, in reference to perculit = excitaturus esset.

43. Alterius vero partis, sc. Pompeianæ. Construe Nihil vero amplius dicam, quam nimis irac. fut. fuisset victoriam alterius p. id quod, &c. For the sake of emphasis and contrast, Alt. p. are placed first.

2. Armatis, here refers of course to the followers of Caesar, and = adversariorum. — Otiosis, the neutral.

5. Expetiverunt. The indicative is the language of confidence and certainty.

7. Vel satiati aliquando. As it were a correction of vel placati jam.

9. Bono, sc. clementia et sapientia.


13. Felicitati tuae gratulabere. This Caesar himself admits. B. G. 3, 15; B. C. 3, 14; and Hirt. in B. Alex. 75. Congratulabere is found in some editions, but Cicero appears not to have used the compound form of this verb. See Garatou. ad Planc. 27, 66.

17. Vel sola. In accordance with the principles of the Stoics; p. Deiot. § 37.

19. A virtute . . . a fortuna. Virtus and fortuna are personified. Z. 451, in fin.


22. Aliqua. Orelli and Schultz place aliqua after praecipitare.

23. Specie quadam rei publicæ. Under color of the common good, or public weal.

24. Timuerunt. As hostile to the welfare of the state.

25. Senserunt. By their own preservation after your victory. Orelli, Schultz, and Steinmetz after quod give plerique, which Erf. and other MSS. omit.

Ch. VII.—21. Nunc venio. Orelli, nunc vero v.; Schultz, nunc [vero]. With this chapter commences the second part of this oration. The first part treated of the pardon of Marcellus; and the second and leading part, containing the orator’s opinion and judgment upon a matter brought forward in the senate, treats of the snares to which Caesar already believed himself exposed, of which indeed Cicero makes no mention elsewhere, not even ad Fam. 4, 4, although in that letter the restoration and pardon of Marcellus are communicated to Sulpicius.—Atrociissimam suspicicionem. Atrox from ater, as ferax from ferus, velox from velum, with the final syllable ox (culus) related to 34,
properly expresses what is of a dark, lowering, sinister aspect or look. As a legal expression in connection with *vis*, it means direct personal violence. So *atrocitas, atrox res, atrox injuria*, indicate a grave wrong or crime, &c., which evinces the hostile *animus* of the wrong-doer, and marks the criminality of the act, as one to be more severely punished. In this sense Caesar’s suspicion that his life was aimed at is called *atrocissima*. The *atrocitas* is estimated from the circumstances; e.g. Quinctil. 6, 1, 15–18: *atrocitas crescit ex his, quid factum sit, a quo, in quem, quo animo, quo tempore, quo loco, quo modo; quam omnia infinitos tractus habent.*

30. *Falsam esse.* Orelli and Schultz, *esse falsam, nunquam tamen verbis extenuabo.* So also Steinmetz, except *ext. verbis.*

31. *Tua enim cautio nostra cautio est.* *Cautio* is repeated for the sake of emphasis and antithesis.

32. *In alterutro.* Vel *nimium cavendo, vel parum.*

34. *Tam demens,* sc. qui *tibi insidiaretur*, the omission of which clause evinces the orator’s strong feeling of its impossibility.

35. *Ex hoc numero, qui.* This is common, where we should expect, *ex horum numero, qui.* See *p. Arch.* § 31. Z. 366, in fin. Orelli, Schultz, and Steinmetz, *ex eo num.*

41. *De inimicis.* Z. 430, in fin.

42. *Superfuerunt.* Steinmetz, * fuerunt.*


72 *vitam pendere omnium;* Schultz, *suam, et ex unius tui vitam,* &c.


10. *Sceleris . . . . Insidiarumque consensio* = *secularum insidiarum consensio.* What is this figure called? Z. 741. It serves to give distinctness to the two notions, which if connected as adjective and substantive would present but one conception. The first substantive for the most part stands to the second in the relation of the genus to the species.

Ch. VIII.—13. *Prostrata atque perculsa.* Dashed to the ground, and shattered. Or., Sch., and St., *perculsa atque prostrata.*


15. *Propaganda suboles.* The civil wars had greatly reduced the population; Appian, *B. C.* 2, 102, says, to one-half the number before the wars. Encouragements to marriage were therefore held out, and privileges conferred upon the parents of several children. Cf. Suet. *Cas.* 42, and *Oct.* 34.

16. *Delapsa . . . . defluxerunt.* The figure is derived from running water, which is restrained by a dam, whence *vincienda* suits it well. *Jus* and *lex* are metaphorically called *vincula.* Orelli and Schultz, *dilapsa jam fluxerunt;* Steinmetz, *dil. jam defluxerunt.*

18. Quassata. As the ship of state is a common figure, so quassata is figuratively applied as if speaking of a wreck.

19. Ornnamenta dignitatis, in reference to external splendor; pressidia stabilitatis, in reference to the security and permanence of the state, especially in time of war; and both expressions refer to the moneys drawn from the treasury, and resources for the purpose of carrying on war.


22. Sananda. Orelli, curanda; Orelli and Schultz, nunc tibi; and Orelli, Schultz, and Steinmetz, mederi nemo.

24. Praeclarissimam et sapientissimam vocem. This remark is so called by the orator, as evincing a noble resignation, and a contempt of death, becoming a philosopher. Cf. Suet. Caes. 45 and 86.

25. Satis diu, &c. Orelli and Schultz in the form of the oratio obliqua: satis te diu vel naturae vixisse, vel gloriae.

26. Fortasse. Caesar was now over 54 years old, therefore the language is qualified. Or., Sch., and St., naturae fortasse.


29. Esse sapiens = philosophari, but with distinct allusion to the stoical wise man, as an ideal character. Orelli, Schultz, and Steinmetz, sapiens esse.

30. Tibi te satis. Orelli, Schultz, and Steinmetz, satis te tibi; and below, quae cog., nondum jecensis.


34. Tantum abes a perfectione . . . ut. Tantum abesse is construed personally, only when it is followed by an object with ab. For its more common construction, see note on p. 66, line 8; and Z. 779.

36. Equitate animi. Composure and tranquillity of mind, such as is undisturbed by either prosperity or adversity. Orelli and Schultz, tuae vitae; and below, Or., Sch., and St., quidem tuae.

38. Quamvis sis sapiens. Sapiens enim gloriam, quae virtutis fructus est, non quaerit, ipsa virtute contentus.

39. Parumne . . . gloriam magnum, i.e. parumne gloriam, quae est magna, aliijus ponderis. We need not, therefore, read with Weisko magnam gloriam, on the ground that parum, to avoid ambiguity, must not be too remote from the word to which it belongs. For parum gl. m., i.e. non satis gloria magna, is "not enough fame," to be considered great; par. magna gl. is "a not great enough fame," i.e. an insignificant, insufficient fame. The common reading, therefore, as
less restricting the magnum, is to be preferred, as the words satis ... parum, which follow, clearly show.

40. Immo vero. Z. 277.

41. Quidquid est enim. Orelli, Schultz, and Steinmetz, q. enim est ... amp. sit, id certe parum est tum.

2. Admirations ... gloriae. So below, § 28, mirari and laudare are opposed to each other.


Ch. IX.—5. Pars. This word here, as actus immediately afterwards, seems borrowed from the drama, although the plural of pars is more common in this sense. Compare ad Q. fratr. 1, 16, 46.

6. Constituas. The common reading here is constituas caque tu in primis composita cum summa, &c. Componere is used especially of the peaceful settlement of disputes, civil disturbances; constitutere, chiefly of institutions in the state, of ordinances, which then first become possible.

7. Tranquillitate et otio. Thus far Cæsar had been involved in perpetual wars.

8. Si voles. Z. 509.


12. Quia postea nulla est futura. This is in accordance with the principles of the Epicurean philosophy, to which Cæsar was attached. Or., Sch., and St., futura est; and, below, semperque.


16. Corpore et spiritu. Spiritu is added purposely, to denote merely the physical life. Animo et corpore is the more common expression.—Continetur. Z. 452. Sch., illa, illa, inquam, vita, &c.


23. Munera, i. e. spectacula omnis generis, ludus gladiatorios, Circenses, naumachiam. Public festivals, considered as presents or donations to the people, are often so called. The old reading here was monumenta innumerab, which Steinmetz retains. But innumerab is not a Ciceronian word, and munera adds a new and appropriate notion. Cæsar too had just before exhibited such games and shows with great splendor. Cf. Phil. 2, 45, 116.

24. Tuos. The emphatic position of tuos should be noticed.

25. Vagabitur = innotescet quam plurimis, sed sine constantiae laude, but wise civic regulations will place posterity, who will enjoy them, under constant obligations to you, and they, with a feeling of thankfulness, will ever magnify your fame. After sedem, Orelli, Schultz, and Steinmetz give quidem.
NOTES.

29. Requirent, is here a softer term for reprehendit.


34. Sine cupiditate, i. e. sine studio partium, unbiased by party zeal. Below, Or., Sch., and St., etiam si tunc.

36. Quidam. The Epicureans.

Ch. X.—39. Distractae, contrariae. It is explained by consilia et studiis . . . dissidebamus, which immediately follow. For consilia are the consequence of sententiae, studia of voluntates. There is no need also of applying the figure zeugma here, for armis and castis are like the preceding substantives, abl. causae and = propter anna et castra, quae securi cramus. This chapter appears to begin abruptly, and without easy transition from what has gone before, unless we consider it to be a more circumstantial repetition of what has proceeded, in order to lead Caesar to the present state of his circumstances, and the dispositions of the pardoned Pompeians, and to introduce the conclusion with an expression of thanks.

41. Obscuritas quaedam, utra causa esset melior, justior. Orelli, Schultz, and Steinmetz read autem for enim before obscuritas.

42. Clarissimos duces. Pompey and Caesar.

43. Optimum, utrum tecum an cum Pompeio essent.—Expediret, utile esset; deceret, conveniret, pro gestis honoribus, for in Pompey’s camp were the higher in rank. Cf. p. Deiot. § 11.

44. Liceret, fas esset, sc. deserere partes amici et transire ad Caesarem.

1. Miscro fatallque bello. The evils and horrors of civil war were willingly charged to a sad fatality. Compare p. Lig. § 17 — Vicit is, qui non . . . inflammaret. P. C. 483 (2); Z. 556.

4. Arma ab aliis posita, ab aliis crepta sunt. Ab aliis, by some voluntarily, e. g. Cicero and others, after the battle of Pharsalia: ab aliis, from others, who had renewed the war in Africa. The addition of the preposition in the latter clause marks more prominently the violence necessary, and gives concinnity to the sentence. Notice also the different relation in which the preposition stands to posita and to crepta. In the first clause it introduces the active subject; in the second, the suffering person from whom the weapons were wrested.


15. Hae, hanc urbe. See note on p. 15, line 20. In the next line, Orelli, Schultz, and Steinmetz read ut vite, ut saluti tuae.

18. Excubias et custodias. Properly night and body guards: for the former stands generally of the watch, which is kept at night; the latter of the watch, which defends the peace, welfare, and safety of another. It is not necessary with some to refer this to a body-guard of soldiers, for Caesar rejected with disdain a standing body-guard. It
rather refers to the readiness of the senators to defend Cæsar at the risk of their own life.

19. Oppositus = oppositionem, an ἀπάξ λεγόμενον in Cicero. So positus, appositus, and other compounds, occur for the form in io.

Ch. XI.—21. Ut. Klotz has admitted this conjunction from MSS., by which the sentence is more compactly connected and rounded. So also Steinmetz, Süpfe, and Schultz.—Unde, sc. gratiarum actione.

22. Gratias agimus . . . habemus. See note on p. 12, line 11. Lambinus reads majorem, sc. gratiam, in accordance with the more common construction of habere.

23. Majores, to preserve the construction uniform and parallel with the preceding maximas . . . agimus. Compare ab aliis posita, ab aliis crepta, § 31. Notice also that the comparative enhances the superlative, for the superlative does not always mean the highest, but only a high degree of a given quality. Cf. de Off. 3, 121: Tibi persuade, esse te quidem mihi carissimum, sed multo more cariorum, &c.; in Cat. 3, 5, 13.—Idem sentiunt. Entertain the same sentiments of gratitude.


25. Stantibus. Senators who did not wish to make a speech on the question, assented while retaining their seats. Ad Fam. 5, 2, 9: sedens iis assensi. The text in this passage is very corrupt. Orelli gives: sed, quia non est stantibus omnibus necessae dicere, a me certe dixi volunet, cui necessae est quodam modo, quod volunt; et quod fieri decet, et quod, M. Marcellum a te huic ordini, populoque Romano et rei publicae reddito, fieri id intelligo. This he explains as follows: But because it is not necessary for all to rise and speak, they desire me to do so, upon whom their wish imposes the obligation; both because it is proper in itself to give thanks now to you, and because it is M. Marcellus, my friend, that has been restored by you, for whose restoration I now thank you. With slight variations the common text agrees with the above from Orelli, except that et is given before quod volunt, and fieri omitted before decet; and præcipue a me fieri debe, or præcipue id a me fieri debe, or præcipue id a me fieri, are found before intelligo. But of præcipue a me and debere there is no trace in MSS. Steinmetz from MSS. gives the reading of Klotz, except that after quodammodo he retains in brackets et quod volunt and et quod before M. Marcellus. He also indicates a lacuna before fieri id intelligo. They wish me to speak, who am under a kind of necessity of so doing, and who feel the propriety of it, since Marcellus has been restored, &c.

28. Non de. Orelli, Schultz, and Steinmetz, non ut de; and in the next line, sed ut de, &c.
NOTES.

29. Quod autem, &c. The construction is, Quum autem praestiterim tamdiu, quamdiu dubitatum est de salute illius, id, sollicitudine, cura, labore, quod est summae benevolentiae, (quae ... remini) certe debet præstare hoc tempore (sc. id, quod summae benevolentiae est), liberatus magnis curis, molestiis, doloribus. But since I have, so long as his safety was uncertain, shown him by my solicitude, anxiety, and efforts, the highest marks of affection (which all know I have felt towards him, so as hardly to fall behind his most excellent and loving cousin, besides him so as to yield to no one), these same marks of affection I ought certainly at the present time, when I am relieved from care, trouble, and pain, to testify. Compare ad Fam. 4, 7, 6, and 9, 4.

32. Fratri, sc. patrueli.

35. Itaque, &c. This is a second evidence of affection, that he thanks Cæsar, as if the greatest benefit had been conferred not upon Marcellus, but himself.

36. Sic, huic rei convenienter, with such sentiments of gratitude.

37. Tamen, with reference to the correlative concessive, with preceding participle. Z. 635. The sentence may be resolved into ut, licet omnibus rebus non soleb conservatus, sed etiam ornatus sim, tamen.

38. Unum, adds emphasis, ut alios taceam.

39. Maximus ... cumulus accesserit. Maximum cumulum accessisse profitear. In Latin two clauses are not unfrequently connected immediately with each other, the logical connection of which is only mediate. Cf. Tusc. 4, § 47: Ita ... definit, ut perturbationem esse. Z. 748.
THE ORATION FOR Q. LIGARIUS.

INTRODUCTION.

Ligarius was the name of three brothers, who lived in the time of the civil wars between Caesar and Pompey. They were of Sabine origin.

Q. Ligarius is first mentioned in A. u. c. 704 as legate, in Africa, of C. Considius Longus, who left him in command of the province, while he went to Rome to become a candidate for the consulship.

On the breaking out of the civil war in the following year, L. Atius Varus, who had commanded the Pompeian troops at Auximum, and had been obliged to fly before Caesar, arrived in Africa, of which province he had been formerly propretor. Into his hands Ligarius resigned the government, although L. Aelius Tubero had been appointed to the province by the senate; and when Tubero made his appearance off Utica shortly afterwards, he was not permitted even to land. Ligarius fought under Varus against Curio in the course of the same year (A. u. c. 705), and against Caesar himself in 708. After the battle of Thapsus, in which the Pompeian army was defeated, Ligarius was taken prisoner at Adrumetum. His life was spared, but he was banished by Caesar. His friends at Rome exerted themselves to procure his pardon, but were unable to succeed at first, notwithstanding the intercession of his brothers, of his uncle, T. Brocchus, and of Cicero himself, who had an audience with the dictator on the 23d of September, A. u. c. 708, for the purpose. Meantime, a public accusation was brought against Ligarius by Q. Aelius Tubero, the son of L. Tubero, whom Ligarius had united with Varus in preventing from landing in Africa. He was accused on account of his conduct in Africa, and his connection with the enemies of the dictator. The case was pleaded before Caesar himself in the forum. Cicero defended Ligarius in the following speech, in which he maintains that Ligarius had as much claim to the mercy of Caesar as Tubero and Cicero himself. Ligarius was pardoned by Caesar, who was on the point of setting out for the Spanish war, and who probably was not sorry to have this public opportunity of exhibiting his usual mercy. The speech which Cicero delivered in his defence has been much admired. Ligarius, however, felt no gratitude for the favor that had been shown him, and eagerly joined the conspirators, who assassinated Caesar in A. u. c. 710.

Appian speaks of two brothers of the name of Ligarius, who perished in the proscription of the triumvirs in A. u. c. 711 (B. C. iv. 22); and in the following chapter, he mentions a third Ligarius, who met with the same fate. Now, as Cicero expressly mentions three brothers of this name, Q. Ligarius must have been one of those who were put to death on this occasion. Dict. G. and R. Biog. and Myth., Ligarius.

The oration of Q. Tubero against Ligarius in this trial, was still extant in the time of Quinellian (cf. 10, i, 23). But after his failure in this cause, he abandoned the profession of oratory, and devoted himself to the study of the civil law.
ANALYSIS.

1. The introduction consists of a continued and well-sustained irony. Cicero ridicules Tubero, for bringing an accusation against Ligarius before Cæsar, on account of a matter that is known to everybody; represents himself as stripped of all means of defence, by the charge of so unheard of a crime, as the having been in Africa; and proceeds to treat the whole accusation as trifling and contemptible. He accordingly goes on, in subtle and covert irony, to urge that the disclosure of this crime compels him to resort to Cæsar’s humanity as his only refuge; by which, he adds, so many already have been preserved to their country, whom Cæsar has pardoned, not for any crime, but only for an error, and among them Tubero also, who, however, as well as his father, has more to answer for to Cæsar, than Ligarius who is charged by them with a crime, from which they are not able to clear themselves. (§ 1, 2.)

2. The narration shows, that Ligarius was in Africa, but without any fault of his own, and not as Cæsar’s enemy; for,
(a) He went as legate into the province of Africa before the outbreak of war was suspected;
(b) He was constrained, when Considius withdrew, by the urgent wish of the inhabitants, against his will to assume the government of the province;
(c) He refused the command offered to him, but was unable, becoming involved in the war, to escape from the province. (§ 3-5.)

3. The argument itself has two parts: the first invalidates the charge of the accuser; the second commends Ligarius to Cæsar’s mercy.
(1) The orator introduces his proof of the weakness of Tubero’s accusation by a panegyric on Cæsar, for having spared him who had been a Pompeian (§ 6-8), and then shows,
(a) How unwise and inconsiderate the accusation is, since the accuser had actually fought against Cæsar, while the accused had only been in Africa (§ 9, 10);
(b) How cruel and inhuman, since it aims at the death of Ligarius (§ 11, 12), or at least hinders his pardon (§ 13, 14), a cruelty which Cicero purposely depicts in the strongest colors (§ 15, 16);
(c) How unreasonable and unjust, since Tubero has called the error of Ligarius treason, whereby he reflects upon the whole party of Pompey, and even condemns his own and his father’s course (§ 17-19); in respect to (1) his own journey to Africa, which was entered upon by command of the senate § 20-23, (2) his zeal to defend this province (§ 24), and (3) his firmness and consistency, in supporting the party of the senate, even after his affront (§ 25-26);
(d) How absurd and foolish it is, to desire that Cæsar, who has pardoned public offences, should avenge private grievances. (§ 29.)

2. He directs his discourse to secure pardon for the accused, and,
(a) In connection with praise of Cæsar, he makes frank confession of his own mistake and fault (§ 30, 31);
(b) He draws a touching picture of the sorrow and distress of the brothers and kinsmen of Ligarius, who are present, and have been constant friends of Cæsar (§ 32-34);
(c) He briefly sets forth the merits of one of the brothers, T. Ligarius, for service done to Cæsar, who now is reminded that he has it in his own power to show him a grateful recollection of the favor (§ 35, 36);
(4) He in a few words alludes to the glory which Cæsar has already obtained by the preservation and pardon of Marcellus (§ 37); and finally, 
(e) Describes the praise, which the attributes of mercy and compassion win. (§ 38.)

4. In conclusion, the orator leaves the entire cause to Cæsar's own reflections, and only reminds him that, by preserving Ligarius, he will at the same time preserve the happiness and welfare of many more.

Ch. I.—Novum crimen. Ironically, as if he had said, “A monstrous charge this, Cæsar, that Ligarius was in Africa! (as if you had not pardoned even your Pharsalian foes before now;) and what is worse still, Pansa, no mean authority, has had the hardihood, trusting, no doubt, to his intimacy with you, (as nothing less could warrant such a communication,) to confess this fact! I am, therefore, completely at a loss; for (as no one could defend) I was prepared to deny the charge, which being so new (i.e. notorious), you, of course, could have no means of learning, either of yourself or from other sources.” M'Kay. Cf. Quinctil. 4, 1, 38 and 70; 9, 2, 50; 11, 1, 78.

2. Inauditum. Benecke, Soldan, Madvig, and others read non auditum, as found in Quinctil. 11, 3, 108; and some MSS. Benecke thinks that the separation of the negative particle gives it prominence and sharpens the irony.—Propinquus meus. So ch. 3, § 8: adulescentis propinqui. The elder Tubero appears to have married into the “gens Tullia.” Cf. ch. 7, 21; and ad Att. 13, 20. He here refers to this relationship obviously to show that his predilection should be in favor of the accuser, and, therefore, that his confidence must be great in the innocence of Ligarius.—Q. Ælius Tubero, having failed in his charge against Ligarius, devoted himself exclusively to the study of jurisprudence. He was a writer on public and private law, and is often mentioned in the Digest.

3. In Africa fuisse. Cicero carefully extenuates the act of Ligarius, and makes no allusion to his having taken up arms against Cæsar, which doubtless formed the gravest part of Tubero's charge.—C. Pansa. C. Vibius Pansa was consul with Hirtius, A. v. c. 711. He died at Bononia (Bologna), from a wound received in the first battle with Antony, near Mutina (Mòdena). When tribune of the people, A. v. c. 703, he, with his colleague Ceelius, opposed the decree of the senate to appoint a successor to Cæsar in the command of the province of Gaul. The intimacy and affection which existed between him and Cæsar may be learned from ad Fam. 6, 12. That the words praestanti vir ingenio are spoken without irony, appears also from the same epistle.

4. Fretus .... ausus est. The force which these words add to the irony of the passage should be noticed. Audéo and non dubito, when not used merely as auxiliaries for form's sake, but with full and emphatic meaning, are put before their infinitive.
5. Confiteri. This is not to be understood of testimony given by a witness whom the accuser has brought forward, which would be expressed by dicere in eum or profiteri, rather than by confiteri, but of a simple acknowledgment or admission, although it may be a forced or unwilling one. Matthiä adds, as the complement of confiteri, “se quoque Ligario in Africa fuisse;” Soldan more correctly understands idque or novum istud crimen.—Vertam. P. C. 109; Z. 552.

6. Quum .... scires .... potuisses. P. C. 489; Z. 577
Observe the change of tense. See P. C. 125, 130, 131.


10. Quum .... fecerit. Z. 577.—Ut .... non esset. P. C. 62 and 77 [C. xiv.]; Z. 531 and 532.—Integrum. Derived from in, i. e. non and tango. It expresses what is unchanged from its original condition, so that the whole control and shaping is free. There was no more room for denial. The orator was restricted to one course of proceeding.


The pluperfect subjunctive stands of a past action in reference to an action also past. Z. 505, f.—Culpae, voluntary; errati, involuntary.


15. Hoc confitentem. So Orelli, Madvig, Süpfe, Klotz, and Soldan. The common reading is ita conf., after which we might have expected, ut se in ea parte dicat fuisse. But ita and sic, id, hoc, illud are often used where they seem superfluous, e. g. with verbs of hearing, learning, affirming, doubting, &c. They are then generally followed by the infinitive (if the verb would otherwise be so constructed), or by ut and the subj. Z. 748.

16. In ea parte, sc. the party of Pompey.—Qua te, qua virum
On the omission of the preposition with the relative, when it stands before the same case of the demonstrative, and the relative and demonstrative clauses have a common predicate, see Z. 778 and 774. On the case of te and virum, Z. 603 (a). After te the common text has Tubero.


20. Q. enim Ligarius. Enim is very often used, in passing to a more detailed statement, or explanation of a subject which has been generally mentioned before. This has led copyists to substitute other
particles, as in this passage, igitur, which some retain against the better authority of MSS. For the position of enim, see P. C. p. 256, 98.—Quum esset. Z. 578. He distinguishes three periods, all without charge against Ligarius, of which the first is, his lieutenancy. After esset in some editions adhuc is given, which, in Cicero, almost always refers to the present of the speaker or writer. See ch. 2 init.: Adhuc Ligarius, &c., i.e. ex iis, quem ad hoc usque tempus demonstravi. Z. 292. In our passage the best MSS. omit adhuc.

21. C. Considio. On the breaking out of the civil war, he espoused Pompey’s party, and returned to Africa, where he took part in the war. He was murdered by the Getulians, A. V. C. 707.

22. Et civibus. Civibus Romanis, qui in Africa negotiabantur. —Et sociis. The provincials.—Decedens. This is the verbum præprium of one who is returning from the government of a province. It is, as here, construed with the ablative alone, or with de and e. The latter construction is used of leaving the country, the two former of leaving the administration of the province. Where there is no notion of place, Cicero usually repeats the preposition, as de bonis decedere, de sententia d., de officio d.

23. Si quemquam. Z. 709, b.—Si ...... praeficisset. Z. 517 and 524. If the governor of a province left before the arrival of his successor, it was customary to commit the administration, in the mean time, to a quaestor, as next in rank, rarely to a legate, to avoid giving offence. Ad Fam. 2, 15 and 18; ad Att. 6, 6. Here the provincials, however, insisted on having Ligarius as vice-governor.

24. Itaque Ligarius, &c. The second period; partly peace, partly war. In both Ligarius was “sine criminis notus.” For the third, see 2, 5.

25. Accepit invitus. Z. 682.

26. In pace. In pace, in bello, &c., express not simply the notion of when, but during. De Off. 3, 25: Agamemnon quum devo-risset Dianae, quod in suo regno pulcherrimum natum esset illo anno, immolavit Iphigeniam, qua nihil erat in eo quidem anno natum pulchrius. Here the ablative without in simply answers to the question when, and the difference between illo anno and in eo anno is apparent.

27. Bellum, sc. between Pompey and Caesar.—Exarsit expresses the suddenness of its outbreak.

29. Cupiditate inconsiderata. From thoughtless party zeal, because they favored the cause of Pompey.—Caco quodam timore. From a blind (mistaken) fear, of Caesar. For though friends of Pompey, they had nothing to fear on that account from Caesar, if they took no sides against him. On quodam, see Z. 707.

30. Primo salutis, &c. They looked out for a leader; first to protect them, afterwards to favor their inclinations, sc. for Pompey
1. Quum ... passus est. See Z. 581.—Domum spectans. This
is said to gain Caesar's favor, who regarded those that remained at
home, as friends. In his view neutrality was innocent; in Pompey's
criminal.

3. P. Atius Varus. This zealous partisan of Pompey, soon
after the outbreak of the civil war, had as a private citizen (vir
pretorius), like many others of Pompey's party, fled before Caesar into
Africa. On the submission of Africa to Caesar, he fled to Spain,
where the sons of Pompey had collected a formidable army against
Caesar. Here he lost his life in the battle of Munda, 709, in which
the Pompeians in Spain were completely conquered. See Cæs. B. C.
1, 13 and 31; 2, 23, seqq.—Prætor African obtinuerat. A few
years before, after his prætorship, he had been governor of Africa.
Prætor was a common name of all governors of provinces.—Uticens.
After the destruction of Carthage this was the chief city of the pro-
vince. It was situated on the sea, 27 miles from Carthage, and cele-
brated for the death there of Cato Uticensis.

studio, quod Pompeio favebant. Pro eo mox est studium.

5. Si illud imperium esse potuit. Imperium eum magistra-
tus lege Curia, privati senatus consulto accipiebant.

6. Ad privatum clamore. The Erfurt MS., with several oth-
ers, reads a privato clamore, and this reading Klotz, Schultz, and Sol-
dan adopt. Benecke, without adopting it, inclines to regard it as the
true reading. He remarks also on the not unfrequent use with pas-
sives, of the preposition ab in connection with nouns which denote
things, where either the source is indicated or the thing personified.

7. Qui ... cuperet. P. C. 481; Z. 564.

9. Conquievit, i.e. nihil agens restitit, nihil publice suscipliens re-
mansit. Since Varus had seized the government, Ligarius withdrew
from public business, but was soon afterwards compelled to take an
active part in the war. Others understand it of the repose which Li-
garius enjoyed from the cares of the administration, which had been
the more burdensome, because of the disturbances of the more violent
partisans of Pompey.

Cfr. II.—10. Adhuc, &c. Compare Quintil. 4, 2, 51: Si ... in
longum exerit ordo rerum, erit non inutilis in extrema parte com-
monitio, quod Cicero etiam in brevi narratione facit: Ad huc
Cæsar; and 103: argumentabimur (in narratione) nunquam: ar-
gmentum ponemus aliquando, quod facit pro Ligario Cicero, quum
dicit, sic eum provinciâ præfuisse, ut illi pacem esse expediret.


13. Pacatissima. Not with reference to other provinces, but to
express the deep quiet and repose of this province,
14. Expedire. P. C. 62; Z. 531. The subject of expedire is pacem esse, i. q. pacis continuatio. Z. 597 and 600.

16. Non turpe. There was no dishonorable or sinister purpose in his going, and his remaining was a necessity even honorable, for it was by command of Considius, and in accordance with the wishes of the inhabitants of the province.

17. Etiam gives prominence to the notion of honestam, and is by the best MSS. more correctly placed just before it.

18. Efflagitatus. Importuned, prevailed upon by urgent entreaty. The preposition adds intensity, and carries the idea of successful urging.

20. Quo. Benecke, Madvig, Klotz, and Soldan read quod from the best authorities. The accusative of duration of time is found with manere and similar verbs.

21. Necessitatis crimen, a necessitate prefectum. Because, surprised by the outbreaking of the war, and surrounded by excited partisans, he was compelled against his will to remain.—An ille. P. C. 120; Z. 353.

22. Si potuisset .... maluisset. P. C. 437 (d); Z. 524.—Utica quam Romae. Potius is commonly read after Utica, and it is not an uncommon pleonasm with malle, but is not here found in the best MSS. Cf. Z. 747.

23. Cum .... cum. For the repetition of the preposition, see note on p. 18, line 5.

24. Quum .... suisset. P. C. 489; Z. 577, 578.

26. Hic æquo animo. Potuitne hic æquo animo esse in bello sine fratribus, qui in pacatissima legatione sua fratrum desiderio con-ficiebatur?


30. Prodo mean. This is the reading of almost all the MSS., and received by Benecke, Madvig, Klotz, Soldan, and others. It needs but to be stated, to be adopted. "See, I pray, with what integrity I defend his cause; I betray or sacrifice my own."—Omnium laude. Omnium is defended by Benecke, Klotz, and Soldan against the common reading omni, and they and Madvig also retain the quum of the MSS. before M. Cicero.

32. Defendit, followed by the acc. c. infin. is equivalent to in defendendo dicit, or defensionis loco dicit, contendit.—In ea voluntate. Cicero speaks with circumspection, using voluntate and not fuctione. Ligarius had, to be sure, stood on Pompey's side, but by compulsion, not of free choice.

34. Quid tibi de alio audient de se ipso occurrat. For it may occur to you, while I am speaking in defence of Ligarius, that I too was one of those who opposed your cause.

Cn. III.—36. Reformidem, repeated with emphasis, in reference to extimescit, which is used of a suddenly rising fear, and reformidat which expresses an anxious, lasting fear. P. C. 109 ; Z. 552.

37. Oborlatur. The compound expresses the suddenness of its rising. "See how, as I speak before you, the light of your noble generosity and wisdom bursts upon me, how the recollection of your nobleness and wisdom is vividly renewed in me."

38. Voce contendam. "I will raise my voice, I will exert myself to the utmost to make the Roman people hear this."

39. Exaudiat. P. C. 58 ; Z. 531. See note on p. 43, line 11. This oration was spoken before a public tribunal in the forum.—Suscepto bello, &c. Compare Quintil. on this passage, 9, 2, 28; and 11, 3, 166.—Gesto . . . ex parte magna. Pompey having been driven from Italy, for in Italy Cicero took no part against Caesar. See ad Fam. 6, 6, 6. Cicero embarked for Greece the 11th June, 705 (ad Fam. 14, 7, 2), to join Pompey, who had already embarked the 17th March, notwithstanding Caesar and his friends sought to retain him, and even Cato disapproved the step, and he himself augured no good from the cause of Pompey. See ad Att. 10, 8.

40. Judicio ac voluntate. From reflection and choice. Z. 472, in fin. Cf. de Off. 1, 15, beneficia . . . qua judicio, considerate constanterque delata sunt; and 1, 9, voluntate fieri.

41. Apud quem igitur hoc dico? See Quintil. 9, 2, 14.

42. Nempe expresses the speaker's conviction of a thing, with the expectation that the hearer will assent. It therefore often stands in questions which one answers himself, as § 9. It is also used to express displeasure, or with an ironical reference.—Quum hoc sciret. P. C. 489 ; Z. 577.

43. Antequam vidit, post Pharsalicam pugnam.

44. Ex Aegypto. Caesar had gone to Egypt after his victory near Pharsalia, and became involved there in the Alexandrine war. Cicero meanwhile took no further part in the war, and had returned to Italy, where he endeavored through Caesar's friends to obtain his pardon. He finally received from Caesar the wished-for letter, probably through Philotimus. See ad Att. 11, 23; ad Fam. 14, 23; 24.—Ut essem idem, qui fuissem, i.e. ut dignitatem eam retinerem, quam ante bellum civile habuissem. P. C. 58 ; Z. 531 with 615: also P. C 467, and Z. 547.

77 1. In toto imperio. With totus and similar notions of totality, the preposition is very generally omitted, though sometimes added, especially if the notion of within is to be made prominent. See Z. 482, Arnold's Nepos. Me, at the beginning of this line, is commonly given between esse alterum.

2. A quo . . . concessos . . . tenui. By whose permission, &c

—Hoc ipso. The very Pansa who is here present. Z. 127.

After an important victory the general was commonly honored by his soldiers with the title of Imperator, and the lictors wreathed their fascis with laurel. Ad Fam. 2, 10; ad Att. 5, 20. So too, the letter in which the general announced his victory to the senate was twined with the same. In Pison. 17, 39; Liv. 5, 28, 13; 45, 1, 6. According to Appian, at least 10,000 of the enemy must have fallen in the battle gained to entitle to this honor. It was in the year 703, while Cicero was proconsul of Cilicia, that he gained this victory and received this honor. Ad Att. 5, 20; ad Fam. 2, 10; 15, 4. In the following year he left the province, and tarried some time at Athens. Having reached Brundisium near the end of November, in the beginning of January, 705, he moved on to Rome, without however entering it, since the outbreak of the civil war swept him with it, and deferred his hope of a triumph. He did not, however, abandon the hope of being allowed a triumph, and consequently did not enter Rome again till October, 707, and till his entry, when the laws would require him to lay down the imperium, he appears to have retained the insignia of command. See ad Fam. 14, 20; ad Att. 11, 24.

5. Reddere is the reading of the best MSS. instead of the common dare, which however Madvig retains. As what was lost and again restored, is spoken of, it seems also best adapted to the context. That dedisset should follow is not surprising, since it was not necessary to express a second time the more exact idea of reddere.

6. Vide, quaeso, &c. This passage is variously given in the MSS. Benecke and Madvig read as in the text, except de Ligarii non audeam confiteri: After non dubitem many MSS. and Edd give dicere. Some retain it in brackets. Klotz and Soldan read and defend non dubitem dicere, de Ligarii audeam confiteri. With regard to omitting the non before audeam, which the common reading gives, Benecke thinks there might be some doubt, since the irony which suits the passage, and so well corresponds to the ironical commencement of the speech, would be by the omission lost. Süpfe on the other hand regards the expression as gaining in force and irony, by the omission of non. The sense of the text is thus given by Orelli: Quum tam libere ac sine ullo metu de meo facto coram Cæsare loquar, facile intelliges me de Ligarii facto, re minoris momenti, æque libere dicere ausurum esse.


8. Quum de se, &c. The reflexive shows that this sentence is referred to the mind of Tubero. Ernesti, not inaptly, resolves it by quum de se eadem me dicentem audiret.
NOTES.


10. Propter propinquam cognitionem. See note on p. 75, line 2. Observe the change of construction, by which the two following clauses, as substantives, here take the relation of accusatives governed by *prop*er. This change is not uncommon, though it offends against concinnity of expression. It is a sacrifice of one of the proprieties of language, to a higher law, sometimes of necessity, since not every root has the same fulness of development into the various parts of speech, with the same form of construction.

13. Quis putat. So Benecke, Klotz, Soldan, and Madvig. The independent question is better suited to the context than the dependent *putet*, which the common reading gives. Also with the Cod. Erf. and others, *Ligarium*, which commonly stands after *in Africa*, and which Klotz retains, is omitted by Benecke and others. On this passage compare *Quinctil* 5, 13, 30.


16. Est congressus armatus. This neither Cicero nor Ligarius had done, for the latter had remained in Africa only from compulsion, while Tubero had taken an active part in bearing arms.—*Quid enim*, Tubero, &c. See remarks of *Quinctil* 9, 2, 38, on this powerful and strong apostrophe; and cf. Plut. *Cic.* 39.—*Tuus ille dextra*ctus. This order, which throws the force on *dextra*ctus, is given by the MSS. and best suits the passage.

17. Agebat = spectabat, propositum habebat, as in the phrase, *id agere ut*.

18. Qui sensus erat armorum tuorum? Armis sensum tribuit amplificandi gratia, poetic*o* more.


23. Hic. *Cæsar.*—*Possemus.* *P. C.* 58; Z. 531.—*Quorum . . . corum.* This is a common inversion. The emphasis lies wholly on *impunitas*.

24. Laus est. *Laudi est* is more common. The dative expresses the tendency or aim, the nominative denotes more the realization. Cf. Z. 422, *Note*.


26. Etfam tuam, sed multo magis. *Etiam* is thus used in the first member, and *sed* or *quidem* or *certe* in the second, to show that two things occur; but the latter often and certainly.

27. Quum . . . tum etiam. Z. 723.—*Doctrina excellens.* See
what Cicero says of him, ad Q. Frat. 1, 1, from which we should infer that doctrina is not to be limited to scientia juris, but is used of culture and learning generally.

28. Genus hoc cause quod esset. Cf. Deiot. 11, 30: Quis tuum patrem ... qui esset; and note on p. 70, line 1.—Quod ... non viderit. P. C. 461, 518, 519; Z. 629.

29. Agi may be taken absolutely, or causam can be supplied.


32. Hæc admirabilia. This passage is much interpolated in the MSS. For this reading, which Benecke, Klotz, Madvig, and Soldan also give, we are indebted to the Cod. Col. The common text is unsound in various respects. It may be noticed that Cicero usually omits the substantive verb in such short clauses. See Z. 776.


34. Condemnetur ... necetur. P. C. 58; Z. 531.

35. Externi isti mores, &c. This passage is also variously given. The common text is, externi isti sunt mores; ... incitari solet odium aut levium, &c. Klotz, Benecke, Süpfle, Soldan, and others reject sunt and read incitati solent odio, &c. The sense then is as follows: Externi isti mores, hoc est, non Romani, qui graves sunt, sed exterorum populum, ut aut levium Græcorum aut immannium barbarorum, solent odio aliquo suscepto ac penitus insito ad sanqûnum petendum incitari. Benecke makes the following genitives depend on odio; Süpfle more correctly considers them as a supplementary explanatory appendix, limiting or determining externi isti mores. He would also prefer, if MSS. allowed it, to omit solent, as Wunder and Madvig do, by which the passage gains in energy.

37. Nec sit. Supply id agis, with this and the following subjunctives which denote the purpose. P. C. 58; Z. 531.

39. Consobrinus suo. According to the old grammarians and lawyers consobrinus stands for consororinus, and denotes properly children of two sisters. But the word is used in a wider sense of the children of both brothers and sisters. Since now avunculus denotes the mother’s brother, and therefore the mother of Ligarius was the sister of Brocchus, his son was properly the amitusinus of Ligarius. Klotz also reads, avunc. suo.

41. Italia prohibetur, exsulat. Z. 783.

42. Hunc. Ligarius, who is conceived of as present.—Privare is more rhetorical than privari, and presents Tubero in a more cruel light. So the monosyllable vis closes the sentence with abruptness and force. Therefore Manutius: mira vis in numero: solet enim Cicero, quæ sunt acerbiora, breviter condudere, ut illud quoque proximum, Italia prohibetur, exsulat.

1. Jubebat occidi. Z. 617.—Nullo postulante. Z. 676.—Præmiis. He offered a reward of two talents for the head of any proscribed person.

2. Quæ tamen crudelitas, non Sullæ sed eorum, quos ipse præmiis invitaverat.—Aliquot annis post. Seventeen years afterwards; for Sulla was chosen dictator in the year of Rome 672, and in the year 690 Caesar, as president of the quastio de sicariis, extended the prosecutions to those who, during Sulla’s proscriptions, had murdered Roman citizens for money. See Suet. Caes. 11; Dion Cass. 37, 10. Benecke considers from quæ tamen to vindicata est an interpolation.

Ch. V.—5. Novi enim te, &c. The anaphora or repetition of novi, may be noticed, which contributes to the animation and energy of the discourse. In the second member the order is inverted, making the arrangement of the period chiastic.

6. Studia generis ac familiae vestrae virtutis, &c. This is again an instance of several genitives limiting the same noun in different relations. Generis and familiae are genitives of the subject, the others of the object. Z. 423 and 791.—Generis, i.e. gentis, the Ælian, of which the Tuberos were a familia, among the Lamiœ, Patiœ, &c. On the virtue and learning of the Ælians, to which Cicero frequently alludes, see de Orat. 1, 45, 198; Brut. 20, in., and 56, 205. Of the family of the Tuberos, the most prominent was the grandfather of the accuser, Q. Ælius Tubero Stoicus, vir eruditus . . . et honestus homo et nobilis. p. Muren. 36, 75.

7. Plurimarum artium atque optimarum. By this the Romans understood the studia liberalia, the study of philosophy, history, eloquence, and poetry. Benecke brackets these words, because they are not found in Cod. Col., and he regards them as a gloss on the preceding humanitatis, doctrinæ. Klotz and Soldan, with Ernesti, remove the comma and connect them with doctrinæ. The common text has studia denique . . . . nota sunt mihi omnia. Klotz and Soldan also retain omnia, placing a colon before nota, and making nota mihi sunt omnia a general conclusion.

9. Res enim eo spectat, i.e. eam vim habet. He accuses them of unintentional cruelty; because Ligarius being already in exile, any punishment must be worse than that, i.e. must be death.

10. Ut . . . non videamini. Z. 532.—In qua . . . sit. Z. 547.

12. Sicuti est. This is a formula of frequent occurrence, used to confirm the truth of what has been previously expressed conditionally.

13. Ignoscatur. Benecke and Klotz read ignoscat, sc. Caesar. What is the construction of ignoscatur?—Hoc vero multo acerbius. This denial of pardon is harder than death itself. The love of country was strong in the Romans, and hence the misery of perpetual exile.
14. [Domi] petimus. Since this cause was argued in the forum, it seems necessary to erase domi, or read petimus. Madvig omits domi. Matthiae defends the common text as spoken generally, remarking that in what follows Cicero speaks of what was actually done. Soldan with Klotz retains domi petimus, and considers with Manutius the present as used for the perfect for the purpose of vividness of description. Benecke would read, Quod nos petimus . . . oppugnabis? . . . repente irruisses . . . misereatur . . . Quanto hoc durius, id te in foro oppugnare et in tali, &c.—Precibus, lacrimis. Omitted is est copula et, propterea quod a minore, ut dicunt, ad majus hoc loco ascendit oratio. Soldan. Madvig, however, retains et. On the different kinds of the asyndeton, see Hand, Turs. ii. p. 472; and Lehrbuch des lat. Stils. pp. 301, 302.


18. Si . . . irruisses . . . copisses: . . . nonne . . . exnuisses. P. C. 435 (d), (2), 437 (d); Z. 524.—Quum . . . faceremus. Z. 578. —Quod et fecimus. See ad Fam. 6, 14.

19. Repente. The old reading is derepente, but this form belongs to earlier latinity, and is not elsewhere used by Cicero, nor here sustained by the best MSS.—Irruisses. Benecke would prefer irruisses, which Madvig and Soldan, from Cod Erf. as shown by Freund, adopt. Irrumpere involves the notion of violence and force, which here is not so suitable as the notion of rapidity and haste, which is contained rather in irruisses.


23. Te in tali miserla . . . tollere. The change from the passive to the active construction has given offence here. Some have therefore preferred te . . . oppugnare and tollere; others either tolli or multorum te perfugium . . . tollere. Such instances of enallage are however elsewhere found. Orelli alone, so far as appears, and without reason, changes the common reading et in tali into te in tali.

24. Perfugium misericordiae. The refuge of mercy, i.e. the refuge which the wretched find in Caesar's clemency. Compare note on p. 26, line 16. In Manil. § 39 the construction is different.


26. Per te . . . obtines. Possess naturally. Cf. ad Fam. 6, 6, 8: in Caesar . . . mitis Clemensque natura; and Sall. Cat. 54; Suet. Ces. 71. For quantam, Benecke, Klotz, Soldan, and Madvig read quam.

27. Intelligo, quid loquar. An aposiopesis which means more than it says. Tacit enim illud, quod nihil minus accipimus, non
NOTES.

_esse homines, qui ad crudelitatem eum impellant_. Cf. Quinctil. 8, 3, 83 and 85.—Loquar. _P. C._ 109; _Z._ 552.

28. _Quam multi . . . essent_. _Essent_ in the consequent clause of a conditional proposition. _P. C._ 430. Benecke questions the genuineness of this passage down to _misericordem_.—De victoribus. _P. C._ 165, h; _Z._ 430, in fin. Why would not the genitive be suitable here?

29. _Qui . . . vellent_. _Z._ 547; also 561, 563.—De victis. See preceding note.—_Quum . . . reperiantur_. _Z._ 577.

30. _Quum a te ignosci nemini vellent_. From the wish that you should pardon no one. Why not _neminem_? Krebs, _Guide_, § 171; _Z._ 412.

31. _Ipse ignovisti_. Of your own accord.

33. _Probare_. Persuade, induce to believe.

34. _Salutii civi . . . esse_. _Z._ 611, cites this passage with the common reading _civis calamitosi consultum esse_. The best MSS. give it as in the text, and so the latest editions. _Salutii esse aliqui_ is used of an advocate who defends the cause of his client. _De Orat._ 2, 49, 200; _Pro Arch._ p. 1, 1.

35. _Hominis non esset_. _P. C._ 190, 191; _Z._ 448.

37. _Si . . . alicujus_. _P. C._ 391, 392; _Z._ 708.

38. _Allud . . . aliu_. _P. C._ 38; _Z._ 712, in fin.

39. _Errare . . . nolle_. . . _nolle misereri_. Where two members of a sentence are antithetical, Cicero often inverts the order of the words. So _Planc._ 30, 72: _nec considerate minus, nec minus amice_. Klotz, Soldan, and Madvig in this line also read _aliud est_.—_Tunc diceres_. _Z._ 528, _Note_ 2. Benecke and Madvig: _Tum diceres._

43. _Abijictet_, as something worthless and contemptible. The common text gives _utetur._

44. _Extorquebit_, wrest by violence, as being implanted by nature. See note on line 26 above.

79 _Ct._ VI.—1. _Ac_ is a particle of transition = further, besides.—_Aditus_, sc. ad causam.—_Postulatio_, properly, is the request or demand made upon the prætor by a complainant, for the form of action and accusation which will lie against the party to be prosecuted. It is the first step in preparing a formal accusation. The next step was the _delatio nominis_. Cf. _ad Fam._ 8, 6, 1.

3. _Admiratus sis_. _Z._ 540.

4. _Novi sceleris_, (for which the common text gives _facinoris_), alludes to the commencement of the oration: _Novum crimen_, &c., and _scelus_ is purposely repeated here so often, to annoy Tubero.

5. _Tu_, with emphasis. _Z._ 379. For _vocas_ Klotz gives _vocasti_.—

6. _Alii errorem_, &c. An ascending series: _errorem_, in the Pompeians, who acted conscientiously; _timorem_, in those who were really afraid of Caesar's tyranny; _spem_, sc. of arriving at honors and command; _cupiditatem_, the feeling ofarty men who looked no farther
than their party; odium, groundless hatred of Cæsar; pertinacia, downright obstinacy in the cause they had espoused; tementatem, an incon siderate eagerness for war. All these had some truth, the charge of wickedness none.


9. Ac mihi quidem. Cicero laid the blame, where it could well be borne, on fate. See Marcell. 5.


13. Liceat esse miseros. Z. 529. P. C. 152; Z. 601. The sense is: Liceat per te, Tubero, in exsilio ac miseria Ligarium vivere, sed quum isto modo agis, non licet: aliquid enim ultra exsiliì miseriam queris.

15. Fuerint. Admit they were, &c. The subj. is concessive. Z. 529.


19. Quid aliud . . . . nisi. Z. 735.—Contumeliam, sc. in recalling him from Gaul before his command was expired, requiring him to stand in person for the consulship, and instead of voting him a triumph, insisting on his giving an account of his administration. Cæs. B. C. 1, 9. Cf. ad Att. 9, 11; and Cæs. B. G. 8, 53.

20. Quid egeit . . . . nisi ut . . . . tuercetur. Z. 614 and 748. Ille after tuus is omitted by Benecke, Klotz, Soldan, and Madvig.—Suum jus, sc. that of the army; but of the army as composed of citizens whose rights were involved in the treatment of Cæsar. For many of them had voted for admitting Cæsar’s claim to stand for the consulship in his absence, but the law was neglected, and therefore their rights.

21. Quum pacem esse cupiebas. Cæsar’s anxiety for peace is fully testified by Cicero, ad Fam. 16, 11; 6, 6; ad Att. 9, 8. Cf. Cæs. B. C. 1, 9 and 3, 90. Quum . . . . cupiebas. P. C. 488 (c); Z. 579.

22. An ut . . . . conveniret. The ut is omitted in some MSS., but in disjunctive clauses it is more commonly repeated. Convenire is construed either personally or impersonally. In the former case, the thing agreed upon is in the nominative, and the persons are expressed by the dative, and the ablative with cum, or by the accusative with
inter, e. g. quæ mihi tecum convenit, and quæ inter regem Pausaniamque conveniērant. The persons are often unexpressed, when they can be easily supplied; e. g. conditiones non conveniebant, and frequently res, pax convenit. When convenire is construed impersonally, the persons are expressed as in the personal construction, but the thing is put in the ablative with de, or introduced by a following clause, with ut or the relative. Here too the persons may be unexpressed, e. g. quibuscum sibi de pace conveniret; mihi cum Deiotaro convenit, ut ille ... esset, and quum de facto convenit. Finally, convenire de re can also be used of persons who are agreed upon a thing, but then cum is not allowable. Convenio cum aliquo therefore is not Latin, but convenimus is correct, e. g. quum de preda non convenirent. Justin. 15, 4, 23.

26. Quum . . . voluisses. Quum is substituted, from MSS., by recent editors, for the common reading si, which however Klotz retains. Quum is to be taken as causal, Z. 577; “since you would have wished,” &c., and the conditional clause, si me et multos Pompeianos ut sceleratos servasses, is to be supplied in the mind.

27. Secessionem. A mild word for defection or revolt; taken from the early secessions of the Romans to Mons Sacer, Janiculum, &c., by adopting which he frees Caesar from the charge of exciting a civil war.

29. Dissidium. This word Orelli here retains. The best MSS. give discidium. Madvig (ad Fin. p. 812, fg) rejects discidium altogether, and denies that it is a Latin word. His reasons are, that its form is contrary to the usual formation; that, wherever it is found, the oldest and best MSS. give discidium; and that partly the thought and connection, partly the grammatical relation of the words, require discidium in the sense of separatio, discessio. He states the result at the conclusion of his investigation, as follows: Satis confirmatum esse opinor, nullum esse Latinum vocabulum discidium, id autem, quod est, discidium, ita late patere, ut non solum ad eorum separationem, qui in diversa loca distrahayunt, pertineat, sed ad omnes, quorum conjunctio, etiam animorum vinclo astricta, prorsus tollatur et in inimitias convertatur. See Seyffert’s Ladius, p. 152, fg.—Utrique cupientibus. Aliter loquitur, quum oratorem agit, aliter cum amico. Cf. ad Att. 8, 11: Dominatio, quaestia ab utroque est: non id actum, beata et honesta civitas ut esset; 10, 4: Utrique semper patriae salus et dignitas posterior sua dominatione et domesticis commodis fuit. On the plural of utergue, see Z. 141, Note 2.

30. Partim consillis. Some through upright views.—Partim studiis. Others again through party feelings.

31. Pene par. Par closes its clause with emphasis, and is repeated at the beginning of the next clause with equal emphasis. This figure is called anodiplosis.
32. Non par fortasse. Maxime quia inter Pompeianos permulti fuerant homines inconsulti ac temerarii. Cf. *ad Att.* 9, 11; 11, 6; 11, 9. Pompeianos autem, ut vult Manutius, h. l. Cæsarianis ante pone re non poterat orator. Orelli.—*Causa tum dubia.* He did not think so when writing to Atticus, 7, 3: *causam solum illa causa non habet; ceteris rebus abundat.*

33. Posset. Z. 558.

35. Quis non . . . probet. Z. 530. The gods decided which cause was the better; but it is only the experience of your clemency that will gain to your victory a hearty approval.


Cf. VII.—37. Communem causam. Of all the Pompeians.—*Veniamus.* It is not unusual to pass from the singular to the plural. And on the other hand the transition from the plural to the singular is not unfrequent.

38. Nostram. The cause of Ligarius. Having thus far refuted the general charges against the Pompeians, he now shows in particular the superiority of Ligarius’s cause, because Tubero went to the province when its fidelity to the republic was doubtful; and sent by a senate the organ of a party. Not so Ligarius.—*Utrum* is the neuter of the adjective taken as the subject of *facilius esse,* and serving to introduce generally the question which follows. *Ligarium* and *vos,* therefore, which the MSS. give, are the true reading instead of *Ligario* and *vobis.* In this passage Orelli gives the punctuation proposed by Madvig, who also (*Opusc.* i. p. 159) advocates *veniam.* The common punctuation places a period after *ad nostram,* and this is the punctuation o’ Benecke, Klotz, Soldan, and even Madvig in his edition of the Orations.

40. Poteramusne, sc. in Africam non venire. Could we avoid going into Africa.—*Si me consulis.* The expression is borrowed from the lawyers, *qui proprie consulit dicuntur.* Cf. in *Cat.* 1, 5, 13. Cicero wishes always, as far as possible, to appear to be on the side of law and order, and therefore here, as also below, ch. 8, 23, he says, he always regarded it as his duty to recognise the will of the senate, thereby justifying his position in regard to Caesar.


42. Eo tempore paruit, quum . . . necesse crat. Z. 579.

This was before the civil war commenced, when the senate still directed the administration of affairs.

43. Tunc paruistis. *Tunc = tum-ce* stands emphatically for *eodem ipso tempore,* “just then,” and is received by Benecke, Klotz, Soldan, and Madvig.
44. Quinoluit. For any who did not choose to obey the senate
found a refuge with Caesar. Ernesti wished qui nollet; but the sen-
tence is merely explanatory of nemo, and therefore the indicative is
correct.

1. Generi, nominii, &c. As one of the ÀElians and a Tubero,
whose character and principles alike prompted you to obedience, you
could not have done otherwise.

2. Quibus rebus gloriemini, sc. for having yielded obedience to
the senate, the highest power in the state. The subj. by Z. 547.

3. Tuberonisi, i. e. Lucius Tubero the father. The senate ev-
every year determined which should be consular and which préto-
rian provinces. The prétoian provinces, which were six in number after
the reduction of the Spanis, and sometimes the consular, which were
only two, were distributed by lots, which were shaken in an urn, and
drawn by a boy. Benecke and Soldan: Tuberoni.

5. Statuerat excusare, sc. morbum, i. e. morbum pro causa af-
ferre, cur nollet. This is the usual explanation, but it is perhaps better
to take it absolutely, that he meant to decline; whether for this or that
reason is left undecided.

6. Omnes necessitudines, i. e. omnis generis. So p. Sest. 17,
39: quocum mihi omnes erant amicitiae necessitudines.

7. Militiæ contubernales. Military chums. The centuries
were divided into contubernia, consisting of ten soldiers, who quartered
under one tent. Veget. de re mil, 2, 13. It was customary for young
Romans of family to attach themselves to the commanding general
for the purpose of learning the art of war under his eye, and this was
called alicui contubernalem esse, or in alicuius contubernio esse. Ci-
cero and Tubero were tent-mates in the Marsic war, under the con-
75, line 2.

8. Magnum vinculum. Quintil. 1, 2, 20, arguing for a public
education, says: Mitto amicitias, quae ad senectutem usque firmissi-
mae durant, religiosa quadam necessitudine imbuta. Neque enim
est sanctius sacrís iisdem quam studiis initiari. Cf. ad Fam. 13, 29.

10. Voluisse. Wished and might; for the argument goes to
show that he was free to act as he pleased.—Quidam agebat. There
was one so active or urgent. Agere is often used as here absolutely,
without an object. The direction of this activity is more nearly de-
fined by the following clause: ita . . . opponebat. By quidam some
suppose reference is had to Pompey, others, to Cato. Sed de his mor-
tuis tecte loqui vix quidquam attinebat. Ego interpreter de M. Mar-
cello, quem significat tantummodo ne Cassaris in eum odium refricet
Sic ex optimorum Codd. testimonio ejus nomen siletur etiam in § 37
Orelli.


16. Nam, si crimen est ullam voluisse, &c. This passage is variously read and explained. Some give: nam, si crimen est prohibere ullam voluisse. But most reject prohibere, which is found in only a few MSS. of an inferior class. Steinmetz, Klotz, and Soldan therefore with the most and best MSS. read: si crimen est illum voluisse, and this seems to be the preferable text. The meaning of the passage as given in our text is thus stated by Wernsdorf: Si velle (crimen committere) crimen est, vos non minus magnum crimem commissistis, qui Africam . . . . obtinere voluistis, quam alius quis (e. g. Ligarius), qui eam obtinere maluit. Madvig points si crimen est ullam, voluisse: Benecke, si crimen est, ullam voluisse. In the other reading, illum is to be referred to Ligarius, who has just been named, and aliquem to Varus, not to Ligarius, as is commonly done. What is said therefore in the protasis, of the general wish of Ligarius to commit some crime, is fitly applied to the opposite wishes of the two opposing parties as it were to get possession of Africa, which are compared in the apodosis. If Ligarius’s simple wish to do something is considered a crime in itself, then no one else, who, like Varus, chose to get possession of Africa, rather than you, committed a greater crime than you, who wished, though with less vehemence, to get that province. For the question is not of the strength of the desire. If the wish of that one (Ligarius) is in itself a crime, then the circumstance, that you wished to hold Africa, that stronghold of all the provinces, by nature fitted to carry on war against this city, is just as great a crime, as if some one wished for himself still more strongly the same possession.

18. Arcem, &c. As possessing the greatest resources.—Natam ad bellum . . . . gerendum. As shown in the Punic wars.

20. Atque is tamen aliquid. And yet that “aliquid” was not Ligarius. Cf. p. Deiot. 13, 35: id autem aliquid est.

21. Imperium se habere dicebat. It was a usurped command. Cf. § 3: Ille (Varus) imperium arripuit, si illud imperium esse potuit.

22. Quoquo modo se illud habet. However that may be. Z. 521, Note Al. illud se habet. The common text gives sese.

24. Traditturi fuistis. P. C. 447, in fin.; Z. 498. Benecke, Klotz, and Soldan: fuissetis. Z. 519, a. The argument assumes a disjunctive form: You must, if admitted into the province, have held it either for Caesar or Pompey. If you say for Caesar, even Caesar will not approve of such treachery; and indeed the supposition is monstrous. You must then have held it for Pompey; and that this
was your design your subsequent conduct proves. For as soon as you found yourself excluded, you withdrew to Pompey. Falsely boast then, if you will, that had you been allowed to land, you would have delivered Africa to Caesar; for it only sets your treachery in a stronger light.

Ch. VIII.—28. Eum. L. Tubero, the father.

29. Apud ipsum te = apud eum ipsum, cuius . . . . interfuit, id est apud te. Ipsae precedes as being the leading notion, and the personal pronoun follows as explanatory.


32. Non tam. Klotz and Soldan from MSS. read non tam pro- ter id, ne, &c.

34. Veniebatis. You attempted to enter. Z. 500, Note.

35. Unam ex omnibus. Unus is joined with the partitive genitive only when it means the one in reference to alter or alteri (alius), &c. Otherwise in prose we find, for the most part, unus ex or de.—Huic victoria. Pharsalice. Huic victoria = victoria quae nunc nobis grata est; or victoria, quam Caesar, qui hic adest, consecutus est.

36. Rex potentissimus. Juba, son of Hiempsal, and king of Numidia according to some; of Mauritania, or both, according to others. The hostility of Africa was owing to its early connection with Pompey, who found in Juba one of his most zealous adherents.

37. Conventus firmi atque magni. Powerful and important districts or countries. Others, omitting the comma after voluntas, construe as genitives singular. But Cicero is enumerating the difficulties with which Caesar had to contend in Africa. These are the unfriendliness of Juba, the hostility of the province, and the conventus firmi atque magni, which some understand of the Roman citizens there congregated for business.

38. Quid facturi fuistis. Z. 498.


40. Et prohibiti. Z. 717.—Summa cum injuria. Z. 472. He was not even allowed to land his sick son.

42. Nempe. Z. 278.—Cujus auctoritatem secuti. Latenter hoc significent: Auctoritas amplissimi viri, non causa vos ad belli societatem adduxit.

43. Quod si . . . . veniebatis . . . . venissetis. Observe the indicative in the conditional clause, and the subjunctive in the consequent clause. The indicative represents the action as real or as so conceived, here with reference to veniebatis above, line 34; the sub-
junctive of the pluperfect in the consequence states what should have taken place, but did not.

1. *Quo est ergo.* Klotz and Soldan: *quo est hac ergo.*

2. Accusatis. So from MSS. for *accusatis*. The subjunctive states it as a simple thought or reflection, not as an actual fact.—*A quo queramini.* Z. 551, in fin.


4. Vel. Z. 734.—*Si velitis.* Benecke, Klotz, Soldau, and Madvig: *si velitis;* and, except Madvig: *gloriari per me licet.* Also in the next line, Benecke, Klotz, and Soldau read, *tradituros, etiam si a Varo et a. q. a. prohibiti essetis;* &c.

6. A Varo et a quibusdam. See note on p. 18, line 5.—*Prohibiti estis,* sc. provinciam Caesari tradere.

7. Confitebor. Soldan reads *confiteor.*

8. Privaverit. Z. 564.

Ch. IX.—9. Constantiam. Continued irony to line 31


13. Constantiam *dico*! This is a formula of frequent occurrence in corrections. Cf. *p. Mil.* 28, 76.


15. Fecisset, ut . . . rediret. Z. 619.—*A quibus . . . ad cos ipsos.* Klotz and Soldau give *a quibus partibus . . . ad cos ipsos,* making it an instance of the *constructio ad synesim.*

17. Ejus viri. Madvig: *ejus viri est.*


21. Nobilitas. For the *Ælia gens* was most noble, deriving its origin from the kings of the Laestrygones. See Horat. *Carm.* 3, 17; Juven. 4, 154; 6, 385. It had also formed alliances with the Scipios. The Atia gens was rather obscure, until ennobled by Augustus Caeser, the son of Atia, the daughter of M. Atius Balbus.

22. Justo. Regular, i.e. appointed by the senate, not as Varus's, * clamore multitudinis imperitae.*

26. Secutus esset. Benecke reads *secutus erat,* referring to Z. 547, *Note.* So also Klotz, Soldan, and Madvig.—*In Macedoniam,* &c. The adversative conjunctions in Latin are omitted, when an affirmative clause is opposed to a preceding negative one. When the
27. Cum injuria. Benecke and Soldan reject the preposition. Z. 472. Without the preposition, the cause or ground of the action is given; with the preposition, a new circumstance is added. To express therefore that the wrong consists in the rejection, the preposition should be omitted. Cum injuria implies that to the rejection another wrong is added. Cf. cum crudelitate rejectus, § 26; and prohibiti summa cum injuria, § 24.


30. In præsidibus eratis. You, as the senators, magistrates, and men of rank, who followed Pompey into Greece for whatever reason, were in the camp, without however making part of his fighting army. —Animi. Referring to both the Tuberos. Z. 92.

31. An, ut sit, &c. The general purport of this passage appears to be to press the zeal which Tubero showed for victory, and, supplying the ellipsis, the sense may be thus given: Or, was not that, which is usually the case in civil wars, with you still more the case than with the rest? viz. that you ardently desired to conquer. The *** indicate a lacuna. Exciderunt, quæ proprio de Tuberonom studio dicta erant. Madvig.

33. Pacis equidem semper auctor fui. Cf. Deiot. 10, 29; Att. 7, 14; 9, 11; Marc. 5, 14; Phil. 2, 10, 24; ad Fam. 6, 6.—Sed tum sero, sc. after his return from Cilicia. Ad Fam. 4, 1.

34. Pacem cogitare. Matthiae distinguishes between pacem and de pace cogitare. The accusative denotes the thing which one wishes to effect; the preposition with the ablative only the subject of the reflection.


37. Se res habet, and res se habet, are both found in Cicero. Zumpt, Verr. 5, 34, 89, thinks the latter the regular order; Madvig, de Fin. p. 57, thinks the former is more frequent.

38. Hanc salutem, a Cæsare victore acceptam.—Illi victoriae, de cujus crudelitate timebamus.

Ch. X.—40. Beneficii sul. Erga vos quorum constantiam (in Pompeiana causa) non ignorabat. Anget Cæsaris clementiam, et simul Tuberones carpit, quem eos non penitere constantiam suas dicit.

41. Vestras injurias. Z. 424.—Rei publicae. Eius, quæ nunc est, et Cæsaris consilio ac sapientia gubernatur.

43. Quis . . . putetis. In supposing. Z. 555.
1. Itaque num, &c. He throws himself and his suit on the mercy of Cæsar; and begs to disabuse him if he imagined he was pleading the cause of Ligarius. It was altogether an appeal to his humanity, &c.

2. Ad unam summam . . . vel humanitatis, &c. All that he has said he wishes to reduce to a single head or point, and that is Cæsar’s humanity. The genitive (genitivus epexegeticus) may be referred to Z. 425.

4. Causas, &c. Cæsar was also a distinguished orator, and according to Quinctil. 10, 1, 114, the only man fit to be a rival of Cicero: since (in his pithy expression) eadem animo dixit, quo bellavit. See Cic. Brut. 72–75.

5. Dum te in foro, &c. A. v. c. 677, at the age of twenty-three, Cæsar accused Cn. Dolabella of extortion in his province of Macedonia, and continued his pleading till nearly forty. This is what he calls ratio honorum, the course of your honors. He was prætor, A. v. c. 692, at the age of thirty-eight.

6. Ignoscite, iudices. Hæc esset deprecatio; quam locum haberes in senatu et apud populum et apud principem et ubicunque juris clementia est, disputat, Quinctil. 7, 4, 18.—Erravit, judicio.—Lapsus est, facto.—Non putavit, i.e. non reputavit secum. The same as te mere fecit below.

7. Si unquam posthac, sc. tale quid commiserit. Aposiopesis. Z. 758 and 823.

9. Dic te . . . judicem esse. He bids Cæsar to imagine himself a judge of Ligarius, and to put to him, as counsel, the usual questions. In such a case, he professes that he would have nothing to say in defence, but by the figure antiphrasis (i.e. quum quædam negamus nos dicere, et tamen dicimus), he concisely sums up, without the appearance of having designed it, the substance of what he has previously urged in defence.

11. Colligo. The technical term for collecting proofs for a trial. —Valerent. The conditional member is frequently left to be supplied from the context.

13. Non acerbus, † totus. The † indicates that the text is doubtful. Madvig reads, jam est totus; Klotz and Soldan, non acerbus fuit, tametsi totus. During the war even he was not a bitter enemy, on the contrary rather, he was wholly yours in heart and affection. Tametsi is thus used to correct a former expression. Hand, Turs. ii. pp. 604–606.


18. An sperandi. Quinctil. 5, 10, 93, calls this comparatio ex difficiilore; for it was obviously more difficult for Cicero, who was

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ready indebted to Caesar for his own, to urge the pardon of another, than for that other to hope for a pardon. But this being done, Caesar would hardly forfeit the glory of his clemency, gained in pardoning the one, by refusing the same pardon to the other.

21. Tui necessarii. We might expect tuorum necessarium, but the construction is conformed to the relative qui, instead of to the antecedent eorum.


26. Itaque, &c. Accordingly, you do not, to be sure, deny your own friends any favor, as the preceding remark (neque te spectare, quam tuus esset necessarius) might lead a person to suppose. So far from that, you are above measure liberal to them; still I see (sed video tamen) that the causes, &c.

27. Beatiiores. Beatus qui multa bona possidet. Cicero does not mean that they were happier than Caesar, but as we say, "better off," "wealthier." Caesar was so generous that he left himself in a worse situation than the recipients of his bounty. This accords with the account of Sallust, Cat. 54: nihil denegare quod done dignum esset.


31. In Q. Ligario conservando. Si Ligarium conservaveris. And this introduces the case of Ligarius. He here reasons syllogistically. Thus the major (Vidi enim, &c.) is shortly: Just grounds (causas) for interference in the suppliants usually avail with Caesar. The friends of Ligarius have the justest grounds (minor). Therefore, &c. In establishing the minor he is able to enumerate all the friends of Ligarius who are interested in his fate. And this he proceeds to do.

32. Tu quidem . . . sed. Z. 278, 744, 801. See note on p. 22, line 2.


34. Sabinos. Ligarius was of Sabine origin, and it was usual for the whole people of a district to appear at Rome in defence of a patron or countryman. So the Campanians appeared in favor of Cicero, on his return from banishment.—Tibi probatissimos. They had afforded Caesar an asylum during the proscription of Sulla, and he may have tried and proved their valor in his legions.


37. T. Brocchi . . . lacerinas squaloremque. Brocchus was the uncle of Ligarius. Squalor, the garb of mourning, is often joined
with sordes, and describes the neglected appearance of those who were in affliction and distress.

41. Quodvis. Benecke, Klotz, Soldan, and Madvig: Nam quodvis.

43. Si fraterne, si pie, si cum dolore. Notice the anaphora, by which, in the first member of this sentence, the conjunction, and in the second member, the predicate is repeated. It is often the case, in animated discourse, that a word which is common to the connected members of a sentence is repeated, by which the place of the copulative conjunction is taken, and a kind of asyndeton is formed. Besides, in this sentence the chiastic arrangement of fraterne, pie, cum dolore, and lacrimae, pietas, germanitas, should be noticed.

3. Essent. P. C. 460 (b); Z. 545.

4. Hunc splendorem. This is the proper epithet of the equestrian order, as, majesty of the people, and authority of the senate. Benecke and Madvig retain the reading, omnem hunc Brocchorum domum.

5. L. Corfidium. By a lapsus memoria Corfidius was here mentioned, though previously dead. Cicero requests Atticus (13, 44) to be careful to have the name erased from all the copies; which, however, was not effected.


7. Tecum fuerunt. This did not require them to be actually in Caesar's camp. It was enough that they did not join Pompey. Benecke, Klotz, Soldan, and Madvig: viros, qui tecum fuerunt.

8. Requirebamus. Missed, felt annoyed at the absence of. Therefore their deserts towards you are enhanced by their being the objects of the hatred and threats of the Pompeians.

9. Minabantar. Benecke and Klotz: minabantur. By nonnulli we may suppose Pompey, Lentulus, Scipio, and Fannius are intended, not Cicero who strongly censures those who threatened the neutral. Therefore Minabantar is preferable.—Tuis suos. To those, who by their neutrality are proved to be your friends, preserve their own.

10. Hoc. Your considering all these your friends who did not appear against you.

Ch. XII.—13. Tecum ... fuisset, i.e. domi remansisse.

15. Fuisset futurus. The common text is futurus fuerit, and so Madvig. Soldan: fuerit futurus. If conditional sentences, which are expressed by the subjunctive of the imperfect or pluperfect, are made to depend upon a tense of the present, in the leading sentence, they are not subjected to the consecutio temporum, but remain unchanged. In the periphrastic conjugation, however, the subjunctive of the perfect takes the place of the subj. of the pluperfect, after a
tense of the present in the leading sentence, although the conditional member stands in the subj. of an historical tense. This arises from the use of the indicative of the perfect for the pluperfect subjunctive. Compare Z. 519, a, and 498, in fin. Both *fuisse* and *fuerit* appear to be correct, though the latter is more frequent, while the Erf. and other MSS. here defend *fuerit*.

16. Consensus *conspirare* et *pæne conflatam.* Concordant, and, as it were, moulded into one.


22. *Sed iterit.* But take it in the worst point of view, admit that he did go to the war, &c.

23. *Discesserit.* Benecke, Klotz, Soldan, Madvig, and others read *dissenserit.*

25. *Quaills . . . T. Ligarius . . . fuerit.* He paid Cæsar, a. v. c. 698, a sum of money, voted to him out of the public treasury, to support his army in Gaul. This payment Cicero strenuously supported. *De Prov. cons.* 11, 28; *p. Balb.* 27, 61. *Tum* is rejected by Benecke, Klotz, Soldan, and Madvig.

26. *Quaestor urbanus.* Hi *errarium curabat, ejusque pecunias expensas et acceptas in publicas tabulas referebant.* Ascon. *Quaestores enim urbani tantæ fuerunt auctoritatis, ut imperatores redeundes ab expeditione non prius triumphum adipiscerentur, quam apud ipsos jurarent vere scriptum fuisse ad senatum de hostium occisorum et civium amissorum numero.* Neque vero hac in re modo T. Ligarius Cæsari absenti gratum facere potuit, sed etiam in pecunia ergoganda, quam quotiescunque eam solvere senatus debebat, quaestores essent adeundi.

27. *Spero te . . . recordari.* The infinitive of the present or perfect follows *spero* if the time actually falls in the present or the past. *P. C.* 15; Z. 605.— *Oblivisci.* Z. 439.

30. *De allis quibusdam quaestoribus.* Wunder and Klotz understand these words of quaestors who had shown themselves unfriendly to Cæsar, in contrast with the friendliness of T. Ligarius. But Benecke and Soldan give this sense to the passage: “even if you recall to mind the services of certain other quaestors, perhaps greater than those of Ligarius, you will still bear in mind something of the service which Ligarius rendered.” Klotz also retains *cogitatem* after *quaestorium officio.*

31. *Nihil egit.* Had no object in view, was quite disinterested.


37. *Necessariis.* After this word the common text gives *suis* Benecke, Klotz, and Soldan, *tuis.*— *Condonaveris.* Z. 511.
38. De homine nobilissimo. M. Marcellus. See the preceding oration. Observe that nuper in curia and nunc . . . . in foro with reference to each other are anaphorical, but with reference to the prepositional expressions, chiastic. Klotz gives M. Marcellus after clarissimo. See, however, note on p. 80, line 10.

40. Concessisti. Granted to the prayers of. Above, condonare has a similar sense, viz. to pardon for their sake, at their request, and to gain their favor.


6. Forsitan. Z. 728.
THE ORATION FOR KING DEIOTARUS.

INTRODUCTION.

Deiotarus was a noble tetrarch of Gallogrecia or Galatia, who in the several wars in which the Romans had been engaged in Asia, Pontus, Cappadocia, Cilicia, and Syria, had often afforded powerful aid to their generals, and proved himself a zealous and faithful ally. Through Pompey, after the close of the Mithridatic war, he was, for his services, honored by the senate with the title of king, and had Gadilonis and Armenia Minor added to his dominions. He succeeded, indeed, doubtless by Roman favor, in encroaching on the rights of the other tetrarchs of Galatia, and obtaining nearly the whole of it for himself.

In the civil war, Deiotarus attached himself to the cause of Pompey, his benefactor, in the same ship with whom he effected his escape after the battle of Pharsalia. After the defeat of Pompey, he sought in every way to regain the favor of Caesar, relying upon the friendly relations which had previously existed between them. Accordingly, while Caesar was employed in Egypt, Deiotarus offered to Cn. Domitius Calvinus, Caesar's legate in Asia, his services and money, and in his turn, A. u. C. 707, applied to Domitius for aid against Pharnaces, the son of Mithridates, who had taken possession of his kingdom of Armenia Minor, and of Cappadocia, the kingdom of Ariobarzanes, and was plundering them. In the campaign which followed, Pharnaces defeated the combined Roman and Galatian forces near Nicopolis, and almost entirely destroyed the army of Deiotarus. When Caesar, in the same year, came into Asia from Egypt, Deiotarus, divested of his royal robes, waited on him in the garb of a suppliant, and in consideration of his former services, his age, dignity, and the prayers of his friends, received a pardon, and was permitted to resume the ensigns of regal dignity. About certain claims, however, which the neighboring tetrarchs made on Gallogrecia, Caesar decided nothing; but taking with him all Deiotarus's cavalry, and a legion trained in the Roman discipline, he proceeded against Pharnaces, whose speedy defeat is recorded in the memorable words, "Veni, vidi, vici."

Cesar, after this victory, proceeding to Asia, by the route of Gallogrecia and Bithynia, became the guest of Deiotarus. He took from him, however, the tetrarchy of the Troemi and gave it to Mithridates of Pergamus, whom he had made king of the Bosporus. The kingdom of Armenia Minor also, which Pharnaces had wrested from Deiotarus, Caesar did not restore to Deiotarus, but bestowed it on Ariobarzanes, king of Cappadocia. Thus Deiotarus was left with almost nothing more than his original tetrarchy. We learn from Cicero (ad Att. 14, 1), that in the autumn of the same year, the cause of Deiotarus was unsuccessfully pleaded by Brutus before Caesar at Nicaea in Bithynia; but that Brutus interceded for Deiotarus in this matter is highly improbable, and in what other relation he defended Deiotarus is equally uncertain. When Caesar returned from Spain, A. u. C. 709, Castor the grandson of Deiotarus, by a daughter who was married to Saonondarius, accused his grandfather of a
design to murder Caesar, when he was his guest in Gallograecia, and also of an intention of sending troops to the aid of Cæcilius Bassus. Deiotarus sent an embassy to Rome to look after his interests, and with them his slave Phidippus, who was at the same time his physician. But he, while in Rome, was corrupted by Castor, and appeared against his master. This embassy waited on Cicero, who readily undertook the cause of his old friend, and in November of this year, before Caesar in his own house, defended him in the following speech. Of Cicero's success we are not informed; but from Phil. 2, 37, 94, it would appear that while Caesar lived, Deiotarus's circumstances did not improve. After the murder of Caesar, Hieras appears to have obtained from Antony, through Fulvia, the restitution of his master's dominions for 10,000,000 sesterces. Deiotarus, however, had seized by force on the territory in question, as soon as he heard of Caesar's death, and took revenge upon his son-in-law and daughter. He subsequently joined the party of Brutus and Cassius, and having attained an advanced age, was succeeded by Deiotarus II., his only surviving son, all the rest of his children having been put to death by him, according to Plutarch, in order that his kingdom, in the hands of his successor, might not be shorn of its power.

ANALYSIS.

I. In the introduction the orator speaks of his embarrassment and confusion, which he generally feels in important cases, and which is increased still more by the circumstance, (1) that he has to defend a king, and a king who has done great service to the Roman people. Besides, (2) he is agitated by the cruelty and unworthiness of the two accusers (§ 1-3), and even (3) the unusual constitution of the court, since the offended Caesar is at the same time judge; as likewise (4) the place in which he must speak, a room in Caesar's palace, instead of the public forum, add to his embarrassment. (§ 4-7.)

II. Before replying to the charge and refuting it, he speaks of the hope of the accusers, on which they relied, in the belief that Caesar had not sincerely pardoned Deiotarus, an opinion which is alike inconsistent with the noble sentiments of Caesar and with his previous expressions respecting the king. (§ 7, 8.) By this he prepares the way for the mention of what Deiotarus had done (1) for Pompey, (2) for Caesar, and (3) how Caesar had received his endeavors. (§ 9-15.)

III. The simple statement is a refutation of the charge: for (1) so inconsiderate an act is at variance with the well-known prudence and character of the king (§ 15, 16); (2) the whole accusation is a clumsy invention, and every thing which has been brought forward to prove it, is utterly improbable and absurd (§ 17-22); (3) the king had no wish to levy an army against Caesar, as the accusers maintained (§ 23, 24); (4) Deiotarus did not cherish hostile feelings against Caesar (§ 24-27); but (5) it was Castor rather, who was so disposed (§ 28, 29), who, ungrateful and treacherous (§ 30-32), had impulsively fabricated a story, that Blesamius had by letter communicated to the king, his master, something prejudicial to Caesar. (§ 33, 34.)

IV. The conclusion mentions the gratitude of the king, and his contentment with Caesar's treatment (§ 35-39); and seeks to enlist the sympathy and favor of Caesar in behalf of the two kings, the father and son.
NOTES.

CH. I.—1. Quum...tum. Not only...but also; the second being the more important notion. The first is often a general term, the second a more special determination of it; the first the more common, the second the more rare, &c. When *quum* stands in a complete clause, it takes either the subjunctive or the indicative. When it takes the indicative, both the statements are made as direct assertions. When it takes the subjunctive, a general proposition is assumed as true, and a particular instance, or further development of it is asserted in the sentence with *tum*. In English we should either use *though,* or no conjunction. *Though I am usually more agitated, when I begin to speak, &c., yet, &c.* or, *I, when I begin to speak, am wont to be more agitated, &c., but, &c.*—*Causis gravioribus.*

Cicero explains the use of the adjective here, when he says below, *di-co pro capite.* *Caput* signifies both natural and civil life—the sum of civil rights and privileges.

2. Commoveri. Compare *Divin. in Cæcil. in Ch.* 13; *p. Cluent.* 18, 51. The cause of the agitation Cicero himself gives in the person of L. Crassus, *De Orat.* 1, 26.—* Videatur.* So also Frotscher. Benecke, Klotz, Soldan, and Madvig give *videtur.*

3. *Ætas mea.* Cicero was now in his 62d year, and his experience at the bar had been long and ample to give him confidence.

4. *Fides.* Deiotarus was his friend, his *hospes,* as we learn in § 39, and Cicero was bound by a sense of duty to defend him.

6. *Primum.* Cicero adduces four causes to account for his fears.

1. His client being a king; 2. The cruelty of one accuser (the grandson), and meanness of the other (a slave); 3. The fact of the virtual plaintiff, Caesar, being also judge; 4. The place where the trial was held, sc. the house of Caesar.

7. *Regis,* emphatic, instead of *ejus, illius,* for the kingly dignity was sacred and inviolable. See *p. l. Man.* § 24.

8. *Dumtaxat = dum taxat,* "whilst one estimates it;" "being accurately estimated;" hence (1) "not more than," "only;" (2) "not less than," "at least." *Z.* 274.—*Periculo.* Because in Caesar's peril, the whole state was in danger.—*Reum capitis esse.* *P.* 188.

10. *Quem ornare.* *Ct. ad Fam.* 15, 4; *Phil.* 11, 13.—*Solebamus.* So Benecke, Klotz, Soldan, and Frotscher, who considers the plural more complimentary to Deiotarus. The meaning is: omnes nos Romani cum senatu in eo orando celebrandoque consentiebamus; and those generals particularly whom Deiotarus had aided in their wars, Sulla, Murena, Lucullus, Pompey, and others are had in mind. Orelli compares *de Rep.* 1, 6, 10: *Quasi vero major cuiquam necessitas accidere possit, quem accidit nobis! in qua quid facere potuisset, nisi tum consul fuisset?* Madvig, however, retains and defends *solebam.*

See note on p. 71, line 27.—Accedit, ut. When the sentence is conditional, accedit is always followed by ut. Without a condition we sometimes find accedit ut, but more commonly accedit quod. With quod an added circumstance is presupposed as real; with ut it is conceived as just developing itself = præterea fit, ut. See Z. 621, 622.

13. Alterius crudellite. Because his grandson Castor was the accuser of his grandfather.—Alterius indignitate. Because his slave Phidippus had appeared against his master.

14. Crudelis Castor. So also Benecke, Klotz, Steinmetz, and Soldan. Madvig and Schneider defend Crudelem Castorem, on the ground that ne dicam requires the same case of the substantive or adjectival before as after it. Cf. p. Mil. § 33: vivo Milone, ne dicam consule. Hunc accusatium s sequentibus ortum esse arbitror: atque omnino initio orationis exclamatio minus apposita videtur. Orelli.

15. Nepos. The son of his daughter, who had married Saoconarius.—Adduxerit. The subjunctive expresses not merely some additional characteristic, but the conception and feeling of the speaker. Z. 554.—Adolescentiaque sua terorem = terorem a sua adolescentia s. a se adolescente, prosectum. For young men at Rome found it a ready way of gaining commendation, to accuse the magistrates, to whom, therefore, they were in some sort a terror. De Off. 2. 14. Benecke omits ei after intulerit, referring to Z. 765.

17. Deebat. On the indicative, see Z. 518.


19. A legatorum pedibus. In company with whom he had come to defend his master. Servants are said to be ad or circum pedes domini, i. e. pedissequi. Verr. 1, 36, 92: habebat circum pedes homines formosos et litteratos.

20. Fugitivi. This is said contemptuously of Phidippus, since when sent with the other ambassadors to defend Deiotarus, he had abandoned his cause. His object, in speaking so contemptuously of his servile condition, is to make the accusation of Deiotarus appear still more unworthy, and to lower and weaken in the minds of the Romans the regard in which Phidippus stood in his own country. On the repetition of dominum, compare ad Att. 5, 2, 1: quum Hortensius veniret et infirmus et tam longe et Hortensius; p. Sest. § 54: gener, et Piso gcner.

22. Os, quo impudentiam præ se forebat.—Quum verba audiebam. These words are omitted by Benecke and Soldan as a gloss on quum os videbam. But Madvig very justly remarks, quam apte utriusque sensus offensio commemoretur quamque numerose membra orationis cadant, nemo non videt.

23. De fortunis communibus. For who can be safe, if slaves are permitted to turn informers?
25. De servo in dominum. The regular construction should be noticed, *de servis quaerere in dominum*, i.e. servis quaestione servum tormentis extorquere, quod contra dom. valere possit. Not even is the involuntary (*tormentis*) evidence of a slave allowed against his master, much less the voluntary accusation (*accuset solutus*).

2. *Exortus est servus.* Intimating the impudence of Phidippus—here starts up a slave.

3. *Accuset.* Compare note on p. 44, line 22. Ernesti altered it to *accusaret*. But *exortus est* brings the action down to the present time, and is but a rhetorical amplification of the simple *est*. Z. 512, Note.

Ch. II.—4. *Illum,* Referring to what follows. This circumstance, *sc.* your being judge in your case. The *third* cause of his fear. Matthiae remarks that *quod dicere . . . grave est* ought to follow, instead of which Cicero commences with the causal particle *nam*.

5. *Quum =* now that, since.

8. *Arguare.* Z. 166. The second person of an indefinite subject is common.

10. *Æquioarem =* more favorable, kind.


12. *Quid . . . judicare.* Namely, that you are a friend of justice and humanity. By this praise of Cæsar he hinted what Cæsar ought to be; particularly that it was foreign to his clemency to condemn in his own case. Cæsar’s anxiety to be thought mild and forgiving is noticed by Suetonius, c. 75.

13. *Loci . . . insolentia.* The *fourth* cause. Cicero’s usual theatre was the forum; here, the house of Cæsar, where there was no surrounding band (*conventum*) by which the orator is inspired to emulation. Compare *p. Mil.* 1, and the story of the declamer Porcius Latro given in Quintil. 10, 5, and Senec. *Controv.* 4: *Præf.* Declamatoriae *virtutis Latronem Porcium unicum exemplum quum pro reo in Hispania Rustico Porcio propinquuo suo diceret, usque eo esse confusum, ut a solacismo inciperet, nec ante potuisse confirmurum tectum ac parietes desiderantem, quam impetravit, ut judicium ex foro in basilicam transferretur. Usque eo ingenia scholastici excitationibus delicate nutriuntur, ut clamorem, silentium, risum, calum denique pati nesciant.

14. *In discepectione versata est.* Came on trial.

16. *In qua oratorum studia nititi solent.* Z. 466

17. *Acquiesco.* Not so strong as *gaudeo, delector*, but *= tuos oculos, indices benevolentiae tuae quum intueor, timere desino.* Z. 416.

19. *Quæ.* These things; referring to what has been mentioned in the preceding clauses.—*Obtinenda veritas.* Veritatem *obtinere =* to make good, establish, or by defending set forth the truth so that all shall see it. Cicero had what was most important in establishing
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the truth; though it was of little weight in rousing the eloquence and ardor of the speaker.


24. Cujus omnem ætatem in populi Romani bellis consumptam. The first expedition of the Romans in Asia, occurring in the time of Deiotarus, was that of Sulla, A. V. c. 662, to restore Ariobarzanes to his kingdom of Cappadocia. He had assisted the Romans in the first Mithridatic war, in the time of Sulla, A. V. c. 667. It was now 709. Soldan rejects ei before regi.

26. Curiam. Because it was contiguous to the forum where the cause should be pleaded in the open air:

27. Deorum... populi Romani... senatus. These answer to cælum... forum... curiam, and, as usual, are in the reverse order. See p. Lig. 11, 33: Si fraterne, &c., with the note on the passage. Observe also the repetition of the et with each of the substantives, in reference to cælum, forum and curiam.

30. Maximæ causae, i. e. longe gravissimæ, quanta, inquit, § 5, nulla unquam in disceptatione versata est.—Debilitatur loco. Cf. Tac. Dial. 39.


32. Ad te ipsum referre. Referre ad aliquam rem is properly to refer to something as a standard or measure. You, Cæsar, should judge my present feelings by your own; you should put yourself in my place, and give me the indulgence which you would then require—Quo facilius. Z. 536.

34. Antequam... dico. Z. 576. He wishes to remove any latent hatred which Cæsar might cherish against Deiotarus, as a Pompeian, before he proceeds to the charge itself.

35. Accusatorum. Castor and Phidippus.—Quam = etsi. Z. 577.—Nec ingenio. It is contrary to Cicero’s usual practice to lower the character of his opponents; but here he does so to show their audacity in impeaching a king, and that they must rely for success on Cæsar’s well-known prejudices against Deiotarus.


Ch. III.—39. Affectum, &c. Cæsar had deprived him of the triarchy of the Trocmi, and also of Armenia Minor, which he owed to Pompey. De Div. 2, 37. Benecke, Klotz, and Soldan read affectum; but Orelli and Madvig prefer affectum, as better suited to the softened expressions incommmodis et detrimentis. Instead of the mild language here chosen, compare the harsh words used by Cic. Phil. 2, 37, 34: Quis enim cuiquam inimicior, quam Deiotaro Cæsar? &c.—Propter offensionem animi tui. Owing to your displeasure.
40. [Teque . . . cognoverant.] These words are bracketed by Orelli, after Madvig, on account of the perversity of the sentiment. 

Esse before cognoverant is omitted in the common text, as is often the case after the verba sentiendi; but when a lasting state is to be denoted, it should be expressed.

41. Apud ipsum te = apud ipsum, de cujus periculo dicerent, id est, apud te. See note on p. 80, line 29.

42. Fore putabant, ut . . . Insideret. Z. 594.—Exulcerato, figuratively from festering wounds. Therefore insideret, of a deeply-seated and fixed grudge. As Cæsar would be called upon to negative this supposition, so it is a tacit exhortation to justice.

44. Per clementiam. Benecke, Klotz, and Madvig omit the preposition here.

3. Hospes hospiti. Z. 798. The allusion is to the time when, in returning from his march against Pharnaces, after the Alexandrian war, Cæsar partook of the hospitality of Deiotarus.

4. Non tam in bellis, &c. Matthiae here supposes a blending of two constructions, one of which would give non tam in bellis, quam in promissis firmam; the other, non in bellis, quam in promissis firmiorem. Benecke rejects this explanation, and holds that tam does not correspond to the following quam, which refers rather to the comparative firmiorem, but is closely connected with the non, nearly in the sense of non admodum. Schneider (Jahrb. 52r. B. 1848, p. 280) prefers the view of Benecke, and compares Liv. 28, 39, 12: Quod nobis non tam fructu jucundius est quam ultione, where tam as in our passage is found in all MSS. On the twofold application of manus, compare ad Fam. 7, 5, 3: totum denique hominem tibi sta trado de manu, ut aiunt, in manum tuam istam et victoria et fide præstantem.

6. Dii penates. The tutelary gods of his family.

7. Deiotari regis. On the order of the words, see Z. 796. Which is the usual order?—Aræ focique. See note on p. 46, line 24.

8. Facile [exorari]. Not only easily induced to forgive, but to forgive heartily (semel, once for all; cf. § 39). Klotz, Benecke, Säpfle, and Soldan read facile orari from the best MSS., and explain it: Cæsar on the one hand does not close his ears to entreaty, and on the other allows himself, once for all, to be prevailed upon.

9. Placavit . . . seuserit. After qui non or quin, when a negative or equivalent interrogative precedes, it is the usage of Ciceron to place the subjunctive in the same tense which has gone before, because the action, follows immediately, and is included in the same time as the preceding. Compare note on p. 55, line 22.

10. Quamquam, &c. "Though why dwell on this? For by whom have your expostulations with Deiotarus been unheard? Every one knows the drift of them. You never accused him as an enemy,"
ORATION FOR KING DEIOTARUS.

12. Hostem. The distinction that hostis means an enemy of the state, and inimicus a private enemy, is not always observed. See de Fin. 5, § 29; Verr. 2, § 58; Sest. § 129; and compare note on p. 54, line 27.

14. Daturum fuisse. Benecke, Klotz, and Soldan give daturum esse, which is the reading of only the Erfurt MS., but supported by the note of the Schol. Gronov. on this passage, who gives the following letter from Cæsar to Deiotarus: Turpe est. Et ego amicus tuus fui. Quæ causa est, ut ad Pompeium transire? Sed ignosco tibi, si se- cutus es nomen senatus. Mitte exercitum Pompeio, mitte filium, ut tantum excusatione utere, quia senex es.

15. Ipse, sc. autem. Z. 781. Benecke, Soldan, and Madvig: si, quam auxilia Pompeio vel etiam filium misisset, &c. Soldan: ipse tamen; and Benecke: ipse tamen excussione atatis; Klotz reads si quam aux. Pompeio vel si etiam fil. misisset, ipse tamen, &c., which Frotscher also approves.

16. Maximis . . . rebus = hostili odio. For the circumstance that Deiotarus had not from his own impulse and from hatred marched against Cæsar, but had followed the general course of things, amounted to an acquittal in reference to the most important point of the charge.

17. Amicitiae neglectae vel violatae culpam. Nam accusabat eum ut amicum officio parum functum. The fault was very trifling, and had no enmity in it.

18. In eum . . . animadvertisti. See note on p. 17, line 32. Observe also that eum, the object of liberavisti, is to be supplied from in eum. Cf. de Orat. 1, 15, 69: ad eum delata et tradita without ci; ad Fam. 13, 4, 6: ut te horter et suadeam without tibi. Comp. Z. 766.—Sed omni. When sed alone, without etiam, follows non modo or non solum, the first clause is included: i. e. as the particular in the general, the weaker in the stronger, the less numerous in the more numerous. Therefore with cuncti and omnes regularly the simple sed is found.


Cn. IV.—20. Progressus, sc. ad aliquid moliendum. Additum est concinnitatis causa, ut, quum in sqq. errore communi additum haberet lapsus, odio tui suo partcipicio fraudaretur. The complement of progressus is omitted to avoid any invidious allusion. Klotz gives progressus est . . . lapsus est.—Errore communi. Cf. Phil. 11, 13, 34.

21. Honorificentissimus. Z. 105 (c).

22. Appellavisset. The subjunctive expresses the thought only as the speaker's conception or idea. Z. 565. But in this passage the common text (omitting quum after quique) puts a period after versati,
and commences the 4th chapter with *Quum audiret*. Madvig defends the common text and punctuation as required by the moods and tenses (*appellavisset* ... *duxisset*) which are brought together, and confirmed by the connection. "Cicero primum (*§ 10*) universe Deiotarum dicit, qui senatus auctoritatem maximi facere consuevisset, perturbatum esse iisdem rebus, quibus eos, qui minus perturbari debuerint, deinde (*§ 11*) has res et hanc perturbationem singulatim describit."

Klotz, from MSS. which give *quiue eum illum*, &c., or *quiue eum illum*, &c., formed the period as given in the text, and was followed by Orelli and Süpfel. Madvig and Soldan: *quiue eum ordinem ... versati*. IV. 11. *Quum audiret*, &c.

24. *Est perturbatus = in errorem abductus est*, a softened expression like *lapsus est* above. The causes of this error are given in the following chapter. This is the first excuse for Deiotarus's joining Pompey.—*Longinquus*. For if those who were born and living in the heart of the republic, yet mistook the true state party, *a fortiori* might Deiotarus, a foreigner, living at a distance. *Nati* refers to *alienigena*, and *versati* to *longinquus*.

27. *Consullibus*. These were C. Claudius Marcellus and L. Cornelius Lentulus, A. u. c. 705. Cf. *Cæs. B. C. 1*, 5; and *Cic. ad Fam. 16, 11, 3*. The measure here referred to caused the friends of Caesar to take refuge at Ravenna, where he then was.—*Nobis imperatoribus*. Cicero had just returned from Cilicia, and in expectation of a triumph was now at the city. See *ad Fam. 16, 11*; and note on p. 77, line 3. Instead of *nobis*, the reading in most of the MSS. as well as the best, is *novis*, which Schultz also gives in his text, and Benecke thinks may be defended from *Cæs. B. C. 1*, 5, and 6.


34. *Esse effusam*. Manutius adds *ad bellum contra te gerendum*, but it answers rather to the preceding *profugisse*, and = *in fugam effusam*. Were dispersed; for on hearing of the march of Caesar towards the city, the optimates fled, and joined Pompey in Greece.

35. *Ad Orientem*, i. e. to Asia where Deiotarus was.

36. *De conditionibus tuis*. Pompey demanded that Caesar should deliver his army and province to a successor, previously to his suing for a second consulsiphip. Caesar offered to disband his army if Pompey did the same. Cf. *Cæs. B. C. 1*, 9; *Cic. ad Fam. 16*, 12. After *veri* in this line Klotz with some MSS. gives *nuntii*.

38. *Certorum hominiuium*. Especially the consuls Lentulus and Marcellus, M. Bibulus, L. Domitius, P. Scipio, and Cato, who all, in
their opposition to Caesar, betrayed motives quite distinct from love of country. Cas. B. C. 1, 4.

39. Se tenuit, retinuit, quo minus ad bellum proficisceretur

40. Ignoscce. Pardon the man so circumstanced in regard to Pompey, who, from his high command in the republic, and his intercourse with Deiotarus in the Mithridatic war, had naturally great influence over him. The second excuse.

42. Ad quem quum .... congrississent. On quum and the subjunctive, see note on p. 85, line 1. In quem is the common reading; and congerere omnia ornamenta in aliquem is a more common construction than c. o. o. ad aliquem. The former = to confer on one or impart to one all honors and distinctions; the latter = omnia congerere ad aliquem ornandum, to make every thing contribute to the honor of some one. By ad the direction towards an object is denoted, by in the object itself.

43. Tuipse. Caesar and Pompey, united by the affection and prudence of Julia, and acting in the true spirit of their triumvirate, readily voted each other the highest offices and honors; but Julia may be also meant.

44. Si .... Idcirco. See note on p. 26, line 7.—Tuæ res gestæ. See note on p. 36, line 31.

3. Honores populi Romani, a populo Romano in Pompeium collati.

4. Quanti senatus. What ellipsis is there here; and what do we in English supply? Z. 767.

5. Tanto .... quanto. Benecke, Klotz, and Soldan, from the Erf. and other MSS., read quanto .... tanto. Verum qui sic loquitur, is, quanta Caesaris gloria sit, ostendit Pompeii comparatione; Cicero, Deiotari excusandi causa, quanta Pompeii gloria fuerit, commernorat; itaque omnia breviter comprehendens tantam aituisse Pompeii glorie prater ceteros praestantium, quanta nunc Caesaris sit. Madvig.


Ch. V—9. Ad eum igitur. Igitur resumes the thread of the narrative, which had been interrupted by § 12. Z. 739. The third excuse is drawn from antecedent circumstances. He had been the old ally, host, and friend of Pompey.

10. Justis hostilibusque bellis. Bellum justum is one commenced and carried on in accordance with the usual formalities. Cf. de Off. 1, 11, 36. Bella hostilia are wars waged with a foreign foe, in opposition to bella civilia. For hostis was anciently = peregrinus. The assistance here alluded to was afforded in the Mithridatic war, which Pompey terminated.

11. Quocum. Cicero usually uses quocum, and (rarely) cum quo, to refer to a definite person, and quicum when the reference is indefinite or general.
12. Et venit, &c. The fourth excuse, from the concomitant circumstances.—*Vel.... vel.... vel* Z. 336, 339.

13. Evocatus. Benecke and Soldan read vocatus, and consider inappropriate the particular meaning of evocatus as applied to a veteran who has served his full time and received his discharge, but is afterwards called to the field by special request, or, as a compliment to his military experience, on special occasions. For arcessitus, Benecke, Klotz, and Madvig give the form, accersitus.

14. Ad fugientem, &c. Not to a victorious general, but a retreating friend. For Pompey had fled from Italy to Greece. Therefore Deiotarus’s conduct was perfectly disinterested.

16. Pharsalico prello facto. The fifth excuse, from the subsequent conduct of Deiotarus.—*Discessit.* Nec tamen continuo; Pompeium enim ex Pharsalico prello profugum secutus, in Cilicia vel in litore Icario expositus est, ut Orientis regna in auxilio illius concitaret.

17. Infinitam = positam in bello, quod quando finem habitutum esset, incertum erat; vague, uncertain.


19. Utilitatisbus tuis paruit = fecit quidquid utilitates tuae postulabant. They are enumerated below. His aiding Domitius, sending money (most probably) to Sextus Caesar, frequently auctioning his goods to raise supplies, &c. The common text gives contulit, *teque Alex. bell. gerente util.* &c., which Benecke, Soldan, and Madvig retain. Caesar had pursued Pompey into Egypt, and there, captivated by the charms of Cleopatra, he had espoused her quarrel with her brother Ptolemy, and involved himself in a war with the Alexandrians.

20. *Cu. Domitii.* This *Cu. Domitius Calvinus was consul A. u. c. 701.* In the battle of Pharsalia he commanded the centre, and when Caesar went to Egypt, he intrusted to Calvinus the administration of the province of Asia and the neighboring countries. Domitius here became involved in a war with Pharnaces, the son of Mithridates, by whom he was defeated in the neighborhood of Nicopolis. —*Amplissimi viri.* Z. 793.

21. Su{i}s tectis et copiis. The former understand of quarters and supplies, the latter of forces. Deiotarus furnished to Domitius two legions and a hundred horsemen in the war against Pharnaces. Hirt. *Bell. Alex.* 34, 35. Hoc tamen loco potuit loquitur de alimentis ac receptione in oppida regis. Orelli.

22. *Eum, quem tu, &c.* The individual here intended is doubtful. Some have referred it to Q. Fufius Calenus; but he was then
governor of Achaia. Others understand Sextus Caesar, who was at that time proconsul of Syria. D. Cass. 47, 26. Soldan brackets et pro-
batissimum, and omits omnibus, which is to be construed as the da-
tive with probatissimum, as in Planc. 11, 27.

23. Iterum. In the war against Pharnaces, in which Deiotarus took part. B. Alex. 68-77. So Manutius and others; but Crelli re-
ders it to the Alexandrian war.—Tertio. In the African war, A. V. c.
708. See ch. 9.

24. Uterere. Z. 166.

26. Tuumque hostem esse duxit suum. A phrase of frequent occurrence, and, according to Manutius, lepore suo non careus. Compare p. Mil. 32, 88: Cæsaris potentiam suam esse dicebat; and 36, 100: Eam fortunam, quæcunque erit tua, ducam meam. Pharn-
aces, however, was more the enemy of Deiotarus than of Caesar. Cf. Bell. Alex. 34.

28. Amplissimo honore et regis nomine. A senatu jam rex
appellatus erat; sed Caesar ei, quamquam victo, regis dignitatem
regis honore et nomine; Benecke, amp. regis nomine affeceris.—Is
igitur. The state of the question or case is: the man whom you re-
lied from every apprehension of danger, and honored most highly,
is accused of wishing to assassinate you at his house. This is suffi-
ciently improbable, as he proceeds to show.

30. Domi suæ. Z. 400.

31. Quod tu. The first proof of improbability deduced from the
personal character of Deiotarus. It would argue downright madness
in the most prudent of men. Benecke and Madvig read nisi . . . jú-
dicas. Z. 526.

32. Ut enim omittam. He enumerates, by pretending to omit,
five marks of improbability: the reverence due to the tutelary gods,
the dignity of Caesar, his fortune, the favors he had bestowed on De-
iotarus, the gratitude of Deiotarus, and adds lastly, his danger if he
had attempted Caesar's life.—Cujus tanti = quanti or cujus tam magi.
The genitive by Z. 448.

33. Deorum penatium. The tutelary gods of his family.

34. Importunitatis. Barbarity, destitute of all sense of propri-
ety, and regardless of time, place, or person.

35. Ferocitatis. Ferocitas est ejus, qui nimium viribus suis
confidit.

37. In eo. In with the accusative signifies the object or that to
which the action refers; with the ablative, the place in which the ab-
solute power of the verb is exerted. Cf. 4 Cat. 6, 12: in his homini-
bus.

38. Omnes reges, &c. Who after the defeat of Pompey had
joined Caesar, and having been kindly treated by him, would reason-
ably have been expected to avenge his death. Abram enumerates the following: Sadales, king of Thrace, Cotys, Rhaseyopolis, Ariobazanes, Tarcondimotus, Mithridates Pergamenus, and Ariarathes.

42. Filio. Deiotarī regis, et patris et filii, et magnus et nostro more instructus exercitus; summa in filio spes, summa ingenii indoles, summa virtus. Phil. 11, 13.—Distractus esset = would have been at variance or discord, would have quarrelled with, fallen out with, &c. Plerique etiam nunc exponunt “discerptus, dilaceratus,” quum sit “a societate divulsus esset, in maximum odium omnium, etiam conjugis ac filii, incidisset.” Hoc patet partim ex Textyr carissima, partim ex eo, quod dicit etiam cogitato scelere futurum fuisse, ut distraheretur. Tantam euim crudelitatem Caesaris, apud quem verba facit, imputare non poterat, ut is detecto Deiotari perfido consilio atque occupato, etiam conjugen et filium regis, homines prorsus innocentes, laceraturus, discerpturus, id est, necaturas fuisse. Orelli.


Cn. 6.—1. At, credo. An objection. All that you have mentioned as improbable in Deiotarus, becomes easy if he is a rash and inconsiderate man. But quis consideratior illo? On at, see Z. 349; and on credo, Z. 777. Consideratus, which is properly said of things, is elsewhere applied to persons. Phil. 2, 13, 31: p. Quint. 3, 11.

2. Quis tectior. Benecke, Klotz, and Soldan read and defend quis rector, which is found in the best MSS. Rectus is to be taken, not in the moral sense of just or honest, but as equivalent to firm, consistent, one whose judgment is correct and sound. But Orelli explains tectior as: Metaphora petita ab gladiatoribus, qui, uti debent, contra ictus adversariorum sese tegunt. Non igitur inest in his verbis magnum caliditatis reprehensio.


Cui porro. Z. 419. Nay, farther; a correction of the preceding sentence: I said that Deiotaruss virtues were known to you; nay, the whole world has heard of them.

Quod igitur. He draws the conclusion from the acknowledged probity and prudence of Deiotarus. Instead of audita est, Benecke, Klotz, and Soldan read sit audita. In the next line, for cadere posset, Madvig reads caderet, considering the former as expanded from the latter by some copyist for the sake of perspicuity.

Idem. Z. 697.

Minime stulto. A species of litōtes or meiosis, where an affirmation is made by denying the opposite notion. Comp. p. Cluent. 26, 72: minime amarus is visus est, &c. Similarly, we say, “he is no fool.” On vir and homo, spoken of the same person, see note on p. 93, line 34.

Suspicosc. Place the charges on one side, the life of Deiotarus on the other, and so far from there being in them grounds for
probability, there are none even for suspicion. This he proceeds to prove.—Inquit, sc. the accuser.—In castellum Luceium. Castellum, a diminutive of castrum, is a fort raised in a territory to defend it against the incursions of an enemy; or on its borders, to guard the passes; or lastly, it formed a part of the regular encampment itself. Owing to the security which these castella afforded, towns were often built near them. Here Luceium is to be taken first, generally as the name of the “castle” adjacent to, but distinct from which was the royal palace. Hence visitors to the palace were said “to come to the castle.” Again, ch. 7, it is taken as the “citadel” or “castle,” properly so called, and as such is visited by Cæsar the following day. Orelli regards the name Luceium as corrupt, as Strabo calls it Блудов.

16. Huc. The place where the gifts were displayed.—E balneo. For the bath before dinner was Roman etiquette.
17. Ibi.... in eo ipso loco. The former denotes the place generally, and the latter epexegetically more nearly defines it. In eo ipso loco also are to be more closely connected with collocati, so that erant stands by itself, and collocati as in apposition with armati. “For there were armed men, who had been placed in that very spot, for the purpose of killing you.”
18. En crimen, en causa. Z. 403, Note 2.
19. Ego mehercules. The first circumstance connected with the charge, and which shows its improbability, is that a physician was privy to the secret, yet that the sword was preferred to poison. On the form mehercules, see Z. 361, Note.
20. Quum est ad me ista causa delata, et delatum Phidippum.... esse corruptum. When that case was laid before me, and it was laid before me, that Phidippus, &c. So Matthie. Benecke more correctly takes the acc. with the infin. as in apposition with causa, for the purpose of more nearly defining wherein this consists. In Cicero, when an acc. c. inf. is governed by an abstract substantive, the substantive usually has a demonstrative pronoun agreeing with it, as in this instance.
27. Primo.... deinde. The two advantages of poison: “it is more secret, and has more impunity.” Madvig: primum.
30. Jovis ille quidem hospitalis. Strangers and guests were under the immediate protection of Jupiter, who avenged any injury done to them. Hospitalis = ξενοῦ. Benecke, Klotz, and Soldan read Jovis illius quidem, &c.
NOTES.

31. Homines... electisset. Z. 391. On the omission of vero, see Z. 781.

32. Quod igitur, &c. The double interrogation has the force of argumentation. Very likely, forsooth, that Phidippus, who was not trusted in the way of his profession (poison), should be privy to arms, swords and an ambush.

33. Tibi, Phidippo.

34. De armis... celare te noluit. Z. 391, Note.

35. Crimen contextitur. So in Greek, ἡγαλεῖν, ἥπατεν δόλον, kaká, Ἰάνατον.


39. Dimisit exercitum. In imitation of the braggart Thraso in the Eunuch of Terence, 4, 7, 44, Cicero here sportively calls the assassins who were placed in ambush the army of Deiotarus. It must have produced a ludicrous effect to address a few hired braves by the dignified appellation of exercitus, and therefore tended to "dilute" the charge by setting it in a ridiculous point of view.

41. Itaque fecisti = et ita fecisti; and you did return thither after supper. See note on p. 15, line 37.

42. Magnum fuit! Would it have been a difficult matter, with a tinge of irony.

43. Comitex et jucunde fuisses. Z. 365, in fin. It is the language of familiar confidential intimacy.—Isti from eo, ire.

89

1. Rex Attalus. King of Pergamus, the third of the name, who, A. u. c. 621, made the Roman people his heir. Liv. Epit. 57, mentions a similar circumstance of Antiochus, king of Syria; and since we have no information of such presents made by Attalus, some have supposed that we should read here Antiochus. Neutiquam cum Ursino h. l. Antiochus reponendum neque de Ciceronis ipsius ἀναφήματι μνημονί век cogitandum: nam ab Attalo non minus quam ab Antiocho, et simili quidem ratione, munera accipere potuit Scipio. Orelli.—P. Africanum. Africanus minor. He carried these gifts into the public treasury, and promised to reward with them the bravest of his army.

2. Ad Numantiam. In Spain, where Scipio was then command- ing. What does ad with names of towns signify? Z. 398, Note.

3. Inspectante. Indicating the attention of the observers.

4. Regio et animo et more, i. e. maximo splendore et liberalitate.

5. Repete... memoriam, bone... diem, vultus... recordare. Notice the arrangement of the clauses. The first and second in anaphorical order, the third chiastically.

7. Num quae. Z. 136. Dropping the interrogative form, it = plane multa. So num quid, sc. fuit, factum est, with nisi, since in num the notion of negation lies. Z. 735.
10. Disciplina. Every thing was in keeping with a well-regulated family, and none of that hurry and disturbance inseparable from the execution of guilty enterprises.

14. Acta res crimiuose est. This thing was brought forward as an important part of the accusation; the accusers made it the subject of the gravest charges.

15. Vomere post caemam, i.e. ἅρπων ἀγερε, as he calls it, ad Att. 13, 52. This was a frequent practice with the ancients, and particularly with Caesar, as appears from the letter just quoted: Accubuit (Caesar), ἅρπων ἀγεβατ. Iaue et edit et bibit ἀδεσω et jucunde; opipare sane et apparte. This disgusting practice did not argue Caesar a drunkard; for Suetonius, Jul. 55, says, vini parcessium ne inimici quidem negaverunt. It was rather to relieve himself from indigestion after an official entertainment, and a sort of compliment to Deiotarus, intimating that he intended to pass the evening cheerfully with him. Seneca, alluding to this custom of voluptuaries, says, ad Helv. 9, Vomunt ut edant, edunt ut vomant.


17. In cubiculo malle. Supply vomere. So also Madvig. Others, in cubiculum te ire malle dixisti.—Dii te perduint. A common formula of imprecation which is often found in the comic poets.

18. Fugitive. A term of reproach of frequent occurrence. Here, however, with special reference to the faithless slave. Benecke reads, ita non modo improbus, et fatuus, sed etiam amens es.


20. Quae . . . transferri non posseut. That they could not be removed, &c. Z. 556.

21. Habes crimina insidiarum. There are the charges for you; and you may judge of their importance! Compare in Pison. § 53: Habes reditum meum.—Horum . . . cram conscius. Phidippus conceived that evidence of his being in the secret should establish the credit of all that he had said. Cicero denies that Deiotarus would in that case have trusted Phidippus to visit Rome, where Castor his hostile grandson was, and also the much-injured Caesar.

22. Quid tum. Z. 769.


25. Cui fecisset. According to their account.—Præsertim quum. An instance of brachylogy, in reference to the negative import of the preceding question, where Romam mitteret = non mitteret cum Romam, præsertim quum, &c. So also p. Arch. 9, 19; p. Mil. 30, 81. Render: and that, when or although, &c.

NOTES.


30. *Scire.* Not *scisse*; for they still knew, and it is the same as *quae illi sciebant, ut dicis.*

Ch. VIII.—31. *Reliqua pars.* The first part of the charge was the attempted assassination of Caesar; the rest of it argued only disaffection towards him: 1. In attending too much to unfavorable rumors about Caesar; 2. In levying a large army against him. The latter point (with which he connects the charge of holding a correspondence with one Caecilius, a Pompeian, as also of supplying Caesar with inferior cavalry) he answers first in the remainder of this section.


34. *Eas ... quibus ... posset = tales ... ut iis, &c.* Z. 556.

36. *Ab excursionibus et latrociniis.* After these words Madvig gives *hostium.*

38. *Antea.* Before Caesar deprived him of part of his dominions. When Cicero was proconsul of Cilicia, Deiotaros brought to his assistance thirty cohorts of infantry and two thousand cavalry. *Ad Att.* 6, 1, 14.—*Exiguas.* Absolutely small or trifling; but *parvas* relatively so. Hence its propriety here. This is said to move Caesar's pity.

39. *Caecillum.* Q. Caecilius Bassus, a Pompeian, noticed, *ad Fam.* 12, 18; and *Liv.* *Epit.* 127. He spread a report that Caesar had been defeated and killed in Africa, and seized the government of Syria, which he held till the arrival of Cassius. Cicero, to suit his purpose, speaks of him here contemptuously, as also *ad Fam.* 12, 18; but *Phil.* 11, 13, he says, *Est Q. Caecilii Bassi, privati illius qui dem, sed fortis et praecleri viri, robustus et victor exercitus.* With
nimes, however, Deiotarus was accused of attempting to open a com-
munication, and of imprisoning the messenger for refusing to go. To
this Cicero replies ironically, "What a likely story, forsooth, that he
had not others to send (if they refused); or, that the persons whom he
had sent, did not obey his orders; or, (lastly,) that those who in so im-
portant a matter had disobeyed him, were imprisoned (only) and not
put to death?" — Necia quem. Z. 553.

43. Dicto audientes. See Arnold's Nepos, Lys. 1, 2. Kloth
and Soldan: dicto obedientes. — In tanta re. Namely, waging war
against Cæsar.

1. Utrum, &c. When Deiotarus sent messengers to Cæcilius, he
must either have been ignorant that the Pompeian cause was ruined
(cause illam victam), or have conceived Cæcilius an important
man; neither of which is at all likely. Therefore he did not send them.

2. Is, qui. Deiotarus, who as possessing an accurate knowledge
of every Roman, must despise Cæcilius. For if he knows him, he
despises his insignificance; if he does not, he despises him for not at-
tracting his notice. Cf. Phil. 2, 7, 16: O miser sive illi tibi nota
non sunt . . . sive sunt, &c. Ibid. 22, 54: O miserum te si intel-
ligis, miseriorem, si non intelligis, &c. Benecke, Klotz, Süpfe, and
Madvig read, vel quia non nosset, vel si nosset.

4. Addit. Namely, the accuser. — Illud. Z. 748.

5. Misisse, sc. against Pharnaces. — Nihil ad. Z. 296, in fin.
Benecke, Klotz, and Süpfe retain the common text: Veteres, creda,
Cæsar; and Benecke takes the words as spoken ironically, "his old
ones, forsooth:" and nihil ad tuum equitatum, as an enlargement,
which Cicero makes on the preceding sentence, equites non optimos
misisse; but Klotz and Süpfe better understand veteres as = veter-
ans, those who had seen service and received their discharge, taking
the sentence without irony. The reading, however, of Madvig, which
Orelli adopted, is preferable.

and p. Mil. § 23.— At necio quem. Z. 553. The common text is,
Ait necio quem, &c.; and so Madvig.— Ex eo numero = ex iis. Cf.

7. Servum judicatum. Slaves were not allowed by the Romans
to serve as soldiers, particularly in the cavalry. Servius, ad Æn. 9,
547: Leges militari servi a militia prohibebantur; unde et in Deio-
tariana purgat hoc Cicero, quum fuisset objectum, inter equites, quos
Deiotarus miserat Cæsari, unum servum fuisset. Servos sane nun-
quam militasse constat nisi servitute deposita, excepto Hannibalis
tempo, quum post Cannenses prælium in tanta necessitate fuit urbs
Roma, ut ne liberandorum quidem servorum daretur facultas. Mar-
cianus, in Fr. 11, Dig. 49, 16: Ab omni militia servi prohibebantur
1. quin capite puniuntur.
Cu. X.—10. Alieno autem a te animo quomodo? The former secondary charge, which he now proceeds to answer. The common text and punctuation gives, animo fuit. Quomodo? Speravit, &c.—Speravit, credo, &c. Had Deiotarus been disaffected towards Caesar, finding him beset with difficulties in Alexandria, he would have neglected to lend him assistance. The reverse was the fact. Credo is ironical. For with the taking of Alexandria, Caesar had overcome his greatest difficulties. "He hoped, forsooth, that you should never extricate yourself;" i.e. he hoped no such thing, as his conduct proved.

11. Propter regionem naturam et fluminis. See Cæs. B. C. 3, 112; Bell. Alex. 25-32. On the order it should be observed that the common notion naturam takes the middle place, and that the words et fluminis have the character of a supplementary afterthought. In other passages this arrangement seems chosen to avoid the coming together of like endings. Cf. p. Marcel. § 24: in tanto animorum ardore et armorum; § 32: laterum nostrorum oppositus et corporum pollicemur.

12. Pecuniam dedit. He had said above, ch. 5, Utilitatis tuis paruit.


14. Victori. In Egypt. Deiotarus not only entertained Caesar, but accompanied him against Pharnaces, bringing along his "Roman" legion and all his cavalry. B. Alex. 67. Benecke and Klotz read sed ad periculum atque aciem; and Madvig omits the ad before aciem, but retains etiam.

16. Bellum Africanum. Caesar, after his speedy conquest of Pontus, delaying only a few days in Italy, proceeded to Africa, where Scipio and Cato with Cn. Pompey the son, assisted by king Juba, had hoisted the standard of the republic.—Graves de te rumores. The republican forces had gained some slight advantages in Africa, which, being exaggerated by their friends into a report that Caesar was killed, gave a color to Cæcilius and others to renew the war in Syria.

17. Quo tum rex animo fuit? Z. 471. A triumphant argument of his friendly feelings towards Caesar. The graves rumores had no other effect on Deiotarus than to quicken his benevolence. His very furniture was put to the hammer, and the proceeds remitted to Caesar. As auctionor is deponent, bona, supellectilem, or the like is understood.

18. Actionatus sit . . . maluerit. Z. 555, 564.

19. At eo . . . tempore. Cicero had instanced the sacrifices of Deiotarus. The accuser urges that these were the effect of fear, because at that very time, Deiotarus was collecting every idle rumor to Caesar's disadvantage. As Cicero could not deny this, he fixed on an
improbable circumstance in the charge, and against it directs the shafts of his eloquence.

20. Nicæam. Nice was the capital of Bithynia, situated on the lake Ascania. It was the central point of all the main roads leading to eastern and southern Asia, and remarkable as being the town where the first general council was held, A. D. 325. Hence the Nicene creed.—Ephesum. A city of Asia Minor, remarkable for populousness. Plin. 5, 27, calls it lumen Asiae. It and Nicæa were much resorted to, and likely to have the earliest intelligence from Africa.—Qui rumores . . . exciperent. Hence the accusation in ch. 8: regem . . . in speculis fuisse. The subjunctive by Z. 567.


22. Domitium. After the defeat of Pharnaces, Domitius stayed a short time to arrange the affairs of Asia, and then followed Caesar to Africa. It was reported that he was lost on the voyage thither.—Perisse. Z. 160, and Note.


26. Quod ille. He shows that Deiotarius’s disposition forbade the idea of his repeating so unfeeling a verse. But this is very doubtful, as it is stated by Plutarch, de Stoic. repugn. 32, that he was very cruel (see Introduction, p. 311, in fin.) ; and by Strabo, 12, that he put to death his daughter and her husband, Saocondarius.

27. Qui. Z. 133, Note.

28. Amicus . . . inimicus. For the king’s application of the verse was, Pereat Domitius dum una Caesar intercidat. Cicero shows that the double character of friend to Domitius and enemy to Caesar was a contradiction; therefore he could not have uttered the verse.—Tibi inimicus. And again, the verse assumed that Caesar was inimicus Deiotaro; but this could not be, as Deiotarius was the recipient of innumerable favors from Caesar.

29. Belli iæcæ. As fighting against him in Pharsalia.


31. Quid deinde? Z. 769.—Furciifer. Phidippus, who as being a fugitive slave, was liable to the punishment of carrying on his neck a furca, or species of cross.

32. Hac iætætia = hujus rei iætætia; namely, at hearing of Caesar’s disasters. Both the relative and the demonstrative pronoun often attach themselves to a following substantive, and agree with it in gen-

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der, number, and case, when properly they should sustain as the object in the genitive. Cf. p. Mil. 36, 99: Quæ si vos cepit oblivio for cujus rei, &c. So regularly ex (in) eo numero (genere), where if an adjective clause follows, qui (quæ) stands with the plural. Cf. p. Arch. 12, 31.

33. Nudum saltavisse. In Pison. 10: Quum ipse nudus in convivio saltaret; p. Muren. 6, 13: Nemo enim fere saltat sobrius, nisi forte insanit, ... neque in convivio moderato atque honesto. Hence appears the infamy attached by the Romans to dancing. See Dict. Antiq. Saltatio, in fin.—Nudum. Thinly clad, the outer garment thrown off. So Virg. Georg. 1, 299: Nudus ara, sere nudus, where nudus answers to the γυμνός in Hesiod's verse, from which this is taken.—Crux. This punishment was chiefly inflicted on slaves and the worst kind of malefactors. See Dict. Antiq. Crux.

35. Omnes in illo sunt rege virtutes. Madvig: regiae virtutis. 37. Frugalitas, as below frugi, is said of a man who by discretion, conscientiousness, and diligence, qualifies himself to be useful in practical life, in opposition to nequam, like ἕρωτος. Doed.

38. Regem. The common text gives reges. On the singular, see Z. p. 268, Note t.—Frugi. The dative of frux used adjectively instead of frugalis, and often applied to faithful slaves.

39. Fortem, &c. Fortem, in facing dangers; justum, in giving every man his own; severum, in being swayed neither by prayers nor bribes from rectitude; gravem, in maintaining equanimity of temper, neither elated too much by prosperity, nor depressed by adversity; magnanimum, in looking with disdain on all the petty greatness of common men; largum, in exhibiting bountiful liberality; beneficum, in doing good for its own sake; and liberalem, in bestowing with a noble and generous spirit.

40. Hæ .... illa. Z. 372.

41. Illa privata est. Frugality is the virtue of the subject, the former κατ' ἰδιώτε ὁ of the king; and to obviate any mistake he defines it by modestiam et temperantiam. Manutius thinks Cicero insincere in this praise, and that he calls the cause teneum et inopem, in allusion to this stinginess.

43. Hæc .... ab ineunte ætate. He reasons thus: Deiotarus was engaged from his youth up, in performing all the public and private duties of a monarch. Such persons are not likely to disgrace their old age by dancing. Therefore, neither did Deiotarus.

1. A cuncta Asia, i.e. incolis Asiae minoris h. e. Phrygiae, Mysiae, Cariae, Lydiae; and therefore the preposition. Z. 451. On the repetition of the preposition, see note on p. 18, line 5. The common text is tum a cuncta Asia.


3. Multis ille quidem. Benecke, Soldan, and Klotz multis
quam illicita, because not illicit but multis is to be made prominent. But see note on p. 22, line 2; and compare § 18: Jovis ille quidem; and p. Lig. 11, 31: tribuis tu quidem.—Gradibus . . . ascendit. "Degrees." The services of Deiotarus towards Rome became greater and greater. Similarly, p. Mil. 36, 97: cujus (gloria) gradibus . . . ascendere.

5. Quidquid . . . vacabat. Whatever leisure he had, he spent in forming connections, &c. Quidquid, sc. temporis.


7. Tetrarches. Not only the governor of the fourth part of a kingdom, but the sole ruler of any country which was at any time so divided. So Hirt. B. Alex. 67: Deiotarus tetrarches Gallograeca tunc quidem pane totius, to which the other tetrarchs questioned his right.

8. Paterfamilias. A master of slaves; the father of a family. It differs from pater in not necessarily implying the having of children. It often, as here, imports a careful person, an economist.—Agricola. In how great honour agriculture was among ancient kings, appears from the Cato Major, ch. 17. Of kings who wrote on husbandry, Hiero, Attalus Philometor, and Archelaus are mentioned by Pliny, Varro, and Columella. Varro too, de re rust. 1, 1, 11, says: Magonis Pæni libros de re rustica utiliter ad sex libros redegit Diophanes in Bithynia, et misit Deiotaro regi. It is besides well known that royal youths were often brought up among shepherds, and in the midst of flocks and herds—Pecuarius. A grazier; also a farmer of the public pastures. The antiquity and respectability of the shepherd is evidenced by the Shepherd Kings, by the epithets of πολυμάχος, πολυβούτης, &c., applied by the ancient poets to the most illustrious characters, and by the transference of the very name of shepherd to the highest office known among men, τουίνες λαὸν. See Varr. de re rust. 2, 1.

9. Qui igitur, &c. P. C. p. 251, 74, 2; Z. 805. The conclusion of his argument; in which adolescentes is opposed to ea ætate, i.e. old age; nondum tanta gloria præditus to ea existimatione; and severissime . . . fecerit to saltavit; where the first and second in each, are, it will be observed, in an inverted order, not the third. Similarly, ad Fam. 11, 28, 5: An, quod adolescentes præstiti, quum etiam errare cum excusatione possem, id nunc, ætate præcipitata, commutem ac me ipse retevam.

Ch. X.—12. Imitari, Castor. Cicero, p. Rabir. post. 1, says that it is almost a gift of nature, for people to follow up the praise and glory of their family; not so Castor. Benecke, Klotz, and Madvig omit tui after avi.
14. Saltatorem avum. If your grandfather had been a professor of dancing, which he was not, yet ought his years to have exempted him from this railing accusation. For even his laudable pursuits, his military exercise and horsemanship are given over; much less is he fitted for dancing.


18. Sed bene ut armis.... uteretur. The construction is varied from sed bene armis... equis utendi, which would accord with saltandi. Horsemanship was the first branch of a princely education.

19. Exacta aetate. Eight years before, when Deiotarus assisted Crassus, he was an old man; and Dion Cass. calls him τρεπόμενον when he aided Brutus.


21. Hic vero adolescens, i.e. Castor, who was in Ciceron’s army in Cilicia, when he was carrying on war, A. u. C. 703, against the Cilician mountaineers, and in Pompey’s in Greece. Therefore his accomplishments were well known to Cicero.

24. Pater. Sacocontarius, the son-in-law of Deiotarus; Cicero keeps him before Caesar’s mind as being once a great foe as Deiotarus.

25. Quos concursus. What crowds were collected to look at him! Cicero designedly leaves their motive in collecting dubious, but the following words sufficiently show that it was to ridicule him.

26. In illa causa. Pompeiæ. As Cicero mentioned the father, so he takes care to set forth the alacrity of the young Pompeian, of which he had himself been witness.

27. Concedere = cedere, to yield to. Quum vero exercitu, &c. The reading here is doubtful. Orelli’s agrees with Madvig’s, except that M. gives fuissem instead of fui. Benecke from the Erf. MS. reads, Quum vero exercitu amisco et cupiditate post Pharsalicum prælium suasor fuissem armorum non ponendorum, &c. Klotz: Quum vero exercitu amisco, ego, qui pacis auctor semper fui, post Pharsalicum autem prælium suasor fuissem armorum non deponendorum, &c. Pompey had about 15,000 men killed, and more than 24,000 taken prisoners. Cæs. B. C. 3, 99.

29. Abjiciendorum. Without making any terms. This word shows his eagerness to terminate the civil war. He uses the same in writing to Marcellus.—Ad meam auctoritatem. As Cicero could not prevail on Castor to desist from war, owing to his military ardor and his wish to satisfy his father, we may infer that both father and son were determined foes of Caesar.
31. Ipsius belli, i.e. without regarding the good of the cause. But Benecke takes it as = ejus ipsius, Cicero having already spoken of Castor's zeal in the cause of Pompey. In this case *ipse* commonly stands before its substantive; and if Cicero had spoken of war in general, he would have said *belli ipsius*. Madvig reads *illius*.

32. Felix ista domus. Cicero compares the fortunes of the two families, in order to excite odium against the one, and pity towards the other. They were both in Pharsalia. Mark the consequence. Castor is not only restored to Caesar's favor, but permitted to accuse others. Deiotarus is allowed to be arraigned by one who was in Pharsalia as well as he, who is his own grandson, and before Caesar, at once the injured party and the judge.

33. Calamitosus Deiotarus. The *t* shows that the passage is doubtful. Benecke from some MSS. gives *qui et ab eo*, which Hand, *Torn*. 2, p. 521, approves. Recta sententia unice inest in ea, quam olim proposuit, conjectura: *qui non modo ab eo, qui in iisdem castris fuerit, apud te, sed etiam a suis accusetur*. Orelli.

35. Vos vestra. Vestra answers to the preceding *ista domus*, and includes Castor and his father.

CH. XI.—38. Sint sane inimicitiae. Admit the existence of enmity between the families, which gratitude and piety forbid, still you might have entertained it like human beings, and not be thirsting for blood like savage beasts.

40. Quis tuum patrem... qui esset... audivit. See note on p. 56, line 15; and p. 70, line 1. For *qui esset* some MSS. give *quis esset*. What is the difference? See Arnold's Nepos, *Themist*. 8, 6, 2, p. 105.

42. Ingrate et impie. Ingrate alludes to the favor, *impiet* to the tie of relationship.

43. Hominum more, i.e. in an open and honest manner; *not* to prefer false charges; *not* to seek to take away the life, &c.

44. Capitis arcessere. Z. 446, 447.—Esto. It might be supposed that Cicero having convicted Castor of *ingratitudine* and *impietia*, should be obliged to stop there, as crimes so heinous hardly admitted of amplification. But here his art appears in seeming to accede all this as trivial, that he may charge Castor with attempting to shake the foundations of human society, and to declare war against mankind. Compare ch. 1, 3: *non tam afflictem regiam conditionem dolebam, quam de fortunis communibus extimescebam*.

1. Adeone. Supply *concedi debet* from the preceding. Benecke and Klotz, in this line, read *acerbitate et odio*.

4. Abducere domum. To entice Phidippus from the legates of Deiotarus to your house.


7. A tanta auctoritate = 'ab homine tante auctoritate'.
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93 note on p. 69, line 19. Such is Caesar's authority, that approbation is implied in impunity being permitted.

9. Id, quod intus est. Namely, the slaves who reside in our families. Spoken contemptuously.

10. Evolare = in vulgus proferri, sed cum animi levitate. Cf. emanare, Orat. 15, 47; crumpe re, Phil. 2, 39, 100; Læl. 21, 76.—Fit in dominatu, &c. It makes a slave of the master, a master of the slave.

11. O tempora. How changed! O mores. How unlike what they were! He proves both by comparing Domitius and Castor.

12. Cn. Domitius. Athenobarbus. He was consul, A. u. c. 658, with C. Cassius Longinus, and censor with L. Crassus, the orator. Scaurus had refused to choose him among the augurs. He, therefore, in return, accused Scaurus of not duly attending to the worship of the Penates in Lavinium. Plutarch reverses the names in this transaction; but Valerius Maximus, 6, 5, corroborates Cicero's statement, and adds, quem populus tum propter alias virtutes, tum hoc nomine libertius et consulem et consulem est pontificem maximum fecit. Perhaps he owed his popularity no less to a law by which he gave the people a voice in the election of priests. See Asconius, in Scaur p. 21, ed. Baiter, who says, absolutus est Scaurus quidem, sed ita, ut a tribus tribubus damnaretur, a xxxii absolveretur, et in eis pauca puncta inter damnationem et absolutionem interessent.

14. M. Scaurus, sc. Æmilium. He was consul, A. u. c. 639.—Principem civitatis. The title of princeps senatus, which the censors had six times conferred on him, he here varies by saying, princeps civitatis.—In judicium populi. The judicia populi were those in which the populus acted as judices. They were originally held in the Comitia Curiata, and subsequently in the Centuriata and Tributa. See Dict. Antiq. Judex.

16. Prehendi hominem. Benecke, Klotz, and Madvig: apprehendi.—Hominem, for the demonstrative pronoun referring to the preceding servus, with the accompanying notion of contempt, which may be derived from its frequent use to denote one of the servile condition. P. Tull. § 19: Cati . . . duo homines; p. Quinct. 19, 61: hominem Quinctii; and in the language of the jurists, without any connection with the name of the master; e. g. homo Stichus, hominem emere.


18. Etsi ilique . . . compare. For Domitius was a man of character and honor, not so Castor. So in Pison. 4, 7, comparing Metellus Celer and Piso, he says, facio injuriam fortissimo viro mortuo, qui illum cujus paucos pares hac civitas tulit, cum hac impur- tum bellua conferam.

22. At semel, &c. The MSS. here appear uniform, but Weiske
suspects some mistake, and would correct the text. This seems unnecessary. The imputation on Castor is this: that after Phidippus had received his first bribe, and given his testimony, he acknowledged before respectable witnesses that it was false, and that he had been corrupted. But he now persists in the same tale. The inference drawn by Cicero is, that the bribe must have been repeated.

23. Ad legatos. Namely, Hieras, Blesamius, and Antigonus, a quorum pedibus per te abstractus erat.

24. Nonne etiam ad hunc Cn. Domitium. Probably the same Domitius who is mentioned, ch. 5, as a general of Cæsar’s. Sulpicius is the celebrated lawyer, a friend of Cicero, and zealous adherent of Cæsar. They were both present on this occasion, as may be inferred from the use of the pronoun hic. So below, ch. 14: huic Blesamio; p. Arch. 9: hujus pro avus Cato. Benecke, Klotz, and Madvig omit etiam. Orelli says: Servavi cum Cod. Bern. v. etiam; videlicet significat, “vel ad ipsum Cn. Domitium, Cæsaris amicum, venisse Phidippum, sui indicii jamjam pe nitentem.”

26. T. Torquato. The Torquatus here mentioned is uncertain. Orelli, in his Onomasticon, makes him the son of A. Torquatus, or of the Titus who is mentioned in Brut. 70, 245; and p. Planc. 11, 27.

Cu. XII.—29. Impotens. The common text gives impudens, which Orelli supposes was substituted by copyists for the true reading, from ignorance of the sense which impotens here has. Compare Phil. 5, 9, 24: impotentem, iracundum, contumeliosum, superbum, semper poscentem, semper rapientem, semper ebrium. Impotens in such cases is not = weak, but ungovernable, violent, tyrannical.

30. Idcirco... ut. See note on p. 26, line 7.—In hanc urbem hujus urbis. The repetition is for emphasis. In line 32, the MSS. give inhumanitate for immanitate, and so Benecke, Klotz, and Madvig read. Frotscher prefers immanitate.

31. Domestica = Asiatic and barbarous.

33. At quam acute collecta. Ironically, for Castor’s charges were rather an invective against the tyranny of Cæsar than an injurious accusation of Deiotarus. Compare ch. 6, 19: At quam festive crimen contextur.—Blesamius, with Hieras and Antigonus, formed the embassy sent by Deiotarus to plead his cause before Cæsar. See ch. 15. Him the accusers pretended to be a spy.

34. Enim has an ironical force = forsooth. Ironia in eo posita est, quod causa affertur rei, quam falsam vel absurdam esse omnes scient.—Optimi viri. So also Madvig. Benecke, Soldan, and Klotz: optimi hominis. On the difference between homo and vir, see Arnold’s Nepos, Paus. 1, 1. Vir is said of man in his relations to the state and to civic virtues, as a good citizen or patriot; homo is man as an individual or person, or with reference to his relations in private life and to social virtues. They often stand together, and the epithets of vir are


93 bonus, optimus, clarissimus; while homo doctissimus, pereruditus, moderatissimus, officiosus, &c., are common. Though, therefore, bonus homo and optimus homo are not often found, at least in Cicero, Benecke contends, that as optimi viri here would refer to patriotic virtues, optimi hominis is allowable and suitable in this passage as referring to moral and social qualities. Doederlein conjectures, viri optimi nec tibi ignoti hominis.—Maledicebat, &c. Phidippus did; by repeating slanders of his own invention as if uttered by Blesamius. The slanders were: 1. That Caesar was disliked by the people, and considered a tyrant; 2. That the placing of his statue in the capitol among those of the ancient kings of Rome had given general offence; 3 That he was not applauded at the public games and theatres.

35. Scribere solebat. Namely, from Rome; for it would appear that the embassy had reached Rome from the king some time before the trial came on. Before scribere the MSS. repeat inquit, which Benecke, Soldan, and Klotz retain; and Benecke reads te invidiose tyrannum existimari.

36. Statua inter reges posita. This statue is noticed by Suet. Cas. 76, and had in fact given public offence. It was erected in the capitol, where were statues of the seven kings of Rome and of Brutus. See Dion Cass. 43, 45.

37. Plaudi. The great, and those who enjoyed the favor of the people, were commonly received with applause in the theatre. See ad Att. 3, 44.

39. Blesamius . . . . scriberet. Blesamius write that Caesar was a tyrant! Impossible. See Z. 530 and 552.

40. Multorum enim capita. Here enim occurs again with an ironical force, and may be rendered "perhaps." See below, § 34: valde enim invidendum est, &c.; and p. Arch. 5, 11, Est enim obscurum. From this description of what a tyrant's acts would be, we are to infer that Caesar was not a tyrant.—Capita, sc. absicissa, truncata.

42. Armatis militibus referunt forum. For Appian, B. C. 2, 107, says that Caesar removed from his person the praetorian cohorts, which during the war had attended him as guards, satisfied with the civic attendants; and Vell. Paterc. 2, 57, that when warned to guard an empire by arms, which arms had acquired, he replied, Mori se quam timeri malle. See Plut. Cas. 57; and Suet. Cas. 36.—Quae . . . . sensimus, ea . . . . non vidimus. Benecke and Klotz, with the Erf. MS., omit ea, and thus the quae refers to the preceding, and belongs to both sensimus and vidimus, and the two clauses are antithetical, without the adversative conjunction.

43. In civili victoria. He has in mind such as those of Marius and Sulla.

44. Solus, inquam, es, . . . . cujus ceciderit. Z. 561 and 563
3. In victoria ducimus. Benecke and Klotz: in vict. ducem vidimus.—Qui vivit in regno, i.e., who is the subject of a despotic monarch; opposed to nos liber.

4. Nam de statua. Nam is not used here for simple transition, but to introduce a trifling matter hardly worth mentioning. Schultz gives jam, as proposed by Döderlein.

5. Quum tam multas videat. Besides the one spoken of as set up in the capitol, where the statues of the kings and Brutus stood, there were two others before the rostra in the forum, which being a much more conspicuous (clarior) site than where the royal statues were placed, ought to excite odium still more, if odium there were. Respecting the erection of these and other statues to Caesar, see Dion Cass. 44, 23.

6. Enim. The turn is ironical = non valde invidendum est.—Tropais. Quod majorem illi laudem afferrunt, quum una statua.—Invidimus. Soldan and Madvig: invidemus.


8. De plausu. His answer is threefold: 1. You never courted popular applause, therefore no wonder if it is not bestowed; 2. Men’s minds were so astounded by your exploits that they were incapable of raising their voice; 3. The people omitted it, because it was trite and unworthy of you.

Cu. XIII.—13. Nihil, &c. Before so consummately a rhetorician as Caesar, it was useless to have recourse to the ordinary rules, one of which is to conceal every appearance of art. Cicero, therefore, affects to make a display of art to conceal it more effectually.

14. Extremam . . . partem. The peroration, the fittest place for discussing the most important point.—Id autem aliquid. Compare p. Lig. 7, 22: is tamen aliquis Ligarius non fuit. So Terent. Andr. 2, 1, 14: Id aliquid nihil est. Cicero, wishing to reconcile the parties, has first to show that there is no cause for resentment on either side. With regard to Caesar, he assumes that what he has urged is enough to allay his angry feelings (non . . . metuo, ne illi tu succen- seas); it remained to show that he had no grounds to suspect that any such were harbored by Deiotarus. His reasons are: 1. Deiotarus is sensible that what he lost he deserved to lose, nay, that Caesar was compelled to make the vanquished assist him in rewarding his brave associates, and to this no reasonable man could object. And if Antiochus the Great bore similar treatment with equanimity, much more should a petty sovereign like Deiotarus. Besides, he had the support
derivable from the consciousness of suffering for an involuntary error, not so Antiochus. 2. He owed to Caesar's generosity what he retained, his hereditary dominions and regal title, which latter was to him every thing. 3. He had two sources of consolation left, of which he could not be deprived; the decrees of the Roman generals and senate in his favor, and the consciousness of his own virtue. These he illustrates in § 37. 4. He has a letter from Caesar himself encouraging him to hope for the best, ch. 14, by which he was greatly cheered and inspired. All this shows that Deiotarus is fully sensible of his obligations to Caesar, and is therefore deserving of being received into his friendship.

16. Metuo, ne .... veero, ne. Z. 533.—Illud vereor. Z. 748.


18. Quid enim relineat. His life, name of king, and part of Galatia.—Quid amiserit. Armenia and the tetrarchy of the Trocmi.

20. Multis ìbì multa esse tribuenda. Z. 651. Dion Cass. 43, 47, relates that Caesar chose fourteen prætors, forty quaestors, and increased the number of senators to nine hundred. Πολλοῖς γὰρ ἐστὶ πολλὰ ἐτειχημένα ὑπὸ ἑκεῖν ὅπως σφάς ἀλλως ἀμείβεται.—Quominus .... sumeres, non recusavit. Z. 543.

22. Antiochus. The third, king of Syria. He was first beaten, A. v. c. 563, at Thermopylae by Acilius Glabrio, and soon after, 564, completely conquered by L. Scipio Asiaticus on Mount Sipylus, near Magnesia, in Asia, and deprived of all his dominions west of Mount Taurus. Cf. p. Sest. 27, 58.—Posteaquam ... jussus esset. Z. 507, in fin. Benecke and Madvig read: quum, posteaquam .... devictus est, Tauro tenus, &c. Klotz: quum posteaquam .... devictus, Tauro, &c.

23. L. Scipione. The brother of Africanus Major, who was his lieutenant in this war.

24. Quæ est nunc nostra provincia. This portion of Asia, after the defeat of Antiochus, the Romans had given to Attalus, after whose death it fell by his will to the Romäus.

26. Nimis magna procuratione. The care of too extensive dominions. If Antiochus so consoled himself for such losses, a fortiori may Deiotarus; for the one madly attacked the Roman people at the instigation of Hannibal and the Ætolians, the latter followed Pompey, as deeming his cause the better. Deiotarus therefore has innocence on his side. For esse factum, Benecke, Klotz, and Madvig read factum esse.

28. Multam sustulerat = penam dederat. Benecke, Klotz, and Soldan read sustinuerat, which is the reading of many MSS. Madvig and Orelli adopt sustulerat from Cod. Col., and Madvig re-
fers to the similar phrase in *de Nat. Deor.* 3, 33, 82. See Z. 213, 94

**29. Quum . . . . concessisti.** See note on p. 69, line 40.

**33. Ne fortunæ quidem.** Because he possesses many things over which fortune has no control, the decrees of your generals, the votes of the senate, he is able to defy her power.

**34. Peperisse.** Klotz: *reperisse*; which Frotscher approves, citing Terent. *Heaut.* 1, 1, 59; and referring to Kritz ad Sall. *Jug.* 70, § 2, p. 374, sq.

**35. Habere in animo atque virtute.** *Habere in virtute,* which is an unusual expression, is softened here by being joined to *habere in animo,* which is a common expression. *Hae duo conjungit,* ut et velle eum res magnas, et praestare posse significet. The *bona animi* as opposed to the *bona corporis,* or external good, are here understood.

**36. Quis casus.** Z. 134, *Note.*

**37. Omnim imperatorum.** Cf. *Phil.* 11, 13, 33; where in this connection, Sulla Murena, Servilius, Lucullus, and Pompey are mentioned.

**38. Ab omnibus est enim ils ornatus.** Benecke, Soldan, and Madvig: *ab omnibus enim est ornatus*; Klotz: *ab omnibus enim ornatus est.*

**40. Senatus vero judicia, &c.** Such decrees of the senate were kept in the public archives in the capitol, and the assembled people gave its sanction to them.

**42. Quæ unquam vetustas obruet, &c.?** Temporis vetustas, hominum oblivio.

1. **Quæ.** Z. 372.—*Omnes docti.* The Peripatetics and Stoics. Cicero adds in explanation *sapientes,* which very often = philosophers. —*Summa.* Plato, Aristotle, and others, divided *good* into pleasure, utility, and virtue; and called virtue *chief,* in comparison of the others; but the Stoics, denying that any thing had a right to come into comparison with virtue, declared it the *sole good.* Cf. *p. Marcel.* 6.

2. **Hisque.** And that, with these (in the opinion of the Stoics) virtue is well content, &c.— *Non modo ad bene,* for this they all confess.— *Sed etiam ad beate,* i. e. jucunde et feliciter, and this the Peripatetics deny. See *Tusc. Disp.* lib. 5.

7. **Acceptam refert.** Sets down to the account of your clemency; a metaphor from keeping accounts.

*Ch. XIV.—8. Quo quidem animo.* As above, ch. 13, *magno et erecto,* a mind fortified by reflecting on what fortune had left as well as taken away, and on its own virtues.— *Quum . . . tum.* See note on p. 85, line 1.

9. **Quarum exemplum.** A copy of which, namely, the one which you, &c.

10. **Tarraco.** A city of Hispania Tarracensis, from which
the district was so named. After the subjugation of the Pompeys, Caesar appears to have given audience there to the ambassadors of the several states, and among them to Blesamius, who had been sent thither by Deiotarus to adjust his interests with Caesar.—Huic Blesamii. Who is now present, waiting the issue of this trial. Cicero here intends to remind Caesar of his promise.


13. Memini . . . scribere. Compare p. Lig. 3, 7; and see Z. 589.


15. Laboro equidem. But knowing causas rogantium apud te gratiosiores esse quam preces, p. Lig. 11, I shall tell you my reasons for being interested for Deiotarus. Observe that below, laboro takes the preposition de. See Z. 452.—Quocum, &c. Cicero takes the highest ground; "I loved him because he was the friend of my country." Then follow the steps to summa necessitudo.

16. Voluntas utrisque. For hospitium was often a matter of form, or the inclination was all on one side. Not so here.

18. Officia. While Cicero was proconsul of Cilicia.—Et in me. Benecke, Klotz, Soldan, and Madvig omit et.

19. Sed quum de illo. Cicero wishes to set the cause on the widest foundation. The question is one of general interest: "If after what is past, you still harbor resentment against Deiotarus, the same may be expected by all who owe their life to your clemency, and doubts and fears take possession of their minds. Let them know, then, that once pardoned they are still pardoned.


24. Non debeo. Cicero, affecting to reject any appeal to the clemency of Caesar, makes a strong appeal.

25. Ecuouam. On the force of ec in this compound, see Z. 351; and on nam, Z. 134.

27. Solet ipsa. Is wont of itself to come to the aid of the wretched; non exspectat, dum rogetur.—Nullius. Z. 676.


31. Incolumitates. Z. 92.
32. In privatis, i.e. in privatos collata atque ita in iis conspicua, so in the next line in regibus. See note on p. 88, line 37.
34. Sanctum. For kings were thought to be under the protection of the gods.—Sociorum . . . regum . . . sanctissimum. This might be designed by Cicero as hinting to Caesar, that his present titles might satisfy himself. This oration was delivered late in the year 709.
In the following February, Mark Antony offered Caesar the diadem.

Ch. XV.—37. Posteris . . . . tradituros. Deiotarus died, according to Dion Cass. 48, 33, A. v. c. 714, but without leaving his dominions to his son. Castor succeeded him in Galatia, which was afterwards bestowed by Antony on Amyntas. After his death it was made, in connection with Lycaonia, a province, which was subsequently enlarged by the addition of Paphlagonia and a part of Phrygia.
The account given in the introduction, p. 311, follows Smith's Dict. of Greek and Roman Biog. &c.
38. Corpora. Either as sureties, or to suffer any punishment awarded against their master. Klotz omits esse before confido.
42. Regum amicissimi. Matthiae and Benecke, with Ernesti, take amicissimi and probati in the nominative, and explain regum of Deiotarus and his family (Benecke, Deiotarus and his son, as in § 40), just as Brutus is said to have expelled the kings of Rome. Weiske objected to this explanation, and taking regum as = inter reges, he considers amicissimi and probati as genitives. By this view, Dorylaus est legatus amicissimi regum sive regis praeter ceteros addicti fide erga populum Romanum. This king, Weiske supposes, may have been Ariobarzanes, the sovereign of Cappadocia.
43. Exquire de Blesamio. As the weight of the prosecution lay in the testimony of Phidippus, Cicero wished to conclude with impressing on the mind of Caesar the opposing testimonies of men of integrity. Above, ch. 12, the charge against Blesamius is given and refuted.
1. Criminibus illis . . . . se supponit. Substituit. Möbius takes criminibus illis for datives after supponit as = illis regem criminabantibus, accusabantibus; Benecke for ablatives = in those accusations.
4. Pedem. Z. 395. As Hieras never left you, he is therefore qualified to decide on the truth of the charge. He attended you both during your stay in the palace, and the next day at Luceium. As none of the attempts charged could have been made without his pivity, he calls on you to deem them, if any there were, to have been
his, and try him accordingly.—Finibus. Deiotarus had waited on Caesar on the borders of Galatia, and was then accompanied by Hieras.

5. Balneo. See ch. 6. The bath preceded the supper, and so it was intended should the inspection of the gifts; but Caesar refusing to go, it was put off till after supper. Hence caenatus.

8. Postridie. The day of the castle and bedchamber scene, ch. 6.

13. Quorum alterum. The former of which, it is of a piece with the cruelty of the accusers to wish for; the latter, the part of your clemency to preserve inviolate.—Illorum. Castor and Phidippus.
THE ORATION FOR THE POET ARCHIAS.

INTRODUCTION.

A. Licinius Archias, born and educated at Antioch in Syria, a city renowned for the cultivation of Greek art and learning, acquired at a very early age a considerable reputation as a poet. He had scarcely grown out of the age of boyhood, when, according to the fashion of the time, he went out on a journey, the object of which was to improve himself and increase his knowledge. He travelled through Asia Minor and Greece, and thence to Southern Italy, where he visited the towns of Tarentum, Locri, Rhegium, and Naples. His talent was everywhere recognised and appreciated, and the above-mentioned towns attested their estimation by honoring him with the franchise. In a. u. c. 652, in the consulship of C. Marius and Q. Lutatius Catulus, Archias came to Rome; he was received into the first families of the city, and enjoyed the particular hospitality of the Luculli, in honor of which family Archias also assumed its gentile name Licinius. As Cicero calls him his instructor, it would seem that Archias, besides his poetical occupations, also engaged at that time in instructing young Romans. Some years later he accompanied L. Lucullus on a journey to Sicily, and on their return they passed through Heraclia in Lucania. There, too, he was, through the mediation of Lucullus, honored with the franchise; and this was the more valuable to him, as that town was in a nearly equal legal relation to, and alliance with, Rome, and as Archias seems to have determined to spend the remainder of his life at Rome. In a. u. c. 665, the tribunes, M. Plantius Silvanus and C. Paprius Carbo, brought forward a bill (lex Plautia Papiria) by which the franchise was conferred upon all those who were enrolled as citizens in an allied town, provided they had a domicile in Italy at the time of the passing of the law, and gave in their name to the praetor within sixty days. Archias fulfilled these conditions, and gave in his name for registration to the praetor Q. Metellus. But in a. u. c. 689, a law was passed (lex Papia), enacting that all peregrini, or strangers, should be expelled from Rome, and that the Socii Latini (who were not Roman citizens) should be sent away to their native places. On that occasion a certain Gratius, who may have been induced by hatred, or avarice, or by enmity against Lucullus, came forward, asserting that Archias was a peregrinus, and had illegally assumed the name of a Roman citizen. Archias was unable to bring forward any evidence of his franchise, for the archives of Heraclia had been destroyed by fire. During his long stay at Rome, moreover, he had never given his name as a citizen in the census lists. Cicero now undertook the defence of his old teacher and friend; not, indeed, with a strict legal argumentation, for the proofs were wanting, but he sets up the dignity of the accused, the affection he had met with everywhere, and his services to literature and art, as so many proofs of the truth of his assertion that he was in lawful possession of the Roman franchise; nay, Cicero maintains that if Archias were not already a Roman citizen, his life and merits made it a duty for Rome to admit him among the number of her citizens, in order to secure a man of such eminence to the commonwealth. Such a defence, which
Cicero sought in the personal character of the accused, and laid before the judges, who could not well sacrifice the cause of learning and humanity to such an accusation—such a defence could not so much urge the legal points at issue, for which, as we have already observed, the documents were wanting, as set forth the praise of varied acquirements, and of a life devoted to the cultivation of the beautiful. And it is this very praise of the humaniora that makes this speech a useful, agreeable, and inciting study to young readers; though it must not be left unnoticed, that some critics consider it as spurious, and unworthy of Cicero; and the ancients themselves regard it as less excellent than other orations. Respecting the result of the speech, which was delivered in A. D. C. 692, before Q. Cicero, who was then praetor urbanus, nothing is known, and the remaining period of Archias’s life is buried in utter obscurity. To judge from the few specimens of his poetry which have come down to us, it appears that he did not possess so very great a poetical talent as Cicero describes it in his oration; and it is probable that Archias, who was intimate with so many Roman families, was more particularly skilled in making verses upon the passing events of the day, and also, as some believe, knew how to make himself agreeable by improvisation, or extempore composition of verses. —From Schmitz’s Cicero in Chambers’s Educational Course.

ANALYSIS.

1. The introduction gives the reason which decided the orator to defend the poet, and at the same time contains his apology for speaking of the advantages of letters in a trial at law. (Chaps. 1, 2, § 3.)

2. The leading proposition states the two points of his defence: that Archias, who was already a Roman citizen, should not only not be deprived of his franchise, but, even if he were not a citizen, the franchise should be conferred upon him. (Ch. 2, § 4.)

3. A description follows of the origin, acquired fame, and travels of the poet; showing, that, as he came to Rome from these travels in Asia Minor, Greece, and Italy, the most distinguished men and families honored him with their friendship and society, and that Lucullus aided him to obtain the Roman franchise. (§ 4—ch. 4, § 7.)

4. Cicero next proceeds to the two points of his defence, and refutes (a) the grounds upon which the accuser had proceeded against Archias, and establishes Archias’s Roman citizenship, since he had been a citizen in Heraclia, an allied town, and accordingly by the law of Silvanus and Carbo had been received in Rome as a citizen, he having long before had a domicile in Rome, and given in his name to the praetor within 60 days, and having moreover exercised the rights of Roman citizens; at the same time the charge of the accuser, that Archias was not enrolled in the census lists, is set aside. (§ 8—ch. 6.) (b) In order to show that Archias was worthy of Roman citizenship, he first speaks of the advantages of letters, and especially of poetry (ch. 6, § 13—ch. 7, § 16); he then describes the eminent poetic talent of Archias, and shows by examples how highly poets were esteemed by antiquity; he then enlarges upon the merit of Archias and his claims upon the Roman people acquired by his celebration in verse of the deeds of eminent Romans, and by his contribution in this way to the glory of the Roman name, and mentions many great men who, from their love of glory,
had honored poets and authors. Finally, he confesses that he too on his own account must wish for the safety of Archias, since Archias has promised to sing the praises of his consulship. (Ch. 7, § 18—ch. 12, § 30.)

5. In conclusion, he commends the poet to the protection of his judges, and craves their indulgence for having enlarged, more than is usual in a forensic argument, upon the talent of Archias and upon the merits of literature in general. (Ch. 12, § 31.)

Chi. I.—1. Ingenii. Natural talent as an orator (φοιτής); exercitatio, practice (ἀσκησις). Cicero expresses the simple thought si quid eloquentia valeat, by an enumeration of the three chief requisites for forming an orator; ingenium, exercitatio, ratio. Cf. de Orat. 1, 25, sqq. Quinctil. 11, 1, 19, directs attention to the modesty of this passage. Cf. ad Fam. 9, 18.—Quod sentio quam sit exiguum. Stürensburg remarks that the usual order would be quod quam sit exiguum sentio, e. g. qui ordo quanto adjumento sit in honore, quis nescit? Planc. 9, 23: Quae quanta fuerit, jam mihi dicere non est necesse. Sest. 29, 62. Of this order, (that is, of the governing verb being placed after the dependent interrogative clause, when there is also a relative pronoun introducing the governing verb,) he gives a very large body of examples. Of passages where the dependent relative clause follows the verb, he gives a few: e. g. Verr. 5, 7, 15: quod nuper ipse juratus docuit quemadmodum gestum esset. But he observes that the position in the passage before us gives the principal emphasis to sentio, and a secondary but considerable emphasis to exiguum: quod sentio quam sit exiguum. Nauck, however, thinks the principal emphasis belongs to quam sit exiguum, and that, to give this emphasis, the usual order is abandoned. The order of quam sit exiguum in oblique narration, i. e. of the sit, sint, &c., immediately following the quam, or other relative, and preceding the predicate, is the regular order in Cicero. Videsne, quam sit magna dissensio: considerate nunc, cetera quam sint provisa sapienter, &c.

2. In qua me, &c. A regular hexameter: in qua me non infitior mediocriter esse.

3. Si . . . aliqua. See note on p. 45, line 15.—Hujusce rei, sc. eloquence.


6. Vel in primis. "Particularly," because Archias had given instruction to Cicero in his youth. This form occurs in but one other passage in Cicero: Neo absurde Crantor ille, qui in nostra Academia
vel in primis fuit nobilis. Tusc. 3, 6, 12. S., who says that he knows of no instance in any other writer.—A. Licinius. It was customary for foreigners, on receiving the franchise, to take the prenomen and nomen of the individual by whose favor they had received it. Manutius supposes that Archias assumed the prenomen Aulus from Marcus Lucullus, the brother of Lucius, whose prenomen, before his adoption by M. Terentius Varro, he supposes to have been Aulus. The omission of his foreign name may be regarded as intentional. By giving him his Roman name only, the orator recognises his rightful claim to Roman citizenship.

7. Repetere prope suo jure. Repetere = petere tanquam sibi debitum. Archias has a right to claim that I should employ for his good that which I have learned from him. Klotz: petere.—Prope suo jure. See note on p. 64, line 5. The prope softens the suo jure, which would be an exaggerated statement. Others take it, less correctly, with repetere. S. (in his second edition), who compares meo jure quodummodo vindicare. De Off. 1, 1, 2.

9. Memoriam recordari. S. compares de Orat. 1, 2, 4: ac mihi repetenda est veteris cujusdam memoriae non sune satis explicata recordatio, sed, &c.—Ultimum = ab hac aetate remotissimum. The earliest recollection.

10. Inde usque repetens, sc. rerum ordinem. Repetere is used absolutely in this way, de Orat. 1, 20, 91: neminem scriptorem artis ne mediocris quem disserat suisque dicbatis, quum repetere usque a Corace nescio quo et Tisia. Tusc. 1, 48, 116: claræ vero mortes pro patria appetitae non soluæ gloriæ rhetoribus sed etiam beatæ videri solent; repetunt ab Erechtheo.—Inde usque (involuente archæos) marks a continuous progress from the distant point mentioned, quite up to the moment present to the speaker. These words, according to S., are found nowhere else in Cicero, and never in any other writer. But, as he observes, there is no reason why they should not be.—He thinks it is an imitation of Isocrates's involuente archæos, which M. compares with it.—Principem = auctorem, magistrum.—Susciipientiadum . . . . ingrediendam. "Susciipientiadum pertinet ad consilium discendi artem dicendi; ingrediendam ad actum discendi. Illoc spectat mox hortatu, huc praecipit." Ernesti. S. compares the similar opposition between suscipere and instituere; e. g. susceptorum rerum et jam instituturum. Ad Fam. 5, 12, 2.


12. Hortatu. This word occurs in the ablative only, in the golden age. Tacitus has nominative plural non vox et mutui hortatus jucabant. Ann. 1, 70, m. In Cicero it occurs but once more: id feci aliorum consilia, hortatu, auctoritate; ad Fam. 13, 29, 7. Stürenburg.
14. Quo ceteris opitulare .... possemus, sc. whenever an opportunity should offer itself. Benecke: possumus.


16. Ita = tam graviter, so emphatically.

17. Quod alia quaedam in hoc facultas ... neque haece. Because Archias was a poet, and not an orator. The usual negative particle in an opposition of this sort would be non. Hand says that, when neque is used, it is no longer a direct opposition, and the whole expression of the thought is weakened.

18. Ne nos quidem. On the ellipsis of the implied idea, "let me tell you," see Z. 772.—Haic uni. The MSS. give hic euncti studio, &c., which Klotz and Nauck retain and defend. Uni is a conjecture of Lambinus, and adopted by most editors. Stürenburg and Benecke: huicce uni.

19. Studio, sc. dicendi s. eloquentiae.—Penitus, exclusively, or without regard to other pursuits and means of developing the mind.—Omnes artes, e. g. poetry, eloquence, philosophy, history, mathematics, &c.: the studies that are pursued, obi enim texit, dali enim paucis, as Plato and Aristotle speak.

20. Quae ad humanitatem pertinent. Which make man a man in the true sense of the word. Gellius, 13, 16, speaking of the old and true Latin meaning of humanitas, says: "Humanitatem ap-pellaverunt id propemodum quod Graci paucis vocant; nos eruditionem institutionemque in bonas artes dicimus.—Quoddam. Z. 707.

21. Et quasi .... quadam, &c. Cicero often uses quasi quidam, and not uncommonly quidam quasi: he also uses et quasi quidam, and once only et quidam quasi; but never atque (ac) quasi quidam, nor indeed ever atque (ac) quasi or tanquam, which would give prominence and emphasis to the very notion which is softened by the quasi. In the order, et quasi quidam, the substantive is sometimes interposed between quasi and quidam: bene constitutae civitatis quasi alumna quaedam eloquentia; Brut. 12, 45: an adjective sometimes precedes the quidam : et puro quasi quodam et candido genere dicendi. Ora. 16, 53. S.

Cu. II.—23. In quaestione legitima = "legibus constituta, non ab otiosis hominibus doctis proposita." Benecke supposes the lex Mucia Licinia of 659, and the lex Papia of 689, are here meant.

24. In judicio publico. Judicium publicum stands opposed to judicium privatum, and is a trial in which the interest of the state is involved, in which a state offence is charged.—Agatur. Klotz: agita- tatur.

25. Apud praetorem popull Romani. C. Virgilius (according to Ilgen), C. Octavius (according to Schütz). But the scholiast dis-
NOTES.

Page 97 covered by Mai informs us that the praetor here meant was Q. Cicero, the brother of the orator. The addition populi Romani to the title praetor is generally unnecessary, but here it is emphatical.—Rectissimum virum = "virum, qui nec ipse discedit unquam de ea via, quam mores ac leges praebibit, nec facile patitur alios tale quiequam committere." S. Cf. unus L. Cæsar firmus est et rectus; Fam. 12, 5, 2. Its meaning is correct, consistent. Madvig and Nauck: lectissimum.

26. Judices. Ever since the lex Aurelia of the year a. u. c. 684, the judices consisted of senators, equites, and tribuni sêrærii (plebeians).

1. Hoc uti genere dicendi, quod . . . abhorreat. Hic here = "a" = "such a." Hic qui is used for is qui, when the thing spoken of is present. Here it is the style he is now going to adopt.—Non modo . . . verum etiam. Verum (for sed) etiam is nearly peculiar to Cicero; not being found in Caesar, Corn. Nepos, Livy, or Tacitus; nor in the Auctor ad Herennium. It is found now and then in letters of Cicero's correspondents, and twice in Sallust. Stürenburg; whose calculation of the comparative frequency of sed etiam and verum etiam is as follows: After non modo, &c.—

In the Orat. p. Archia, sed etiam occurs 2, verum etiam, 7
" " Balbo, " " 6, " " 0
" " Planc., " " 10, " " 1
" " Sest., " " 15, " " 1
" " L. Manil., " " 12, " " 0
" " Brut., " " 21, " " 2

To which Haase adds p. Sull. " " 15, " " 5

So that sed etiam is the more common form; at least in Cicero's Orations.

2. A forensi sermone abhorreat. It being unusual in judicial transactions and speeches to treat of literature and art.

3. Quæso a vobis, &c. Weiske and Matthiae criticis § 3, because the protasis and apodosis make the same statement; e. g. Sed ne cui mirum videatur, me uti hoc genere dicendi, quæso a vobis, ut me patiamini uti novo genere dicendi; and because many unnecessary repetitions are introduced.


9. Liberius. Schröter maintains that libere loqui = (necessarily), "sine metu offense aut periculi loqui;" but Cicero uses it elsewhere in the sense of at length, copiously, fully, &c. Quæque olim disputabantur ac libere, opposed to articulatim distincteque dici. Legg. 1, 13, 36: ne ornatus quidem aut liberius causam dici suam quam, &c. De Orat. 1, 53, 229. S.—In ejusmodi persona, quæ . . . est. "In the case of such a person," sc. as Archias is. Otherwise persona is the mask worn by an actor, or the part which he per-
forms. The indicative after ejusmodi = such, makes the statement
definite, (whereas the subj. would describe it indefinitely as belonging
to a class.) Cf. Verr. 4, 32, 71: in ejusmodi conviviis, quæ . . . . .
grabunt.

10. Periculis = "judicis, quia in is reus periculum adit, ne
condemnetur. Fam. 5, 17: in ejus judicio ac periculo.—Tractata
est, "which otherwise is not brought forward," or, as it were, "acted,"
and does not show itself at trials and in courts of law, its life being
devoted to the quiet pursuit of art and literature. Tractare personam
is properly said of an actor. Cf. pro Rosc. Com. 7, 20; Off. 3, 29, 106.
Matthiae says: "Fortasse eo etiam respexit, quod poëtae, rerum civili-
um fere rudes atque ignari, easque adeo refugientes, si quando in vita
communis lucem protracti vel in judicium adducit sunt, in sole cali-
gantes magis alii se regendos, moderandos, tractandos præbent, quam
ipsi versantur. Aliter Quinctil. 4, 1, 13: ipsius autem litigatoris
persona tractanda varie est, nimimum ab oratore."

15. Adsciscendum. Klotz, Stürenburg, Madvig, and Nauck: ad-
siscendum fuisse.

Ch. III.—16. Ut primum ex pueris excessit. This happened
in Greece in his fifteenth year. Cicero had probably in his mind Ter-
ence's Nam is postquam excessit ex ephebis, Andr. 1, 1, 24; for the
mode of expression is properly Greek, not Latin; and Cicero praises
the passage of Terence, de Or. 2, 80, 327. S.

17. Ad inhumanitatem informari. A very young person is
properly said informari by another; an older one, whose mind is no
longer a tabula rasa, and who assists (at least) in forming his own
mind, conformari: "is rem conformat qui illi meliorem etiam formam
dat, quam qui prius eam informaverat." S. Thus Auct. ad Herenn.
4, 22: Alexander Macedo summo labore animum ad virtutem a pe-
ritia conformavit. Ad humanitatem informari is found only here:
ad humanitatem fangi, once also de Orat. 3, 15, 58. From S.

quum primum animum ad scribendum appulit.—Antiochiae . . . .
urbe, &c. Urbis, in apposition to the name of a town, stands in the
abl.; never urbis. Z. 399.

19. Loco nobili = nobit genere: as honesto loco nutus, &c.—
Ccelebri, not celebrated, but that was much visited.

20. Copiosa = opulenta.

21. Antecellere . . . . contigit. The usual construction is con-
tigit alicui ut antecellaret, &c.; but Horace has Fingere cinctutis
non exaudita Cethegis continget: non cuicis homini contingit adire
Corinthum, &c. Virg. quis (= quibus) ante ora patrum Trojæ sub
manibus altos Contigit oppetere; Æn. 1, 95 (so 6, 108; 9, 267).
The infinitive gives less prominence and definiteness to the conse-
quence. It occurs with the infin. once in Vell. and once in Tacitus. S.
22. Cunctaque Græcia. Klotz, Stürenburg, and Nauck: cun-
tæque Græcia.—Adventus. Z. 92.

23. Ut famam . . . . superaret. His arrival was so much talked
of, that the expectation of the man and the desire to see him sur-
passed the reputation of his talents, whereas his arrival and the ad-
miration shown to him surpassed even the expectation with which
his arrival had been looked for. Cf. C. (ap. Macrob. Sat. vi. 2) ot
Cato: Contingebat in eo, quod plerisque contra solet, ut majora om-
nia re quam fama viderentur; id quod non saepe evenit, ut expec-
tatio a cognitione, aures ab oculis vinceretur.

25. Italia . . . et in Latio. Italia (= the country of the Itali)
is here = Magna Graecia. "That name [Italia], in very early times
was a national one in the south, and was not extended to the more
northerly regions until the Roman sway had united the Peninsula into
one state. The latter [Theophrastus] continues to make a distinction
between Latium and Italia in his History of Plants." Niebuhr. It
was especially after the Punic wars that Greek civilization began to
be introduced into Italy.

27. Propter tranquilitatem rei publicæ. The seditious at-
tempts of Saturninus had been suppressed, A. u. c. 654, and the Social
war did not break out till A. u. c. 664.

28. Non negligebantur. Z. 754. The expression is, of course,
less strong than coelebantur. So 3 Orat. 11, 43: Nostri [= hic Romæ]
minus student litteris, quam Latini.—Tarentini et Rhegini et Neapo-
litani. These states, on account of their very origin, must have been
favorably disposed towards the Greek poet, and endeavored to honor
him with their best presents—namely, the franchise. Rhegium and
Neapolis were then only confederate towns; they were made municipal
towns by the lex Julia in the first year of the Social war. But it is
urged that Tarentum could not have been only a confederate town,
since a colony was settled there, A. u. c. 631. Vell. 1, 15. Orelli
seems to think the Tarentini veteres (as distinct from the Coloni Ta-
rentini) are meant. "The orator knew well enough that the facts
here mentioned did not avail Archias in a legal point of view; he is
only paving the way, as it were, for the fact of his receiving the free-
dom of the city at Heraclia. Thus the Scholia Bobiensia: Utiliter
praeparavit ad causam, jam pridem hunc Archiam poeticae facilitatis
gratia celebrem a plurimis Italia nobilissimis populis in numerum
civium cooptatum. Quod nimimum argumento esse debeat, ctiam
Heracliensibus nuper adscriptum, robustiorem jam fama et ingenii
dignitate majorem." K.

30. Aliquid is here put with some degree of emphasis; all, who
were able to form some accurate judgment of men of talent.
31. Cognitione. Here of personal acquaintance, more commonly of knowledge of things only.

32. Celebritate famæ. See Z. 672.

33. Marlo consule et Catulo, a. v. c. 652, in the fourth consulship of Marius. The usual order is Mario et Catulo Coss.; but a similar instance occurs in Brut. 96, 328: Ille a Cresso consule et Scaevola usque ad Paullum et Marcellum... floruit. See Z. 790 — Consules eos, quorum alter... posset. Why subj.? Quorum alter, i. e. Marius, who had conquered Jugurtha, and the Teutones and Cimbri.

35. Res gestas = Cimbricum victoriam. Cf. Tusc. 5, 19, 56: C. Marius tum quum Cimbria victoriae gloriam cum collega Catulo communicavit, pane altero Latio (nam hunc illi duco similinnum), &c.—Studium atque aures adhibere posset. Studium is interest in literary works, &c., though Catulus did both write a history and some poems (Brut. 35): aures is not attention, but the critical ear. correct literary taste. De Off. 1, 37, 133: Catuli exquisito judicio utebantur literarum. Observe that adhibere is only suited to studium and aures; whereas res gestas would require such a verb as suppeditare (to supply). This is called Zeugma. Cf. Tac. Ann. 14 53: Ego quid aliud munificentæ tua adhibere potui, quam studia, ut sic dixerim, in umbra educata? S.

36. Lucullus, i. e. L. Licinius Lucullus, the conqueror of Mithridates, and a man of great learning; and M. Licinius Lucullus, who gained a triumph over the Thracians and Macedonians, a. v. c. 684.—Prætextatus. He speaks of Archias as if he were a Roman: for, being a Greek, he was not allowed to wear the prætexta. Prætextatus, therefore, = "eadem ætate, qua nostri prætextati, id est annorum sexvi." The toga prætexta was worn (with the bulla) by Roman children, and put off when they assumed the toga virilis. Matthiae points out the inconsistency between this and the assertion, that he already ex puere excesserat even at Antioch.

37. Domum suam receperunt. So Verr. 1, 26, 65, we have Homo, qui semper hospitalissimus amicissimusque nostrorum hominum existimatus esset, notuit videri ipsum illum Rubrium invitus domum suam recepisse (without in). Others (e. g. Stürenburg) read in domum suam receperunt, by which the reception is represented as more intimate and familiar.—Sed etiam hoc, &c. This passage Orelli regards as corrupt. The orator lays stress on the fact, as being greatly to the credit of Archias, that the house which was the first to receive him in his youth, was also the most friendly to him in his old age. Stürenburg reads: Sed est jam hoc ... prima fuerit, eadem, &c. Van Hensdel proposes: Sed hoc non solum ingenii ac literarum, verum etiam naturæ atque virtutis vis fuit, ut, &c.

38. Hoc ... ut ... esset. The more usual explicative of hoc
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"is quod. Matthiae observes, that wherever ut is so used, it conveys the explanation, as at the same time an effect or consequence of what had been stated: e.g. here it is the consequence of Archias's good character.

40. Senectuti. If the cause was pleaded in 692, he was then in his sixtieth year. For patuit, other readings are fuit, faverit, and fuserit.


42. M. Emillo, Scanro. He was consul, a. u. c. 639. Cf. Font. 7, 14.—Vicebat cum Q. Catulo. Q. Lutatius Catulus, the father, consul, 652; and the son, afterwards consul in 676. Vivere cum iquito is said of friendly intercourse. Krebs, Guide, 206.

43. L. Crasso, the orator.—Lucullus, i.e. Lucius ahd Marcus Lucullus.

44. Drusum. M. Livius Drusus. He was tribune, a. u. c. 663, and carried many laws, but was murdered in his own house. Vell. 2, 13. Cf. p. Mil. 7.—Octavius. Cneius and Lucius Octavius, consuls, respectively, with Cinna (667), and C. Aurelius Cotta (679). There was also another Cneius, consul with C. Scribonius Curio (678).—Ca- tonem, probably the father of M. Cato Uticensis.—Hortensiorum domum. L. and Q. Hortensias, father and son; the latter was the celebrated orator, and consul, a. u. c. 685.

3. Si qui forte simulabatur. Ne indociti atque ab politioribus li-
teris abhorreere viderentur.

Ch. IV.—G. In Sicillam prefectus. The language shows that Lucullus must have had the province of Sicily, but nothing of this is known from any other source. Senators were allowed to quit Italy for a certain time without any special commission. On their journey, and wherever they stayed, they enjoyed the honors and distinctions of real ambassadors, but more especially the hospitium publicum. It has been thought, therefore, by some, to be more probable that Lucullus, on the occasion here referred to, made use of this jus legationis liberum for a private purpose. Matthiae thinks the short-hand writer has blundered the passage, as the going to Sicily is made prominent, though it is quite secondary: one should have expected, he says, "Quam ex provincia Sicilia cum L. Lucullo, quem eum comitatus erat, decederet." But may not the complimentary nature of the fact, that Lucullus took him and kept him with him, justify the co-ordinate (instead of subordinate) position of the taking him into Sicily? Madison: cum M. Lucullo.
7. Heracliam. A colony of Tarentum in Lucania on the Bay of Tarentum.

8. Aquissimo jure ac sêedere. Namely, with Rome. Heraclia concluded an alliance with Rome as early as A. u. c. 476, in the consulship of C. Fabricius, and obtained greater privileges than other towns, such as Tarentum, Rhegium, and Naples; hence aquissimo, "placing it in a most fair relation, in which it was almost equal to Rome." This was also the reason why Archias endeavored to obtain the franchise of Heraclia. Cf. p. Balb. 22, in.

10. Auctoritate. From affection and esteem for Lucullus. "Auctoritas est hominum honoratorum et potentium, quatenus versus mur ipsos sêedere, iis negare aliquid."—Luculli, sc. Marcus Lucullus, who as being present is not more nearly described. Thus the contradiction between the M. of § 8 and the L. of § 6 disappears of itself. Nauck.


14. Sexaginta diebus. Within sixty days after the passing of the law.


16. Professus est. Profiteri was the term for a person's signifying to the prætor his wish to accept the civitas. The name was sent to the prætor, because the whole business of keeping lists of the citizens formed part of his official functions.—Apud prætorem, Q. Metellum, i. e. Q. Metellus Pius; prætor, A. u. c. 665.

17. Nihil aliud nisi. Z. 771, Note.—De civitate ac leg. = de civitate Heracliensi ab Archia impetrata ac de leg. (Plautia Papiria) qua civitas data est fæderatis populis.

18. Causa dicta est. That is, if the question is only about the compliance with that law on the part of Archias, and about his franchise at Heraclia, all has been said, and the matter is settled; for Archias has in fact complied with all the conditions stated in the law.


25. Hic tu. This form implies something of indignant feeling. Cf. Fam. 5, 15: Hic tu ea me abesse urbe miraris, in qua domus nihil delectare possit, summum sit odium temporum, hominum, fori, curiae? And ibid. 7, 13: Hic tu me etiam insimulas, nec satisfactionem meam accipis. Manut.—Tabulas. The civic registers of
Heraclia, which had been burnt with the archives (tabularium) at the time of the Social war.


28. *Dicere, quaerere.* On the omission of the conjunction, see Z. 781. Notice also the *chiasmus* and *anaphora* in the arrangement of the period.—*De hominum memoria tacere, literarum memoriam flagitare.* *Hominum memoria* = quae homines facta meminerunt et testantur: *literarum memoria* = memoria rei litteris profita.

30. *Integerrimi municipii,* i.e. Heraclia, which, according to these words, must, previously to the delivery of this speech, have been changed from a *civitas foederata* into a *municipium.* Heraclia remained faithful to Rome during the Social war, whence the epithet *integerrimum.* But it had much to suffer for this.


33. *An domicilium collocavit* The objection is "*an dom. non habuit,*" and the answer is blended, as it were, into one sentence with it, by the *qui,* &c. It implies that the objection does not deserve a formal answer: the answer may be gathered from the statement. If formally given as an answer, it would be something of this sort: *At (= but, you say) in Italia domic. non habuit.* *Ino vero tot annis,* &c. Cf. de *Divia* 2, 49, 102: *neque ignorant ea, qua ab ipsis constituta et designata sunt; = neque ignorant futura, hac enim ab ipsis,* &c. Stürenburg and Madvig: *an domicilium Romae non habuit is qui,* &c.

35. *An non,* &c. Nauck: *At non est professus!*

36. *His tabulis,* sc. Metelli.—*Quae sola,* in antithesis to the records of Appius and Gabinius mentioned below. Which, from the time of that registration, and of the then college of praetors, alone have the authority of public records. The reason is added immediately below.

Ch. V.—39. *Appii.* Appius Claudius Pulcher. He was the father of the notorious P. Clodius, and praetor in the year A. v. c. 665, in which the *lex Plautii Papiria* was carried. He was the colleague of Q. Metellus Pius.—*Negligentius asservata.* So that forgeries might easily be introduced into them.

40. *Gabiniul.* Gabinius was praetor in the same year as Appius, and was afterwards found guilty of extortion in his province of Achaia. *Div. in Caecil. 20, 64.—Quamdiu incolumis fuit.* So long as he was free from misfortune; that is, previous to his condemnation.—*Post damnationem calamitas.* After his condemnation his difficulties or downfall, which cast suspicion or distrust upon his previous acts. Weiske's interpretation, that he, after his condemnation, had access to the lists and inserted forgeries for money, in order to retrieve his ruined fortune, seems out of place here.—*Levitas.* His recklessness or corruption.
41. Resignasset = "had destroyed." Resignare (properly to unseal) is here appropriate, because all such public documents were sealed by the praetor with his own ring. His condemnation, by injuring his character for probity, naturally lessened the authority of his papers.

42. Modestissimus = "legum diligentissimus observator." Ern.

44. Venerit .... dixerit. The Perfect denotes a single action: veniret .... diceret would rather denote a continued or repeated one. See Z. 512, Note. Krebs, Guide, 261. Lentulus was praetor, a. u. c. 665.—Se commotum esse, i. e. to suspect a fraud.

3. Aliis quoque in civitatibus ... descriptus. His having received the freedom of those cities, is mentioned to increase the probability of his having received it at Heraclia; not as giving him any right to the Roman citizenship. For dubitetis, Klotz gives dubitatis.


5. Gratuito, i. e. "nullo eorum merito;" or "ita ut nullus inde fructus neque ad se neque ad rem publicam redundaret." Matthiæ compares de Nat. Deor. 1, 44, 122: Prata et arva et pecudum greges diliguntur isto modo, quod fructus ex iis capiuntur, hominum caritas et amicitia gratuita est. Nauck rejects gratuito. S. non gravate.

6. In Graecia, i. e. in Magna Graecia; the Greek colonies in the south of Italy. In Græcia is to be joined with impertiebant: not in Graecia homines.—Rheginos credo .... noluisse. Ironically. So Rose. Amer. 21, 59. But in this sense it is rarely followed by the accusative with the infinitive. See Z. 777.

7. Scenicis artificibus. Acting on the stage, music, and dancing, were regarded by the Romans as ignoble acts, which ought to be practised by slaves, and not by freemen.

9. Post civitatem datam, sc. sociis et Latinis. Cf. Fam. 13, 30: erat adscriptus in id municipium ante civitatem sociis et Latinis datam. There were two laws on this subject: (1) that of L. Julius Caesar, then consul, a. u. c. 664, in the first year of the Italic war, that the citizenship should be given to the allies, who had either remained in their allegiance or laid down their arms: (2) that of the tribunes, M. Plautius Silvanus and C. Papirius Carbo, in the second year of the same war, which extended its provisions to foreigners enrolled in any of the confederate states, provided they were resident at Rome when the act was passed, and declared their wish to avail themselves of its provisions within sixty days. This declaration was made before the praetor. Aft. Manut.

10. Post legem Papiam. An act de peregrinis ex urbe ejiciendis passed in the consulship of Cotta and Torquatus, a. u. c. 689. It enacted that all strangers who regarded themselves as Roman citi-
zens, and all the citizens of allied towns which had not yet become municipia, should be expelled from the city. In consequence of this, many strangers got their names entered in the lists of municipia, in order to be able to pass as Roman citizens. **Male etiam, qui peregrinos urbibus uti prohibent coaeque exterminant; ut Pennus apud patres nostros, Papius nuper.** The Schol. Bob. says: "Reus factus est Archias leges Papia, quae lata fuerat ad eos coercendos, qui temere et illicite civitatem Romanam usurpassent." But, according to Cicero, its effect was usu urbis prohibere peregrinos, which, he observes, is *sane inhumanum.*

11. **Eorum municipiorum. Rhegium, Locri, Neapolis; &c.,** were made municipia (from *faederata civitates*) by the law of L. Caesar. See ad Fam. 13, 30. For *irrepsertint,* Klotz, Benecke, Stürenburg, and Nauck read *irrepserunt.*

12. **Se. . . esse voluit.** *P. C.* 149, (b); *Z.* 610.

13. **Census nosotros requiris. Scilicet: est enim obscurum, &c.** *Census* is the counting and estimating the Roman citizens according to their property: this was usually done every five years (*lus-trum*); but from A. u. c. 668–684 there had been no census. *Scilicet* (= *sci licet*) properly calls upon him whom we address to know that which we are going to state. Compare with our present passage *ad Quint. Fratr.* 1, 3, 1: *Ego tibi irascerer? tibi ego possem irasci? Scilicet, tu enim me affligisti, tui me inimici, tua me invidia ac non ego te misere perdidi.* In both these passages it calls attention to the truth and certainty of a *false* statement, ironically asserted to be true. After S.


15. **Apud exercitum fuisse, "to be with the army," is said of non-military persons attending the general for any reason. This was in the Mithridatic war, which Lucullus carried on from A. u. c. 651–657.**

16. **Superioribus.** L. Marcius Philippus and M. Perperna, A. u. c. 668.—*Cum eodem quastore.* L. Lucullus from A. u. c. 666–674, was in Asia, as questor and proquestor, with Archias and his brother M. Lucullus.

17. **Primis, i. e. the first after Archias had declared before the prætor his wish to avail himself of the law, that put the freedom of the Roman city within his reach. These were L. Julius Caesar and P. Licinius Crassus, A. u. c. 665, the consuls being Cn. Pompeius and L. Porcius Cato.—*Nullam populi partem esse census.* Because it was not yet five years since the census of A. u. c. 662, and because they had been elected censors only for the purpose of distributing the allies, who had obtained the franchise, into eight or ten new tribes. It is not probable that Archias gave in his name on that occasion; be-
cause, having resided at Rome for a long time, he might hope to be admitted among the old tribes.

18. Non . . . ac tantummodo indicat. Et, atque (ac) are sometimes used where we should use but; in connecting opposite notions, the first having a negative with it. "But rather" is "ac potius:" less commonly et potius.

19. Indicat eum . . . ita se jam tum gessisse pro cive. Ita = "so far," or "as such," by the very fact of this enrolment among the citizens at the census. It refers the reader to the preceding statement: "Id quo refertur ita, interdum exprimitur verbis proxime antecedentibus vel uno nomine, quod in prioribus eminet: quemadmodum Graeci praegredienti participio adjungunt reliquam sententiam per eves. Id, quod dicitur hac particula restringitur ad eam notionem, quae modo est expressa: unde fit, ut intelligamus eo ipso." Hand. vol. iii. 482.

20. Quem tu criminaris, &c., i. e. iste Archias, quem. Matthin, who reads quae tu, &c., considers this an instance of attraction for quibus. Klotz first takes quae tu criminaris by itself, and considers the following clause an instance of epexegeesis; i.e. of an explanatory statement (here an explanatory statement of the substance of the charge) that is appended to a previous assertion, without any strict grammatical coherence. He adds, it would all be plain if it stood in full, iis temporibus quae tu criminaris, quum dicis eum ne ipsius qui dem, &c. Nauck also adopts quae, and renders "in those times during which he, according to your accusations," &c. Madvig and Stürenburg (ed. 2) read quem.

22. Testamentum saepe fecit. Roman citizens alone were allowed to make a will, or be made heir of a Roman citizen; a proof that Archias considered himself to be a Roman citizen (suo judicio).

23. In beneficiis . . . delatus est. In beneficiis deferri = in iis, qui beneficia merentur, deferri; "to be recommended as one deserving rewards." When a Roman proconsul or præfector returned from his province, and gave in his accounts, &c., to the treasury, he also delivered in the names of persons whom he wished to be recorded as benefactors to the Roman state. In Cicero's time these recommendations must be made within thirty days after the rendering of accounts. Fam. 5, 20; Balb. 28. This did not constitute a claim to any immediate or particular reward, but was an honor, and, in case of any danger, &c., an advantage, as entitling a person so honored to the good offices of the Roman government. It appears from this passage that only citizens were so recorded. Möbius compares τῶ δε εὐπρεπής τῶ βασιλείας (Herod. 8, 85), and the εὐπρεπῶν of the Syracusans, Xen. Hist. Græc. 1, 1, 26. So when Mordecai discovered the plot against the king's life, his name "was written in the book of the
24. A L. Lucullo proconsul. Stürenburg (ed. 2) and Nauck for proconsul read the abbreviated P. R. of the MSS. as populi Romani consul.

Ch. VI.—25. Si quae potes. Stürenburg holds that "the older and fuller form, si quis, si quae, is used by Cicero when the logical faculty, the intellect, predominates: the later and shorter form, si qui, si qua, when the sensibility, the feelings are uppermost."

26. Revincetur = convincetur. "He will never be convinced that his judgment, and that of his friends, is unsounded and false."

29. Convicium. Conviciun is the shouting and quarrelling of the orators and parties at a trial; hence also strepitus forensis. Quinctil. 1, 8, 11: Precipue apud Ciceronem—vidimus Ennii—et aliorum inseri versus, summa non eruditionis modo gratia, sed etiam jucunditatis, quum poeticis voluptatibus aures a forensi aspexitatem resipient.


33. Contentionem. A metaphor derived from bending the bow; therefore relaxemus immediately afterwards.

35. Se . . . literis abdiderunt. The phrase se in literas addere is more common: e.g. Fam. 7, 33: me totum in literas addere, &c. Literis is the abl. See Z. 489.

37. Quid pudeat. Quid = cujus rei causa. See Z. 385 and 442.

38. Vivo = "have lived;" the past and present being brought into connection.—Aut commodo. Stürenburg (2) and Nauck: aut commodum.

40. Retardarunt. Retardare ab aliquo, or ab aliqua re, is quite correct, though Matthiae appears to doubt it; e.g. posteriora (tempora) me a scribendo . . . retardarunt; Fam. 5, 17.


42. Ceteris . . . alii. This proleptic use of these words is very common. Here they stand not with reference to each other, but to egomet, as in ch. 1 ceteris and alios to huic . . . ipsi. Cf. 5, 10, ceteri . . . hic; 7, 16, cetera . . . hae studia; Leg. Manil. 10, 28; Sull. 3, 9.

44. Temporum. See note on p. 44, line 13.
1. Tempestivis convivis. *Tempestiva convivia* are to be understood of entertainments which commence early, before the ninth hour, i. e. before three o'clock in the afternoon, which was the usual hour for the *causa*, and extend late into the night. *Intempestiva* in this connection is an old error still met with in some editions.—Alivolo. Nauck prefers the common text *adeo*. *Alveolus* is the gaming board or table, the place of the game for the game itself.


3. Atque hoc adeo, &c. The *adeo* is to be joined with *hoc* Hand. "Constat, a Latinis particularum *adeo*, ut *a Graecis particularum γί*, tum usurpatam esse, cum res aliqua, de qua jam ante dictum erat, majore vi offerenda erat: eaque significatione sēpissimae conjunctam inveniri cum pronominis *is et hic*." S. (who, however, rejects *adeo* in Ed. 2; observing that, common as *id adeo* is, *hoc adeo* is not found.) Madvig: *Atque hoc ideo*, &c. Nauck: *Atque id eo mihi*, &c., comparing *Lael. 4, 15*; *idque eo mihi magis*, &c.; and *Acad. 2, 1, 2*; Suet. *Cæs. 81*. Stürenburg: *atque hoc id mihi*.


5. Quantacunque = *quantulacunque*. But it must be remembered that it means "however great," "to whatever magnitude it reaches," though the orator modestly implies that it is a small one. Cf. *de Orat. 2, 28, 122*: "*Atque ego is, qui sum, quantus quoque sum ad judicandum*, &c. S. Klotz omits est.

6. *Quae summa sunt*, i. e. "*recte vivendi praecorda, quae philosophia continentur*," "That which is the highest that man can attain;" namely, principles to guide him in practical life.

7. Literis, "*from literary works;"* the works of poets, historians, orators, philosophers. *Literæ* are opposed to *praecerta*, which are imparted *viva voce*: the *sapientium voces*, afterwards mentioned.

8. Nisi laudem. *Laus* is here well-founded praise; a good reputation fairly won. Matthiæ observes that the Greeks, on the contrary, use the names *virtue*, *vice*, respectively, for the *praise* or *censure* that follows them: *τὴν ἄρετην κτήσωσαι* = *laudem virtutis comparare*.


11. In tot . . . *dicationes* . . . *objecisse*. Cf. *Cluent. 41, 113*: *Nego rem esse ullam in quomquam illorum objectam, quæ, &c. So offerre with *in*, as well as with dat.: e. g. *pro Sest. 1, 1*; *qui ad- durent se et salutem suam in discrimen offerre pro statu civitatis et pro commun librate*. A reason for not choosing the dative after *objicere*, which is its more common construction, may in this instance
be found in the circumstance that *impetus* lacks the dative and ablative plural. Cicero alludes here to the conspiracy of Catiline, and to the attacks of the Clodian faction which drove him into exile.

14. Pleni sunt omnes libri, &c., i. e. "full of those principles, the power of which he had just stated." Stürenburg (2) and Nauck: *pleni omnes sunt libri*.

15. Exemplorum vetustas = exempla vetusta. Cf. pro Rosc. Com. 2, 6: *literarum vetustatem*. S. Nauck however compares *Plena vita exemplorum est*. Tusc. 5, 27, 79; and construes *exemplorum* with the adjective *plenus*.

19. Expressas. *Expressus* is a metaphor borrowed from sculpture, and is opposed to *adumbratus*, "sketched in outline." *Gloria est solida quadem res et expressa, non adumbrata*. Tusc. 3, 2, 3.


31. Atque idem ego. *Idem* is not simply equivalent to *etiam*, but has an adversative force ("yet for all that"), denoting an opposition between the notions. Z. 697. Ad Att. 1, 11: *Ac ne illud mirere, cur, quum ego antea significarim tibi per litteras, me sperare illum in nostra potestate fore, nunc idem videar diffidere*. Off. 1, 24, 84: *Inventi multi, qui non modo pecunian, sed vitam etiam profundere pro patria parati essent, idem gloria jacturam ne minimum quidem facere vellent*. See Hand, i. pp. 477, 493.

33. *Conformatio doctrinae* = *conformatio nature* (sive ingenii), quae doctrina efficitur. So sermonis delectatio; de Senect. 14, in. *Voluptates epularum*; ibid. § 50 = *quas epula afferunt*. Heumann compares with what follows the words of Zeno in Diogenes Laert. 7, 8: φῶς εὐγενῆς μετρίων ἀσκησιν προσλαβοῦσα, ἵπτε τὸν ἀφόθως διδάξοντα, ἰδίως ἵρχεται πρὸς τὸν τελεῖαν ἀνάληψιν τῆς ἄρετος.

34. Nescio quid. Z. 553. This phrase usually implies that the thing is unimportant or insignificant. Here it heightens the notion by its very indefiniteness = something quite distinguished. This force also often belongs to *quidam*; e. g. ch. 2, 3, *novum quoddam genus*; 8, 18, *divino quodam spiritu*.

35. *Ex hoc esse hunc numero, sc. contendo.—Ex hoc . . . numero*. Cf. § 31.

36. *Africanum . . . Lællum . . . Furium*. These three men are mentioned also, de *Orat. 2, 37*, as surrounded by men of the highest cultivation of the time.—*Divinum hominem*. See Arnold's *Nepos*, *Paus. 1, 1*, p. 116.

39. Catonem. He was surnamed Censorius or Sapiens, was a great orator, who learned Greek at a very advanced age, and wrote
many works. Cicero has called his treatise, *de Senectute*, after him, and made him one of the interlocutors in it. Cf. *de Ora.t. 1, 37.*—

_Si nihil . . . adjuvarentur._ Where we should use the pluperf. Cf. 2 Cat. 4, 3. Z. 525.

42. _Et si, &c._ Where we should use "but." See note on p. 100, line 18.

43. _Hanc animi adversionem._ "Tendency" or "direction of the mind," "mental occupation." The substantive _adversio_ is not found in any other passage. Matthiae observes that _animum advertere_ is much less than _studere rei_ or _operam in ea collocare._ But Cicero may choose to speak of some attention to such studies as a secondary, though interesting and valuable, pursuit. Madvig: *animi remissionem,* which Orelli also approves.

44. _Judicaretis = judicare deberitis._ Cf. Etenim qui præcess: agro colendo flagitium putes, propecto illum Attilium, quem sua manu spargentem semen, qui missi erant, convenerunt, hominem turpissi- num atque inhonestissimum judicaret. _Pro Rosc. Am._ 18, 50.—

_Num ceteræ, &c. . . . at hac._ Madvig omits _at._ Hand (Turs. 1, 420) corrects the prevalent notion, that in such contrasted cases the adversative particle _at_ is usually omitted. He gives a great many instances of its insertion. _Fecit idem Themistocles . . . . at idem Peri-_ 
cles non fecit . . . . _Att._ 7, 11: _Ut majores nostri Tusculanos, &c. . . . 
in civitatem . . . . acceperunt; at Karthaginem et Numantiam fundi-
tus sustulerunt. _Off._ 1, 11—_Cetera, sc. animi adversiones, i.e. artes, 
studia. Namely, those of a more practical nature; the object of which 
is not solely the ennobling of the mind, but by which we may make 
ourselves useful to our country and our fellow-men. Nauck inclines 
to think _cetera_ the true reading, and _ceterae res_ a gloss on this.

1. _Omnium_ belongs to each of the genitives, _temporum, etatum,_ locorum.

2. _Acuunt._ Klotz, Stürenburg, Benecke, and Nauck retain the reading of the MSS. _agunt_, in the sense of employ, keep busy.

4. _Non impedient oris._ A cold praise. In Or. 43, extr. he expresses himself far more strongly: _qua quidem me antea in judicia atque in curiam deducebant, nunc oblectant domi._ Matthiae's next remark that _peregrinari, rusticari, &c._ convey no great praise, be- 
cause the wicked devices of bad men occupy them as fully by day and 
by night, at home and abroad, has no good foundation. That the 
presence of _good_ is _perpetual,_ is a blessing that is not diminished be- 
because the presence of evil is _perpetual_ too. With the general praise, 
Heumann compares Fam. 5, 13: _Quibus secundâres ornantur, adversâ_ 
adjuvantur. Quinct. 6, proem. 14: _Credendumque doctissimis ho- 
minibus, qui unicum adversorum solatium litteras putaverunt._ Plin. 
Ep. 8, 19: _Et gaudium mihi et solatium in literis, nihilque tam_ 
_latum, quod his laetius, nihil tam iraste, quod non per has sit minus_
NOTES.


5. Rusticantur. The rich and distinguished among the Romans spent their summers at their country-seats, and Cicero wrote many of his treatises at his Tuscanian villa.

6. Attingere = "discere."—Sensus nostro, gustare = "sentire praestantium eorum."


10. Roscius, i. e. Q. Roscius, comedia. Roscius had acquired such a perfection in his acting on the stage, that his name became proverbial for any one distinguished in his art or profession. Cicero himself elsewhere owns that he had learned much from Roscius, especially in reference to delivery. Cf. p. Quinct. 25; de Orat. 1, 28; de Nat. Deor. 1, 28; and the oration in which Cicero pleaded his cause.

12. Ergo ille. An argument, a minore ad majus, of which the more common form is an ille . . . ? followed by non . . . ? So 1 Off. 31, 114: Ergo histrio hoc videbit in scena, non videbit vir sapiens in vita? Orat. 51, 171: Ergo Ennio licuit vetera contemnentii dicere Versibu' . . . mihi de antiquis eodem modo non licebit? Cf. ch. 9, in. 10 in.

13. A nobis omnibus, i. e. from all of us alike, whether learned or unlearned.

14. Hos. Klotz, Benecke, and Nauck read nos, which gives almost a better sense, and at any rate is more oratorical, as opposed to ille, although the antithesis is not strictly logical.—Animorum incredibles motus. "Activity of the soul" refers, in the first place, to Archias; but the plural animorum and ingeniorum renders the thought more general; and to this nos is better suited, though hos may be equivalent to hujusmodi or tales. 'de Orat. 25, 113: animi atque ingenii celeres quidam motus esse debent. 3 de Nat. Deor. 27, 69: motum istum celerem cogitationis.

17. Novo genere dicendi, i. e. the encomium, which he is going to pronounce upon poetry and the arts, which, as such, has nothing to do with the trial.


22. Cogitate. This is the only passage in Cicero in which this adverb occurs; nor is it found in other writers, except sometimes in
Plantus, so that it appears to have belonged to familiar conversation, instead of to a more elevated style. S.


28. Inflari = lutovolgaventur. — Suo jure = "with full right."

29. Ennius, a native of Rudiae in Calabria, flourished in the time of the second Punic war, in which he served as a centurion, and of which he composed a poetical history. He also wrote tragedies, satyric dramas, and an eulogy on the elder Scipio Africanus; but we have only fragments of his works. He died, A. D. c. 556.


33. Saxa et solitudines voci respondent, &c. Nauck: voce respondent. Quinct. 9, 4, 44, says of this passage: "Magis insurgebat, si verteretur; nam plus est saxa, quam bestias commoveri; vicit tamen compositionis decor," a strange opinion (as Stürenburg remarks), the re-echoing of the rocks being a natural law, which, he irreverently adds, would take effect, if the voice were the braying of a donkey. The fact is, that it is a poor piece of trumpery declamation. Cf. Verr. 5, 67, in.: Si hæc non ad cives Romanos, non ad alios amicos nostra civitatis, non ad eos, qui populi Romani nomen audissent, denique si non ad homines, verum ad bestias, aut etiam, ut longius progrediar, si in aliqua desertissima solitudine ad saxa et ad scopulos hæc conqueri et deplorare vellém, tamen omnia muta atque inanima tanta et tam indigna rerum atrociitate commoverunt.

34. Bestiae sæpe immanes. "Si quis [haec] attente consideret, videbit nullo modo referri posse ad Orphei et Arionis fabulam: quod tamen erudito homini, Paulo Manutio, visum est. Nam quod perraro factum poetæ fabulantur, quo ore id Cicero dixisset sæpe fieri? Melius igitur Victorius, qui id jam prudem ad serpentes retulerat: quos carminibus flecti ac consistere opinio est. Gothicarum quidem rerum scriptores narrant, ursos ita detectari tibiaram et fistularum pastoriciarum sono, ut, cum in pastores impetum facturi sunt, sæpe ab eis cantu mulceantur: atque hanc usitatissimam pastoribus ejus regionis rationem esse expediendae ab ursorum impetu salutis sae. Vix tamen est, ut existimem id Ciceroni notumuisse." Muretus. Benecke considers this too meager an explanation to suit the coloring of the entire passage. The myths respecting the enchanting notes of the singers of the earliest times floated before the mind of the orator, and, carried away by his feelings, he represents as of frequent occurrence, what was a matter of individual experience.
36. Homerum. Cicero here mentions only four towns which claimed the honor of being Homer's birthplace. A Greek verse mentions seven.—Colophonii . . . itaque etiam delubrum ejus in oppido dedicaverunt, causae nulla est, cur mutetur. Quamvis enim Ietas quoque Homerum suum esse contenderent, non tamen Ciceroni proposition fuit eas omnes urbes nominare, quae sibi summum illum poetae vindicaret. Et notum est apud Smyrnas Homer delubrum fuisset. Strabo libro quartodecimo: οτι δὲ καλ βιβλιοθηκη καὶ τω 'Ομηρων, στοι τετράγωνος ξυσσα νεον 'Ομηρον καὶ έδανον' αντιποιηται γαρ και ουτοι εια- ϕερουνος τοιδ ποιητοι καὶ δὴ καὶ νυμερα τι χαλκων παρ' αυτοις 'Ομηρων λεγεται. Muretus.

37. Smyrnei vero. Z. 348, Note
Ch. IX.—Ergo illi. See note on line 12.
42. Qui ct. Klotz and Stürenburg: et qui.
43. Præsertim quum, i. e. minime vero (repudiabimus) præ- sertim quum, &c. Klotz, Madvig, and Nauck: repudiamus.

1. Cimbricas res . . . attigit, e. the victory of Marius over the Cimbri. Attigit = scribere caperit, inchoavit. Cf. ch. 11.
2. Qui durior ad hanc studia videbatur = "qui ea sensu suo minus gustare poterat." Cf. Sall. Jug. 85, where Marius is made to say: "Neque literas Gracae didici. Parum placebat eas discere, quippe qua ad virtutem doctoribus nihil profuerunt."
4. Aversus a Musis = άμωσος.
8. Ejus, a quo sua virtus. Cf. Val. Max. 8, 13. Plutarch attributes this to Xenophon, alluding no doubt to Hier. 1, 14: τοῦ μὲν ήλιου το κρούματο, έπαινον, οὑποτε σπανιέτει' ου Μεμ. 2, 1, 31: τοῦ δὲ έπάν- τω ν ήλιου κοιναματο, επαινον σεινθης, ανήκους ει. There is no reason, however, for doubting that Themistocles may have uttered the sentiment.
10. Quae gesserat. Z. 546.
12. In multa varietate, &c.; from its various fluctuations of success, its battles by day and by night, its sieges, &c.—Totum ab hoc expressum est. Not totum, but only the part of it that Lucullus carried on; not the later and final successes of Pompey, who had his eulogist in the person of theophanes of Mitylene. Manutius.
13. Expressum est, i. e. a lively image was given. Expressimere properly refers to an image in wax, gypsum, &c.; or per ahenea signa, as Hor. Ep. 2, 1, 248, has it.
15. Aperuit . . . Pontum. Cf. pro lege Manil. 8, 21: patetfac- tumque nostris legionibus esse Pontum, qui ante populo Romano ex omni aditus clausus fuisse. Pontus was bounded on the north by the
Euxine, and on the landward sides enclosed by a chain of mountains. Mithridates had besides guarded this country by five and seventy fortresses. Stürenburg reads *et ipsa natura egregie vallatum*; Nauck, from the MSS. which give *natura regione*, makes *natura et regione*.

18. **Non maxima manu.** Plutarch, *Lucull. 27*, says, 10,000 heavy-armed soldiers.—*Innumerables Armeniorum copias*. Plutarch, *ib. e. 26* and 27, says 260,000. He is speaking of the battle at Tigracnocera. He tells us that Tigranes said, when he saw the Romans, *et minus proestuarent, paralle parere* et *de iis spatiiatet*.*at, dyino.*

19. **Urbem....Cyzicenorum.** Cf. *pro Mur. 15, 33*: *Quum totius impetus belli ad Cyzicenorum maxima constitisset*, eamque urbem sibi Mithridates *Asia* januam fore putavisset, qua *effracta et revulsa tota pateret provincia, perfecta ab Lucullo hac sunt omnia, ut urbis fidelissimorum sociorum defenderetur, et omnes copiae regis diuturnitate obsidionis consumenerunt*. Cf. also *pro l. Manil. 8, 20.*


21. **Nostra semper feretur....depressa hostium classis = depressio hostium classis. Z. 637.** This use of participles is very common; e. g. *1 Verr. 4, 11*: *quaesitum quid aliud habet in se*, nisi *Cn. Carbonem spoliatum—nudatum et proditum Consulem, desertum exercitum?* "As a vim exploit will the sinking of the enemy's fleet, &c., always be named and celebrated."

23. **Apud Tenedum pugna.** On the sea-fight off Tenedos, cf. *p. l. Manil. 8, 21*; and especially *pro Mur. 15, 33*. *Quid? illam navalem ad Tenedum, quum contento cursu, acerrimis ducibus, hostium classis Italian spe atque animis inflata pateret, mediocris certamina et parva dimicatio commissam arbitraris*. With respect to *ad* and *apud*, Ruddiman teaches properly that *ad = in loco proximo; apud = circa vel prope. S.*

24. **Tropæa, marks of places where victories have been won.** They consisted of arms piled upon one another, or suspended on pillars or trees.—*Monumenta*, artificial monuments, such as columns or inscriptions. The triumphs here alluded to are those of Lucullus, for Pompey's triumph was not celebrated till after the time of this speech.

25. **Quae quorum, &c.** "Therefore those, by whose." &c. Nauck retains the old reading *Quare, quorum ingenii hac seruntur, i. e. ea, quae diximus, patescunt omniumque ore celebrantur.*

that Pliny asserts that he had himself read the name of Ennius on the monument; but is not legi the infin. (not perfect indicative)? jussit, nomen ... legi. This celebrated monument was discovered A. D. 1780, but contained no such statues as are spoken of in the above quotation.

28. At illis laudibus, sc. quibus Ennius Scipionem ornuit. S., who compares Fam. 5, 13, 3: Casus enim gladiatorii similitudines-que ea, tum rationes in ea disputatone a te collectae velabunt me rei publicae penitus diffidere; i.e. similitudinesque ea, quibus usus es.

29. Ipse, qui laudatur, instead of the common reading ipsi, qui laudantur. Ita hoc membrand refertur ad unum Africanum: in sequentibus alios nominat viros illustres ab Ennie in annalibus celebratos.

30. In caelum ... adjungitur. The two propositions are placed together without a conjunction, as if they were not related to each other; but the relation is implied by this very juxtaposition. The force is quum in caelum Cato tollitur, tum, &c.—Hujus = Catonis Uticensis: proavus Cato, Censorius. Hic is often used of contemporaries = qui nunc vivit, in opposition to one of an earlier day. It often also denotes one present.

32. Omnes denique illi, &c. These are the most celebrated Roman generals in the second Punic war: Q. Fabius Maximus Cunctator; Claudius Marcellus, the conqueror of Syracuse, A. u. c. 542; and Q. Fulvius Flaccus, the conqueror of Capua in A. u. c. 543.

33. Decorautur = celebrantur; namely, by Ennius in his annals.

Ch. X.—34. Rudinum hominem, i.e. Ennius, who says of himself, de Orat. 3, 42, Nos sumu' Romani; qui fuvimus ante Rudini; from which, as from the passage before us, it appears that Rudiae was not a federata civitas. Cicero means to contrast its insignificance with the splendor of Heraclia, whence Archias derived his claim of citizenship.

36. In hac, i.e. at Rome itself. Ennius had obtained the Roman franchise through M. Fulvius Nobilior, the conqueror of the Ætolians, A. u. c. 565, who had led a colony to Rudiae.

37. De ... civitate ejiciemus? If he had said e civitate, it might have been supposed that he meant in exsilium mittere. Compare exire de vita, Læl. 4, 15; de manibus extorsimus; ex urbe de- pulsus, 2 Cat. 1, 2. See Hand, Turs. ii. p. 188.

38. Nam si quis, &c. Nam is not a mere particle of transition, but implies that what the orator is going to say is related in the way of reasoning to what preceded. The "shall we cast him out of the number of citizens?" implies a strong denial of this; involving the notion, gathered from what preceded, that the city would disgrace itself by casting out one who had conferred such honor upon it. Cicero
proceeds to justify this assertion, and the consequent assumption that he ought not to be cast out, and should not be cast out, by meeting the objection that the city had not received any considerable honor from him because he wrote in Greek. \(= \text{ejiciemus? minime vero; nam, quod contradicere aliqus possit \text{Græcis} carmiuibus Archiæ populi Romani gloriæ minus celebrari, s. si quis minorem . . . errat.}

40. Leguntur in omnibus fere gentibus, sc. through their colonies, and through the conquests of Alexander the Great, the Greek language had spread over the coasts of the Mediterranean, and throughout the Eastern world. Cf. de Div. 1, 41, 90: \(\text{eaque divinationum ratio ne in barbaris quidem gentibus neglecta est. Tusc. 5, 27, 77: in ea tamen gente primum iūi qui sapientes habentur, nudi ætatem agunt, &c. S.}

41. Suis finibus. That is, is limited to Latium; since even in the neighboring Etruria a different language was spoken. The expression, however, is nevertheless oratorical.

43. Quo manuum, &c. Nauck: \(\text{quo minus manuum . . . eo gloriàm;}\) giving this sense: Our deeds do not extend beyond the boundaries of our empire. It is to be desired, therefore, that those nations beyond the limits of the Roman empire, who have not experienced our prowess, should at least be reached by the fame of our deeds. Stürenburg: \(\text{quo eminus, &c.}

44. Gloriam famamque sic intelligi voluit, ut cogitaretur de gloria fama, quam carmina adderent Romànum rebus gestis. S.

1. Ampla. Honorable, glorious.


Our best account comes from Arrian, who lived in the second century of the Christian era, but who drew up his history from the accounts of Ptolemy, the son of Lagus, and Aristobulus of Cassandria." Smith's Dict. of Biog. The work that gives most information on this subject is St. Croix's Examen critique des Anciens Historiens d'Alexandre le grand.

5. In Sigeo. Sigeum, a promontory on the coast of Troy, with the 'Aχιλλευς, the reputed tomb of Achilles.

7. Praeconem, translated from the Greek εὔφως (used by Plutarch in vit. Alex. 15, extr.). The usual Latin term for herald, figuratively used, is praedicator, laudator. Buccinator is trumpeter.—Inveneris.

11. Theophanem. We learn from Cic. Att. 2, 5, 1, &c., that he was the intimate and confidential friend of Pompey, and had very great influence with him (Att. 5, 11, 3). He accompanied him on his expeditions in the East. Only a few epigrams of his have come down to our time.

12. Nostri illi fortas viri. The fortas viri are the soldiers of Pompey; nostri is here used with emphasis and pride.


15. Itaque, credo, an ironical supposition. The meaning is: any emperor would have been happy to make him a citizen. What follows is to be taken in the same sense. How is perficere non potuit to be construed? P. C. 130.

17. Potuit. Z. 519. Cf. 3 Cat. 9, 22.—Hispanos ... et Gallos. In the Orat. pro Balb. 22, 50, he mentions Aristo of Massilia (Marseilles) and nine inhabitants of Gades.

18. Quem nos, &c. Klotz: quem nos in concione vidimus! quum ... statim ex his rebus, quas tum vendebat, jussit ei, &c. Stüreburg: vidimus, cui quum libellum ... jussit ei, &c.


20. Subjecisset, "had put (or thrust) into his hands."—Quod ... fecisset. Matthiae thinks the subj. refers the assertion to the poetaster (who would say "feci in te epigramma") , although Cicero adds the description of the metre. With this Orelli's paraphrase accords: "quem ego ipse in concione vidi, quum ei vulgaris aliquis poeta in manus timide porrecta dextra tradidisset libellum, non carmen, sed breve scriptum, quo præmium petebat, propterea quod in ejus laudem composuisse est epigramma (quod tamen, addit Cicero, quid aliud erat quam, ut solent esse ista Graecorum poemitata, numerus tantummodo aliquot distichorum elegiacorum, nulla elegantia, nullo lepore?)" Nauck, however, makes quod ... fecisset the thought of Sulla. Nor does in eum determine the question. See Z. 550.

21. Alternis versibus longiusculis, "in longs and shorts."—Tantummodo ... versibus longiusculis, i.e. whose only merit was that they consisted of longs and shorts: "hoc est, in quo nihil aliud erat nisi alterni versus longiusculi, nulli sales, nullum acumen, nihil
ORATION FOR THE POET ARCHIAS.

nas disticha." S. By longiusculus the hexameter line is alluded to as longer than the pentameter.


23. Qui . . . duxit = quum ille duxerit. Z. 564.

24. Tamen, i. e. bad as the poet, and consequently the poem was. —Hujus referring to Archias, not cujus with Stürenburg and Benecke, by which the sentiment is made general.

25. Virtutem in scribendo. So oratione virtutes, Brut. 17, 65; oratoris vis illa divina virtusque, de Or. 2, 27, 120; comica virtus, Epigr. of Julius Cæsar in Suet. vit. Ter. p. 46, ed. Wolf.—In scribendo (rather than scribendi); the prep. refers it to expetisset (?). M. Scribendi would limit virtus; in scribendo denotes the object, in quo illa virtus cernitur. Benecke.

27. Per Lucullum. According to Plutarch the Luculli were kinsmen of Metellus, and the mother of L. Lucullus the sister of Q. Metellus Numidicus, the father of Pius.


30. Peregrinum. Foreign or provincial; they could not write pure Latin.—Aures suas dederat = "libenter audiret." So aures suas dare alicui, Att. 1, 5. Vide . . . quibus . . . aures sint dedita meæ, Att. 2, 14, 2.

Ch. XI.—33. Optimus qualsequ maxime. Z. 710, b.—Ipsi illi philosophi. Tusc. 1, 15, 34: quid nostri philosophi? nonne in his ipsis libros, quos scribunt de contemnenda gloria, sua nomina inscribunt? Matthiæ says that Cicero always uses inscribere with in; but Stürenburg quotes vestris monstramentis nomen suum inscrispsit, from d. Harusp. 27, 58; an oration which some think not genuine: so inesse in aliqua re, not rei. Inscribere librum alicui would be to dedicate it to him. Ipsi illi = tantopere celebrati. Manutius. Klotz: in illis libellis.

36. Prædicari de se ac nominari volunt, i. e. volunt nominari, and volunt de se prædicari, = ut de se prædicetur; i. e. prædicari is, so to speak, used impersonally.

37. Decimus quidem Brutus, who ante tempus excisæ Numantiae, penetratis omnibus Hispaniae gentibus, ingenti vi hominum
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1. Atque, ut id libentius facialis; quum intelligetis, quantopere id ego cupiam Archiev devinctus propter consulatum meum ejus ingenio celebratum.

2. De meo quodam amore glorise . . . confitebor. Cf. ad Fam. 5, 12; ad Att. 1, 16.

4. Vobiscum simul. The art of the orator in seeking to enlist the feelings of the judges for Archias, by making them participants in the glory of his consulship, is apparent.—Hujus urbis atque imperii. Madvig: hujusce imperii.

5. Proque. Z. 356, in fin.

6. Inchoavit, non tamen ad terminum perduxit. Att. 1, 16, 15.

Orelli. Madvig: *adhortatus sum*. Nauck: *quibus auditis mihi magna res et jucunda visa est hunc ad perﬁciendum adhortari*; omitting *quod*. Other readings are *adoravi, adhortavi, hortatus fui, hortavi* and *hortatus sum*. Orelli’s conjecture *adjuvi*, and Klotz’s *adornavi* hint at Cicero’s furnishing to Archias the materials, as he offered to do to Lucelius. *Fam. 5, 12*.


11. *Tantis nos in laboribus exerceamus?* So *Tusc. 5, 1, 3*: *Casus, in quibus me fortuna vehementer exercuit.*


16. *Nunc* is here used (as the Greek ἔχει) to oppose the actual state of things to the supposed case (si nihil animus, &c.) rejected.

19. *Dimittendam, i. e. “ita ut cum vita finiatur.”* *Dimittendam* is doubted by Orelli, because, with Lambinus, he thinks then not *cum vitæ tempore*, but *cum vitæ fine*, or *cum vita*, or morte would be required. Lambinus: *dimetiendum*, which Orelli thinks corresponds better with *adaequandum*. Stürenburg: *dimetandam*.


25. *An statuas, &c.* On this form of argument, *a minore ad majus*, cf. note on p. 9, line 19. The following is an example, in which *nonne occurs* (as here) in the second clause:—An vero, si domum magnam pulchramque videris, non possis adduci, ut, etiam si dominum non videas, muribus illam et mustelis adiicatum putes: tantum vero ornatum mundi, tantam varietatem pulchritudinemque rerum caelestium, tantam vim et magnitudinem maris atque terrarum, si tuum, ac non Deorum immortalium domicilium putes, nonne plane desipere videare? *De Nat. Deor. 2, 6, 17*. Madvig: *non multo malle, &c.*

29. *Expressam refers to the truth and accuracy; politam to the finish and taste of the expression or representation.*

30. *Jam tum in gerendo = jam tum, quem g eagam.*

31. *Hæc ... a meo sensu.* From my perception. *Hæc refers to memoriam sempiternam.*

32. *Sive ... ad aliquam animi mel partem, &c.* Cicero not uncommonly speaks of * partes animi*; e. g. *quid est autem se ipsum*
33. Sapientissimi homines. Such as Pythagoras and Socrates, who taught the immortality of the soul.


38. Vetustate = vetera notitia; their long-enduring friendship. Significat: vetera consuetudine, qua ipsa signo est, virtutibus suis Archiam dignum se præstittisse Ciceronis presertim amicitia. Dignitatem enim potius ceteris poetæ amicis, viris illustribus tribuit, sibi modestissime vetustatem, veterem, ut dixi, notitiam, quo significatu aliquoties utitur. Orelli. Klotz and Stürenburg: venustate. Sed de hominibus semper usurpat hoc v. Cicero cum leni citowelic, veluti Verr. 5, 54, 142; in Pison. 28, 70. Accedit de Off. 1, 36, 130, venustatem multibrem duce debemus, dignitatem virilem; adeo ut, si Archiae amicorum venustatem h. l. commemorasset orator, vel ipsi Catoni risum concitatasset. Orelli. Ştipfel, who also reads vetustate, notices, that in this remark Orelli goes too far, and refers to ch. 8, artem ac venustatem; and Steinmetz, in defence of venustate, refers to de Orat. 2, 56, 228, and, where dignitas and venustas are brought together, ib. 3, 45, 178; 1, 31, 142. Klotz and Nauck: quanto id convenit.—Id . . . quoad . . . expetitum esse videatis. For expetitum sit, or expetitum esse videtis. Z. 551.

41. Comprobetur. Z. 556.

43. Divina. See above, § 18.—Ingenius. Id est: "Si vobis, judices, viris tanto ingenuo præditis, Archias non solum ab hominibus, ejus amicis, sed etiam a divina sua arte (a facultate poetica, cujus optimi vos estis existimatores), commendatus debet esse."

2. Domesticis periculis. This alludes to the Catilinarian conspiracy, which had been suppressed the year before.

4. Isque est, both the Greeks and the Romans pass to the demonstrative pron. from the relative in the last clause (or later clauses) of an enumeration (though there be but two members): "Quem (Pythagoram) Phliuentem dicunt venisse, cumque . . . disseruisse." Z. 806. Madvig: estque ex eo admodum probabiliter. Orelli.—Eo numero, qui . . . sunt habitu. So Agr. 2, 14, 37: "Quum ex eo numero, qui per eos annos consules fuerunt, multi mortui sint." Cf. ad 2 Cat. 10, 21. Z. 366. Eo numero in this sense is less usual than ex eo numero. The examples quoted by Stürenburg show that Cicero and other wri-
ters used *ex eo, hoc, illo numero* very frequently, *in eo numero* often, *de eo numero* rarely; but *eo numero esse* never, in the sense of "be among," "belong to." Süpfle here would take the ablative as the ablative of quality: "Archias is one of that class, belongs to the honorable number of those," &c. He compares *nullo numero esse.*

Stürenburg (2): *isque est ex eo numero.*

9. *Quae non fori, &c.* Madvig: *qua a foro aliena judicialique consuetudine.* Nauck with Stürenburg: *qua non ferme mea judiciale.*


12. *Ab eo, i. e. Q. Cicerone, fratre meo, sc. accepta esse.—Certe scio.* So the MSS. It used to be contended that *certo* with *scio* was the only correct usage. See Z. 266, *Note 1.* *Certe scio* significat: certum est me scire, et aliquantum differt a verbis *certo scire,* i. e. certa est mihi notitia rei. Hand, *Turs.* ii. 18. *Certe* relates more to the persuasion of the speaker, *certo* to the real state of the case. In other words, *certo* is *objective; certe, subjective.* Stürenburg makes *certe* an adverb, appropriated to the expression of a feeling, *certo* one that refers to the understanding. De fratre utrumque dici poterat; *ex meo quidem sensu,* de fratre meo locuturus, *certo* potius scrissem. Neque id obliviscendum, *mediae quam dicunt aetati adverbium certo prorsus ignotum fuisse.* Orelli. Here *certe scio* = an emphatic "I know," and is opposed to *spero* which precedes. Cicero wishes to indicate hanc non esse meram spem, sed justam scientiam.
THE ORATION FOR T. ANNIUS MILO.

INTRODUCTION.

P. Clodius Pulcher first makes his appearance in history in A. u. c. 684, serving with his brother Appius under his brother-in-law, L. Lucullus, in Asia. Displeased at not being treated by Lucullus with the distinction he had expected, he encouraged the soldiers to mutiny. Afterwards, being intrusted by his other brother-in-law, Q. Marcius Rex, at that time proconsul in Cilicia, with the command of the fleet, he fell into the hands of the pirates, who however dismissed him without ransom, through fear of Pompey. He next went to Antiocheia, and joined the Syrians in making war on the Arabians. Here again he excited some of the soldiers to mutiny, and nearly lost his life. He now returned to Rome, and made his first appearance in civil affairs in A. U. C. 689, by impeaching Catiline for extortion in his government of Africa. Catiline bribed his accuser and judge, and escaped.

In A. u. c. 690, Clodius accompanied the propraetor, L. Murena, to Gallia Transalpina, where he resorted to the most nefarious methods of procuring money. He also had recourse to similar proceedings on his return to Rome.

Towards the close of 693, Clodius was guilty of an act of sacrilege, which is especially memorable, as it gave rise to that deadly enmity between himself and Cicero, which produced such important consequences to both and to Rome. The mysteries of the Bona Dea were this year celebrated in the house of Caesar. Clodius, who had an intrigue with Pompeia, Caesar’s wife, with the assistance of one of the attendants entered the house disguised as a female musician. But while his guide was gone to apprise her mistress, Clodius was detected by his voice. The alarm was immediately given, but he made his escape by the aid of the damsels who had introduced him. He was already a candidate for the quaestorship, and was elected; but in the beginning of 693, before he set out for his province, he was impeached for this offence. The senate referred the matter to the pontifices, who declared it an act of impiety.

Under the direction of the senate a rogation was proposed to the people, to the effect that Clodius should be tried by judges selected by the prætor who was to preside. The assembly, however, was broken up without coming to a decision. The senate was at first disposed to persist in its original plan; but afterwards, on the recommendation of Hortensius, the proposition of the tribune Fufius Calenus was adopted, in accordance with which the judges were to be selected from the three decuries. Cicero, who had hitherto strenuously supported the senate, now relaxed in his exertions. Clodius attempted to prove an alibi, but Cicero’s evidence showed that he was with him in Rome only three hours before he pretended to have been at Interamna. Bribery and intimidation, however, secured him an acquittal by a majority of 31 to 25. Cicero, however, who had been irritated by some sarcastic allusions made by Clodius to his consulship, and by a verdict given in contradiction to his testimony, attacked Clodius and his partisans in the senate with great vehemence.

Eager to revenge himself on Cicero, that he might be armed with more formidable power Clodius purposed becoming a tribune of the plebs. For this it
was necessary that he should be adopted into a plebeian family. Repeated attempts were made by the tribune, C. Herennius, to get this brought about. But the triumvirs had not yet taken Clodius's side. Cicero, however, whose reliance was placed on the friendship and support of Pompey, in defending C. Antonius, provoked the triumvirs, and especially Cæsar, and within three hours after the delivery of his speech, Clodius became the adopted son of P. Fonteius (at the end of the year 694). The lex curiata for his adoption was proposed by Cæsar, and Pompey presided in the assembly. The whole proceeding was irregular, but Clodius was soon actively endeavoring to secure his election to the tribuneship, and succeeded in his object with the assistance of Cæsar, and entered upon his office in December, A. u. c. 695.

Clodius did not immediately assail his enemies. His first measures were a series of laws, calculated to lay senate, knights, and people under obligations to him. The consuls of the year he also gained over to his interests, and having thus prepared the way, he opened his attack upon Cicero by proposing a law to the effect, that whoever had taken the life of a citizen, uncondemned and without a trial, should be interdicted from earth and water. The proceedings which ensued ended in Cicero's withdrawing into exile.

Immediately after the banishment of Cicero, Clodius set fire to his house on the Palatine, and destroyed his villas at Tusculum and Formiae. The greater part of the property carried off from them, was divided between the two consuls. To alienate Cicero's property irretrievably, he dedicated it to the goddess Libertas; and a small portion of the site of the dwelling on the Palatine, with part of the ground on which the portico of Catulus, which adjoined Cicero's grounds, had stood, was occupied by a chapel to the goddess. He went so far as to offend Pompey by aiding the escape of Tigranes, son of the king of Armenia, whom Pompey had brought a prisoner to Rome. In this instance also his services were purchased. Pompey, however, did not feel himself strong enough to resent the insult. Clodius soon assailed him more openly and made an attempt, through one of his slaves, upon the life of Pompey, who now withdrew to his own house, and kept there as long as his enemy was in office.

The attempts made before the end of this year to procure the recall of Cicero proved abortive. Next year, A. u. c. 697, T. Annius Milo was tribune of the plebs, when his memorable and fatal contest with Clodius began. Milo was deeply in debt, and a wealthy province alone could extricate him. But without eloquence or political talent, the member of a comparatively obscure family could not hope to obtain the consulate, unless he identified his own interest with that of some one or other of the great leaders of the commonwealth. Milo, therefore, attached himself to Cn. Pompey, and Cicero's recall from exile was the immediate pretext of their alliance. In procuring Cicero's restoration, Milo, from his daring and unscrupulous character, was by far the most efficient of the tribunes. He combated Clodius with his own weapons. He purchased, after a faint and fruitless trial of constitutional means, a band of gladiators, and the streets of Rome were the scene of almost daily and always deadly conflicts between the two leaders of these paid assassins.

When the senate came to a resolution to propose to the comitia a decree for the restoration of Cicero, Clodius was the only one who opposed it; and when, on the fourth of August, it was brought before the people, Clodius spoke against it, but could do nothing more. The decree by which Cicero was recalled, provided also for the restitution of his property. Some difficulty, however, remained with respect to the house on the Palatine, the site of which had been consecrated by Clodius to the service of religion. The matter was referred to the college of pontifices, who returned an answer sufficient to satisfy all religious scruples; and the senate decreed the restoration of the site,
and the payment of a sum of money to Cicero for rebuilding his house. When the workmen began their operations in November, Clodius attacked and drove them off, pulled down the portico of Catulus, which had been nearly rebuilt, and set fire to the house of Q. Cicero. Shortly afterwards he assaulted Cicero himself in the street, and compelled him to take refuge in a neighboring house. Milo twice rescued him from the hands of the Clodian mob. The success of the combatants was nearly equal. Milo's houses in Rome, the Anniana on the Capitoline and another on the hill Germalus, were assailed by the Clodians, but Clodius was twice driven from the forum, and the last time narrowly escaped with his life. Nor did the rivals restrict their warfare to the swords of their adherents. With equal justice and consistency they accused each other of a breach of the Lex Plutia de vi, and with equal violence both enabled the results of prosecution. Clodius, however, notwithstanding Milo's repeated disruption of the comitia, succeeded in carrying his election for the curule-aedilship in A. u. c. 698, and was thus during his year of office exempt from impeachment. Milo, whose tribunate expired in December, 697, was on the other hand open to legal proceedings, and Cicero from dread of Crassus, who favored Clodius, refused to undertake his defence. It was, therefore, necessary for his safety that he should again hold an office of the state. But his bankrupt condition did not allow him to risk the expenses of the curule-aedilship, and there is no authentic record of his pretorship. In those convulsive years of Rome, it is indeed likely that the sequence of magistracies was not very strictly observed. Milo, however, although never aedile, exhibited martial games of unusual and, according to Cicero, of insane magnificence. He was enabled to give them by the bequest of a deceased curule-aedile whose name is lost, and he exhibited them in the year previous to his canvass for the consulship.

In A. u. c. 701, Milo was candidate for the consulship, and Clodius for the praetorship of the ensuing year. Each strove to hinder the election of the other. They collected armed bands of slaves and gladiators, and the streets of Rome became the scene of fresh tumults and frays, in one of which Cicero himself was endangered. When the consuls endeavored to hold the comitia, Clodius fell upon them with his band, and one of them, Cn. Domitius, was wounded. The senate met to deliberate. Clodius spoke, and attacked Cicero and Milo, touching; among other things, upon the amount of debt with which the latter was burdened. Cicero, to whom Milo's election was of vital importance, defended him in the speech De are atiene Milonis, of which a few fragments are still extant. The contest, however, was soon after brought to a sudden and violent end. On the 20th of January, A. u. c. 702, Milo set out on a journey to Lanuvium. Near Bovillae he met Clodius, who was returning to Rome after visiting some of his property. Both were accompanied by armed followers, but Milo's party was the stronger. The two antagonists had passed each other without disturbance; but two of the gladiators in the rear of Milo's troop picked a quarrel with some of the followers of Clodius, who immediately turned round and rode up to the scene of dispute, when he was wounded in the shoulder by one of the gladiators. The fray now became general. The party of Clodius were put to flight, and betook themselves with their leader to a house near Bovillae. Milo ordered his men to attack the house. Several of Clodius's men were slain, and Clodius himself dragged out and dispatched. The body was left lying on the road, till a senator named Sex. Tedius found it, and conveyed it to Rome. Here it was exposed to the view of the populace, who crowded to see it. Next day it was carried naked to the forum, and again exposed to view before the rostra. The mob, enraged by the spectacle, and by the inflammatory speeches of the tribunes Munatius Plancus and Q. Pompeius Rufus, headed by Sex. Clodius, carried the corpse into the Curia
Hostilia, made a funeral pile of the benches, tables, and writings, and burnt the body on the spot. Not only the senate-house, but the Porcian basilica, erected by Cato the Censor, and other adjoining buildings, were reduced to ashes.

The immediate effect of the death of Clodius was to depress the Milonian, and to reanimate the Clodian faction. Milo at first meditated voluntary exile. But the excesses of his opponents made his presence once more possible at Rome. The tribune of the plebs, M. Cælius, attended him to the forum, and Milo addressed the assembly in the white robe of a candidate, and proceeded with his consular canvass. But a more powerful, though secret, opponent had meanwhile risen up against Milo. His competitors in the comitia were P. Plantius Hypsæus and Q. Metellus Scipio. Cn. Pompey had married a daughter of Scipio, and from Hypsæus he expected aid in gratifying the prime object of his ambition—the dictatorship. A bill for his appointment was not indeed promulgated. But the senate nominated him sole consul. Pompey immediately brought forward three laws, which, from their immediate reference to the circumstances of the times, were in fact privilegia. In the first he specially noticed the murder at Bovilæ, the conflagration of the Curia Hostilia and the Porcian Basilica, and the attack upon the house of M. Lepidus the interrex. In the second, he introduced more stringent penalties for ambitus; and in the third he increased the severity of the existing laws against sodalitia, or illegal interference with the freedom of the comitia. The time allowed for trials de Vi, Ambitus, Sodalitiis, was also much shortened, only three days being assigned to the accusation, the defence, and the examination of witnesses. M. Cælius opposed these laws on the ground that they were privilegia and retrospective. But Pompey stifled all opposition by surrounding his house and gardens with soldiers, and withdrawing himself from the senate and the forum, on pretence of dreading Milo's violence. A variety of charges and recriminations was brought forward by either faction. The slaves of Milo and Clodius were respectively required to be given up to the torture; and perjury and intimidation, the forms of law, and the abuse of justice, were put in active requisition. Milo, however, was not without hope, since the higher aristocracy, from jealousy of Pompey, supported him, and Cicero undertook his defence. His trial opened on the fourth of April, a. u. c. 703. He was impeached by the two Clodii, nephews of the deceased, de Vi; by Q. Petulcius and L. Cornificius, de Ambitu; and by P. Fulvius Neratus, de Sodalitiis. L. Domitius Ahenobarbus, a consular, was appointed quositor or investigator, by a special law of Pompey's, and all Rome and thousands of spectators from Italy thronged the forum and its avenues from dawn to sunset during these memorable proceedings. But Milo's chances of acquittal, faint even had justice been decorously administered, were wholly marred by the virulence of his adversaries, who insulted and obstructed the witnesses, the process, and the conductors of the defence. Cn. Pompey availed himself of these disorders to line the forum and its encompassing hills with soldiers. Cicero was intimidated, and Milo was condemned. Had he even been acquitted on the first count de Vi, the two other charges of bribery and conspiracy awaited him. He therefore went into exile. Cicero, who could not deliver, rewrote and expanded the defence of Milo—the extant oration—and sent it to him at Marseilles. Milo remarked, "I am glad this was not spoken, since I must have been acquitted, and then had never known the delicate flavor of these Marseille-mullets." Milo's exile was a heavy blow to his numerous creditors.

The close of Milo's life was as inglorious, as his political career had been violent and disgraceful. Milo expected a recall from Caesar, when, in a. u. c. 405, the dictator permitted many of the exiles to return. But better times
NOTES.

were come, and Rome neither needed nor wished for the presence of a bankrupt agitator. Milo's former friend, the ex-tribune M. Cælius, pretor a. u. c. 706, promulgated a bill for the adjustment of debts—a revolutionary measure, for which the senate, where the Cæsarian party had then a majority, expelled him from his office. Cælius, himself a man of broken fortunes, required desperate allies, and he accordingly invited Milo to Italy, as the fittest tool for his purposes. At the head of the survivors of his gladiatorial bands, reinforced by Samnite and Bruttian herdsmen, by criminals and runaway slaves, Milo appeared in Campania, and proclaimed himself a legatus of Cn. and Sextus Pompey. He found, however, no adherents, and retreated into Lucania, where he was met by the pretor, Q. Pedius, and slain under the walls of an obscure fort in the district of Thurii.—Dict. Gr. and Rom. Biog. and Mythol. Clodius and Milo.

ANALYSIS.

In the introduction the orator confesses, that the sight of the place of trial surrounded by armed men is somewhat terrifying to him: he however expresses his conviction, that Pompey has adopted this arrangement only the better to secure to the law its due course; and his assurance that the better class of citizens are strongly inclined in favor of Milo. (Ch. 1.) The rest, a turbulent mob, composed of the hirelings of Clodius, will fail to frighten the judges, who now have an opportunity to testify to a man who deserves so well of the lovers of their country, as Milo, the sympathy which is his due. Then follows an intimation of his leading position: that the taking of Clodius's life was an act of self-defence. (Ch. 2.)

The oration itself may be divided into three parts.

1. A refutation of the allegations of the opponents:

(a) "That the taking of human life is in all cases inexcusable." This is invalidated by examples drawn from Roman history, from the myth of Orestes, by the laws of the twelve tables, and by the nature of the case. (Chaps. 3, 4.)

(b) "That the taking of Clodius's life was a violation of the Roman constitution." The senate, as Cicero also admits, did indeed make use of this language; but it wished, notwithstanding, that the case should be tried under existing laws, only immediately, without the delay which would ordinarily ensue from awaiting its turn. Pompey, on the other hand, carried a special law for this case. But he wished only to secure the course of justice, and in fact recognised the possibility of Milo's acquittal. (Chaps. 5, 6.)

(c) "The murder of Clodius is the more deserving of punishment, because it occurred on the Appian road, which is a monument of his illustrious ancestor." The renown of Drusus and of Scipio Africanus the younger did not protect them from murder, which was not even investigated. Clodius too had previously contaminated the Appian way by a deed of murder. He had also attempted the life of Pompey and others; and no special investigation had on that account been ordered. (Ch. 7.)

(d) Pompey's measures, and the choice of the judges, who are distinguished men, furnish no ground for an unfavorable judgment against Milo. (Ch. 8.)

2. The proof that Milo killed Clodius in self-defence.

(e) The narrative of the circumstances of the affair, and explanation of the
causes which led Clodius to attempt the life of Milo. Clodius wished to be praetor and Milo consul for the same year. This was quite contrary to the desires of Clodius. Clodius, therefore, did not attempt to conceal the fact, that he wished, expected, and would bring about the death of Milo.

(Ch. 9.) Clodius took advantage of the occasion of a journey, which Milo was called to make on business, to lie in wait for him. The time and manner of his journey exonerate Milo from the suspicion of having intended to waylay Clodius; while Clodius appears to have been prepared to commit murder. The attack commenced against Milo. Several of his retinue were slain; the rest supposed Milo had already fallen; without his command or knowledge they killed Clodius. (Ch. 10.)

(b) Application of the principle of justifiable homicide in self-defence to Milo, who confesses the deed, but claims for himself justification therefor.

(Ch. 11.)

(c) The proposition that Clodius was the waylayer, is drawn out more particularly.

(1) Milo's death would bring great advantages to Clodius: under such a consul as Milo, he would not have been able to carry through his projected law for introducing freed slaves into the tribes. An apostrophe to Sextus Clodius, who, for the purpose of exciting the people, deprived the corpse of Clodius of honorable burial. (Ch. 12.)

(2) The hostility of Clodius was to Milo, on the other hand, in his canvassing for the consulship, not so much a hinderance as an advantage, since Milo seemed the only one capable of restraining, by means of the consular power, the mad projects of Clodius: therefore the death of Clodius was injurious to Milo, and could not for that reason have been designed by him.

(3) Clodius hated Milo personally; but Milo, Clodius only from political grounds. (Ch. 13.)

(4) Clodius has always loved and practised violence, particularly in the banishment of Cicero. (Ch. 14.)

(5) Milo on the other hand has used violence only in defence of the constitution, and generally, where he has had an opportunity to kill Clodius, has treated him with forbearance: e. g. on the occasion of Cicero's recall from banishment, and in other disturbances. (Ch. 15.)

(6) Milo could not have had any plan or purpose to take the life of Clodius, because of the nearness of the consular election, and for fear of losing the favor of the people.

(7) Clodius on the other hand had always shown contempt for the tribunals and for public opinion. He believed, if Milo were put to death, he would have all power in himself alone.

(8) Cato is witness, that Clodius said, Milo must be put to death. (Ch. 16.)

(9) Clodius knew that Milo about this time would be passing on the road in this vicinity, and hastened to precede him, even to the neglect of much in Rome. Milo did not know that he would meet Clodius: his journey was necessary for the performance of an official duty connected with the rites of religion. (Ch. 17.)

(10) Cicero, in his own defence, urges, that he could have had no knowledge of a plan to murder Clodius. The pretext for the return of Clodius from his estate, viz. to enter upon an inheritance, was a mere fiction. He journeyed to meet Milo on the road. (Chaps. 18, 19.)

(11) The place where the fray took place, shows that Clodius and not Milo entertained the murderous design; so also does the retinue of both.

(12) The circumstance that Milo had armed men among his followers is not surprising, since he was not at any moment secure against Clodius. (Ch. 20.) Milo bestowed their freedom upon his slaves, not from fear that confession would be forced from them by torture, for he confesses the fact him-
self; but because he wished to give them a merited reward, as the preservers of his life. (Ch. 21.)

(13) The depositions of the slaves of Clodius are illegally demanded, and unreliable. (Ch. 22.)

(14) The confidence with which Milo appeared in public soon after the killing of Clodius, and the contempt which he showed for the rumors and false accusations in circulation, prove his innocence: he was not even afraid of Pompey, though attempts were made to excite his suspicions against Milo. (Chaps. 23, 24.)

(15) Milo is rather, although Pompey appears not to believe it, sincerely devoted to him, and might also at some later day be of service to him. (Chaps. 25, 26.)

3. An appeal to the judges to acquit Milo.

(a) Were Milo guilty, Pompey, by virtue of the extraordinary power intrusted to him, would have been able, ere this, himself to punish him. (Ch. 26.)

(b) Clodius deserved death far more than others who in former times have been put to death. An enumeration of his crimes. (Ch. 27.)

(c) An intimation of what would have been to be feared from him.

(d) It follows, that Milo's act is highly meritorious, since it may be called tyrannicide. (Chaps. 28, 29.)

(e) The removal of Clodius is a benefit conferred upon the Roman people by the immortal gods, whose presence and power have been signally displayed in the destruction of this abandoned wretch, and in the preservation of Rome from many evils. (Chaps. 30-33.)

(f) Milo is commended to the sympathy of the judges, for his firm bearing and the composure with which, conscious of his sincere love of his country, he faces the possible unfavorable issue of this trial: for what he deserves of all true patriots and of Cicero, for the sacrifice which he made to secure the object of bending and controlling the violence of the mob, as directed by Clodius against the fortunes of the higher ranks: for the fame which he has won, and the universal applause with which his deed has been hailed. (Chaps. 34, 35.) Cicero also, in his own name, as a grateful friend, asks the regard both of the judges and of the soldiers present for the accused, reminding them of the suppression of the conspiracy of Catiline, of his own exile, and his recall through the instrumentality of Milo. (Chaps. 36, 37.) Milo does not regret his deed. He deserves the thanks of his country, and the judges will by his acquittal show a manly spirit, and that too without offending Pompey. (Ch. 38.)

The following brief outline of the argument in this oration we add from Poles's edition.

The point of inquiry is, not whether Clodius was killed by Milo, for that is confessed; but whether he was not lawfully killed. This Cicero maintains in the affirmative, by laying down a general proposition, that it is lawful to kill the man, who lies in wait and attempts to kill you.

This general proposition he proves,—

1st. From the authority of the people, from former trials, and from the laws being.

2d. From the silence of the laws passed on that occasion, either by the senate or Pompey.

Having established this general proposition, the orator proceeds to prove that Clodius comes precisely under that description; this he does,—

1st. From the advantages that were to arise to the deceased by the death of Milo.

2d. From the declared hatred he always expressed against Milo.

3d. From the criminal behavior of the deceased through all the scenes of his life.
4th. From his hopes of impunity.  
And the evidence, upon which these circumstances are alleged, are the words and actions of the deceased.  
The conclusion of the whole is, Milo acted in self-defence, and Clodius was lawfully killed.

2. Timere. See p. Deiot. 1, 1, and the references there given.  
Much of this kind of language we may regard as mere rhetorical art.  
In the present instance there was real cause for fear, and real fear.  
For the tribunes had held hostile meetings against Milo, and had endeavored to excite the people against Cicero too, for so warmly undertaking the defence of Milo; and so far succeeded, that not only Milo but Cicero also was hated by the greatest part of the populace. The unusual preparations too, to prevent disturbance, added to his alarm. When Cicero began to speak the partisans of Clodius commenced a threatening outcry, for the purpose of intimidating him, and could not be restrained even by fear of the armed soldiers who were stationed around. Compare, on this exordium, Quinctil. 11, 3, 47, sq.

5. Novi judicii. The trial of Milo was extraordinary, by a special commission, instead of before the established tribunals. Pompey, on being appointed consul without a colleague, issued an edict that no one should carry any weapon in the city, and in a few days proposed new projects of law in the senate, two of which, after a decree of the senate, he promulgated to the people. One law was de vi, and expressly comprehended the murder which had been perpetrated on the Appian road, the burning of the curia, and the assault upon the house of the interrex M. Lepidus. The other law was de ambitu. These laws heightened the punishment, and abridged the judicial process. They limited the taking of the testimony to three days, confined the speeches of the accuser and the accused to one and the same day, allowing the former two, the latter three hours. For the trial of Milo, Pompey carried through a bill, that the people should choose a quæstor from the number of the consules. L. Domitius Ahenobarbus was chosen. Also the other judges appointed by Pompey were of such a character, that there was but one voice, that never had more eminent or more conscientious men been appointed judges.—Nova forma. The shops were shut throughout the whole city, soldiers posted in the forum, and at all the entrances to the forum, and Pompey with a select guard took his station before the oratorium. When Cicero began to speak, the Clodian faction set up an outcry and clamor. They were not even deterred by the guard of soldiers.

6. Quocunque inciderunt. Z. 521, Note.—Consuctudinem Al. veterem consuctudinem.
7. Requirunt = desiderant, miss.—Corona. The ring or crowd of people, that were gathered around, when a public trial, which enlisted their sympathies, was in progress. They represented the popular voice, and were an index of public opinion. Therefore the orators were in the habit of paying much regard to the corona. See Brut. 84, 290.

9. Stipati sumus, tanquam honoris aut custodiae causa: nam hoc proprie est stipare, non simpliciter circumdare.—Nec ulla præsidia, &c. The text in this passage is very doubtful. The better MSS. give non illa præsidia; the common editions, nam illa præsidia. Garatoni proposed nec illa præsidia, and was followed by Madvig. The double non...non afferunt of the MSS., appearing strange and unusual, occasioned the change of the former into nam. Klotz, however, who is followed by Süpfle and others, defends the first non, placed at the head of the clause, which the second rhetorically repeated before afferunt does not destroy, as giving energy and emphasis to the language. In the following clause also the negation is made prominent a third time, by saying: ut...tamen ne non timere quidem possimus, instead of ut...tamen etiam non timere possimus. The sense of the passage then is as follows: Those guards do not secure...., I repeat, they do not secure to the orator, that we here in the forum, and before the tribunal...can be so fearless, that we should not at least have some fear. To this view Madvig objects, that the position of non in the beginning of the sentence, before the subject, and its rhetorical repetition before the verb in a sentence which flows so smoothly, and without excitement, is unusual and uncalled for. Besides, if the repeated non is equivalent to a single negation, aliquid, he remarks, is barbarous. Further, the sentence, ut ne non timere quidem, &c., is so annexed, as to require that an intimation of fear caused (not a mind relieved) should precede. Moreover, the connection of the sentence with the preceding, and the continuation of the thought, is against the non, which seems to have arisen from the repetition of the non with usitata. Gradually approaching his subject, the orator does not simply affirm, Atque etiam ipsa illa præsidia afferunt oratori aliquid et animum ejus perturbant, but employs the form of affirmation which arises from the negation of the opposite.—Præsidia. Compare §§ 71, 96, 101; de opt. gen. dic. 4, 10; and Lucan, Pharsal. 1, 319, ff.

Quis castra timenti
Nescit mixta foro? gladii quum triste minantes
Judicium insolita trepidum cinzere corona,
Atque auso medias perrumpere milite leges
Pompeiana reum clauerunt signa Milonem?

—Pro templis omnibus. Templum Saturni, aedes Concordiae, aedes Veste, templum Minervae, templum Castoris.
11. Oratorii alliquid. After oratorii in some texts horroris or terroris is found. So Matthiae retains terroris, claiming, against Gar- atoni, who makes affrunt aliquid = timorem aliquem efficiunt, or habent in se, quod timorem injiciat, that afferre is not a vocabulum medium, but always, when taken alone, = prodesse.


15. Orationi. Another reading is oratori, which does not so well stand opposed to vis armorum.

16. Pompei, &c. Cicero wishes to conciliate Pompey by these complimentary expressions.

17. Putaret, si hoc ab eo peteretur. Putaret, etiam nunc; pu- tarit, semel antea.

19. Temeritatem concitatae multitudinis. See Z. 672. Pompey had received unlimited power from the senate to preserve the safety of the state. Had he, therefore, intended by his guards to effect the suppression of Milo and his friends, the thoughtless mob would have turned their weapons against the judges even, if they had voted for Milo.

21. Centuriones. Cf. ch. 37, 101. The centurions were subal- tern officers. Their badge was the vitis; promotion to the centurio primi pili (primus pilus, primipilus). They were commonly chosen from the tribuni militum, and their pay was double that of the gregarius miles. Non ... sed ... neque solum ... sed etiam ... neque aux- ilium modo ... verum etiam. The student should attend to the va- riety and difference of such forms of expression.

22. Presidium denuntiant. Zeugma. Z. 775.—Quieto. For the fear inspired by the "nova forma" was banished by a proper considera- tion of the motives of Pompey in posting the guards.

25. Quæ quidem est civium. At least as far as it is composed of citizens. Cicero hints either that the Clodians who were present were not citizens, or that slaves formed part of that faction.

28. Exspectantes videtis. Some eduones omit videtis here, and after intuentes give cernitis.

29. De liberis, &c. Compare ch. 28. Cicero urgently endeav- ors to identify the cause of his client with the general interest of all citizens and of the state. See p. Flacc. 1, 3. Marcell. 11, 34.


2. Rapinii. The outrages of Clodius are enumerated by Cicero in his several orations. He had plundered the treasury, sold provinces, burned the house of Q. Cicero and the temple of the nymphs, and by
means of his gladiators kept up perpetual alarm in the city. See chaps. 24, 27, 28.—Omnibus exitiis publicis. Every thing that can contribute to the destruction of the state.


4. Voce praérent. Eleganter inest acerbitas; quasi formulam ipsam sententiae præiverint, a qua vel paululum discedere nefas esset, ut in precationibus et jurejurando. Said of those who repeated the forms of oaths, imprecations, &c., to the persons obliged to take them. So verba (carmen) præire, verbis præire, and the corresponding phrases in verba vovere, jurare.—Judicare debetis. A modern latinist would be inclined to say judicare debetis.—Si qui. Z. 136.

5. Retulneatis. The penalty under the lex Pompeii de vi was probably the aque et ignis interdictio.

7. Neglexit, &c., in his tribunschip; five years before this time.—Pro vestra salute = in vestra salute defendenda, pro vestra salute propugnans. Some prefer præ vestra salute.—Adeste animis. Cf. Somn. Scip. 1 extr. Sed ille, Ades, inquit, animo, et omite terorem, Scipio. Be composed, retain your presence of mind; and often simply, pay attention.

11. Amplissimorum ordinum. The lex Aurelia was now in force, by which the judices were chosen equally from the senators, equites, and tribuni ærarii. Hence in connection with the ordo senatorius and the ordo equester, an ordo plebeius was sometimes spoken of. Cf. § 5; ch. 8, 21; 35, 95; and p. Muren. 39, 83. The superlatives with ordinis are epitheta ornantia.

12. Ut sua studia. So also Klotz. The common reading is ubi sua studia.


14. Ut statuatìs. Cicero seeks to interest the feelings of his judges in the fate of Milo: 1. by putting him on a par with himself, an acknowledged patriot; 2. by testifying his constant deference to their authority; 3. by the modesty of his petition, which only sought encouragement for himself, not vengeance on his enemies. The words, too, are appropriate and complimentary: fidem, the honor of a judge; virtutem, the firmness necessary to meet the audacity of the Clodians; and sapientiam, the wisdom to counteract the rashness of the mob.

18. Nobis duobus. Cicero identifies himself with his client. Garetouli would strike out duobus, and understand nobis of the wholeduobus, and understand nobis of the whole
body of the optimates. The case is the ablative construed with magis.

19. Laboriosus. This word, as also sollicitum and exercitum, is used here in a passive sense. Laboriosus = multis laboribus et aerrum-nis affectus.

20. Præmiorum. The offices of the state. The contrast between spe amplissinorum præmiorum and metu crudelissinorum suppliciorum, while it shows their disappointment, lays claim to a higher degree of pity from the audience. Others read exitiorum instead of suppliciorum.

23. Dumtaxat. See note on p. 85, line 8. Cicero expected Milo to be tossed by the winds amidst the billows of popular assemblies, because he had merited the resentment of the mob; but he thought that his troubles should end there; and that his enemies would have no hopes, &c.—Fluctibus concionum. The same figure is frequent in the Attic orators. Conciones were mostly called by the tribunes of the people. There was no voting in the concio, but the suasio and dissipasio legis took place here, and in the comitia the lex without further discussion was accepted or rejected by votes. Quintil. 8, 6, 43, says that the words dumtaxat fluctibus concionum give a mixed character to the allegory in this passage, which were otherwise pure.

24. Quia semper. So also Klotz. Others, quod semper.

27. Spem ullam esse habituros.... ad.... salutem exstingueum. See note on p. 48, line 9.

28. Non modo.... sed etiam. “I don’t say... but,” or “not... but.” See Z. 724, and note on p. 64, line 36.

29. Tales viros. Tales viri solemnis quadam et honorifica appellatioe Ciceroni in orationibus judicariis judices audiant. Tales rarely follows its substantive.—Quamquam, &c. Cicero had alluded to the public services of Milo, and expressed his surprise at his enemies hoping to foil him before judges, whose authority he had always supported; lest, however, he might seem to rest his cause on this, or admit the inference, that because Milo had saved the city, Milo might therefore slay the citizens with impunity, he corrects himself, and adds that he will not so apply Milo’s patriotic actions; at least before he shall have established the fact of Clodius being the aggressor. Compare p. Planc. 1, 3.

30. T. Annii tribunatu. A. u. c. 697. Milo’s services to the state during his tribunate reduced themselves mainly to his merit in effecting the recall of Cicero from banishment. Cf. ch. 37, 102: post red. in senat. 8, 19, and 12, 30: Quibus autem officiis T. Annii beneficcia remunerabor? cujus omnis actio, ratio, cogitatio, totus denique tribunatus nihil aliud fuit nisi constans, perpetua, fortis, invicta defensio salutis meae. Cicero, especially in the orations delivered after his return from exile, reminds us not seldom of the expression of Louis
NOTES.

Page 108 XIV., "L'état, c'est moi."—Rebusque. Klotz follows the most MSS and reads rebus omnibus. The euclitic is explicative, and = id est rebus omnibus.

31. Abutemur. Not simply for utemur, but of wrong or unseasonable use, or of the application of a thing, contrary to its natural use or original intention. The public services of Milo were performed with the view of gaining the esteem of his countrymen, not of shielding himself against a criminal charge. Cf. Lig. 1, 1, ut...abuterner.

32. Nisi oculis videritis, &c. In the early editions the punctuation differs, so that these words do not begin a new period, but attach, as a condition, to what precedes. Cicero's proposition is: Clodius was justly slain, whether as being an intended assassin, or as being the scourge and ruin of his country. The former point, which occupies from ch. 12 to ch. 27, he calls de causa; the latter, from ch. 27 to ch. 34, he calls extra causam.

34. Merita. See ch. 28, where the services of Milo are alluded to in terms of the highest eulogy.—Nec postulaturi. The killing of Clodius being a public benefit, Milo might have urged this as his motive; Cicero, while he admits the beneficial result, will not adduce that argument as long as it may be doubted whether the merit of it belongs to the fortune of the Roman people, or the courage of Milo. This very doubt is most complimentary to Milo.

36. Populi Romani felicitati. See chaps. 30-33.

37. Sin illius, &c. Cicero here varies the hypothetic statement "nisi oculis," &c., as also the inference, which ought to be—"then will I have recourse to Milo's services," &c.; whereas it is—"then will I implore you to leave untouched the principle of self-defence." These two inferences comprise the entire defence, both "de causa" and "extra causam." Others read sed si illius.

Cn. III.—41. Ad eam orationem, i.e. eam partem orationis. So the Roman jurists use hoc edictum for hic titulus or hoc caput editici.—Quae est propria vestra questionis, sc. uter utri insidias fecerit. Quastio, a public trial, so called from querere, because the guilt or innocence of the accused was therein inquired into.

42. Ea esse refutanda. These objections, whose refutation is properly prefixed to the general defence, were three:—1. Negant intueri....fateatur; that an avowed homicide was unworthy of life. 2. Sequitur....esse factam, ch. 5; that the senate had already decided the cause against Milo. 3. At enim Cn. Pompeius....suit, ch. 6; that Pompey by his law declared his belief of Milo's guilt. On the propriety of the orator's refuting these objections before he proceeds to the narration, see Quinct. 4, 2, 24, sqq. 5, 11, 12, who remarks, that by preparing the judges for the reception of the case, they virtually constitute an exordium. Schol. Bob. ad h. 1.: Hæc qualitas M. Tullio
propria est, ut antequam argumentationes impleant, victoriam prælibet in ipsis propositionibus.

13. In senatu. Referring to the account given by Q. Metellus Scipio, before Milo was accused. Klotz: Sæpe ab inimicis justata sunt et in concione sæpe ab improbis, &c.

2. Negant, &c. This is a fundamental proposition of the accusation. It is the lex talionis; life for life. But the penalty of death did not attach to the condemned Milo. For the language is, 1. negant fas esse: 2. civil death was, in the view of a Roman, equivalent to the punishment of natural death.

4. Primum. The first on record, or oldest traditionary capital trial, where provocatio ad populum and a judicium populi were exercised; Dion. Hal. 3, 22: γενόμενος δὲ θανατηφόρου κρίσεως τότε πρῶτον ὁ Ρωμαίων δήμος κόριος.

5. M. Horatii. The story of Horatius, who slew his own sister, for mourning over the fate of her lover, one of the Curii, whom he had just slain, is given by Livy, 1, 26.—Nondum libera civitate. Still under kingly government, and therefore more unlikely to be influenced by popular feeling.

6. Tamen. With reference to the implied quamquam in the participial construction. Z. 635, Note.—Comitiis. As this was before the institution of the comitia centuriata and tributa, we must supply curiatis with comitiis.

9. Recte et jure factum. Cf. 6, 15, and 9, 23. Recte may refer to natural and jure to positive law, unless we take them as a circumlocution. The distinction is taken between a question of law and a question of fact.


11. C. Carbone. He was tribune a. u. c. 623, and a contemporary and friend of the Gracchi. Val. Max. 6, 2, informs us that Carbo, when he was exciting the people to revenge the death of C. Gracchus, hoped to be assisted in attaining this object by the weight and authority of Africanus, the husband of Sempronia, the sister of the Gracchi, who he imagined could not avoid speaking in favor of his brother-in-law. He therefore dragged Scipio to the forum, before he had well entered the city, and put to him the interrogation in the text.


14. Ahala ille Servilius. Notice the order. Usually the name precedes the cognomen. On the persons here mentioned, see 1 in Cat. chaps. 1 and 2.

15. Me consule, senatus. Cicero elsewhere is in the habit of
claiming to himself alone the merit of saving his country in the conspiracy of Catiline. Here he does not say aut ego, for obvious reasons.


17. Factis fabulis, sc. tragiciis.—Doctissimi homines. άνιόδοι σοφοί.
So Plato calls poets πατήρες τῆς σοφίας ... καὶ ἰεῦόνες. Compare Tusc. 1, 1, 3: apud Gracos antiquissimum sit e doctis genus poetarum;


19. Variatis hominum sententiis. The court of the Areopagus were divided. According to Ἀeschylus, sixteen were for condemning, fifteen for acquitting. Minerva joined herself to the fifteen, which made the division equal, and amounted to an acquittal.


21. Duodecim tabulae. The fragment of the twelve tables reads thus: si nox (nocte) furtum factum sit, si im occisit (si eum for furem occiderit), jure casus esto. Cf. pro Tull. 20, 47, and 50.

22. Telo. Inst. 4, 18, 5: Telo in autem, ut Gaius noster interpretatione legis duodecim tabularum scriptum reliquit, vulgo quidem id appellatur, quod ab arc umittitur, sed et omne significatur, quod manu cujusdam mittitur: sequitur ergo, ut et lapsis et lignum et ferrum hoc nomine contineatur. Others read defendit and defendat.


31. Afferebat. De Invent. 2, 42, 124: Relatio criminalis, ut in eo milite, qui, quum communis lex omium hominem occidere vetaret, tribunum suum, qui vin sibi afferre conaretur, occidit. Plut. Mar. 14, calls the soldier Trebonius; Val. Max. 6, 1, 12, C. Plotius; Quinctil. 3, 11, 14, Aruncius. The tribune’s name was C. Lusius.

34. Quid comitatus nostri, quid gladii. As the Roman roads were often insecure, travellers had armed guards to accompany them.

36. Non scripfa, sed nata lex. A paraphrase of the jus naturale; “the right that is born with us,” νόμος δύναμις. The classical jurists also class self-defence under the jus naturale (gentium). D. 9, 2, 4: adversus periculum naturalis ratio permittit se defendere. Cf. ch. 11, § 30.

37. Didicimus, the general term, of which accepimus = audivimus, and legimus are species. So in the antithesis, hausimus is the more general expression, in which arriquimus and expressimus are included, the former expressing eager grasping of that which is adapted to our nature, the latter conveying the idea of the exact representation of the original or model. On the harmony and rhythm of this passage, see Orat. 49, 164, and 5; and Quinctil. 9, 3. See also Z. 822

40. Et in tela. Some read si in tela.

1. Etsi persapienter, &c. This is a correction of silent enim leges, &c.: as if he said, "Though why say the laws are silent amidst arms, when in their silence they sanction the principle of self-defence by not barely forbidding homicide, which they do as a matter of course, but also to carry arms with a hostile intention;" the obvious inference from which was, that they might be carried if that intention did not exist. This Cicero calls tacite dat . . . potestatem defendendi.—Ipsa lex, i.e. Cornelia de sicariis et veneficis. Lege Cornelia de sicariis et veneficis tenetur, qui hominem occiderit . . . quive hominis occidendi causa cum telo ambulaverit. D. 48, 8, 1. Lex Cornelia de sicariis, quae homicidas ultore ferro persequitur, &c. Inst. 4, 18, 5, where Justinian has introduced the ultore ferro persequitur into the lex Cornelia, which made the penalty aquæ et ignis interdictio, i.e. exile. In Justinian’s time the punishment was made capital.

2. Non hominem occidi. Klotz: non modo hominem occidi, i.e. does not merely prohibit the killing of a man, but the carrying of a weapon, &c. For though the occidere is more than the telum . . . habere, yet Cicero regards it as the reverse in the law, which considers more the intention to kill than the killing itself. See note on p. 64, line 36.—Esse cum telo. This was prohibited by the Twelve Tables. Cic. ad Att. 2, 24, 3: Fit senatus consultum, ut Vettius, quod confessiones esset se cum telo fuisse, in vincula conjiceretur. In Vatin. 10, 24. In Verr. 5, 3, 7: ut ne quis cum telo servus esset. On the notions comprehended in the generic word telum, see Arnold’s Nepos Dat. 11, 3.

3. Quum causa, &c. = quum quæreretur, quæ causa fuisse teli gestandi, non habueritne telum is, qui occidit, i.e. by questioning the motive, not the fact of carrying arms.

6. Maneat in causa. Cf. de Off. 3, 12, 49: Maneat ergo: quod turpe sit, id nunquam esse utile, &c. Cicero conceives that he has now fully established the legality of homicide in self-defence, and thus refuted the first prejudicium.—Non enim. Z. 808.

7. Probaturus sim, i.e. de veritate defensionis meæ vobis persuade sim; make good to you, &c.

8. Oblivisci non potestis. Quia est lex naturalis, quæ sui defendendi causa alium interficere jubeat.

Ch. V.—10. Sequitur illud. He begins the refutation of the prejudicia, 1. of the senate: 2. of Pompey. Cf. Quinctil. 5, 2.

11. Caedem, &c. The decree was expressed in general terms, but admitted of a particular application, which the opponents of Milo made. Cicero, therefore, contends for the general interpretation, and shows that in the various debates which had taken place in the senate since the death of Clodius, Milo’s cause was invariably triumphant; that the charge against the senate of submitting to his (Cicero’s) dictation, and not their own judgment, proved the strength of Milo’s
cause in the senate, and therefore that that body could never have inte-
tended to condemn Milo by the decree. Besides, that the decree was
expressed in the form usual in the case of public disturbances, e. g. the
burning of the senate-house, &c., and was voted by him, as no doubt
it was by others too, as a condemnation of the fact, without deciding
with whom the guilt lay. This clears the second præjudicium.—Ca-
dem, in qua, &c. This expression is not simply = to the briefer form
cædom Clodii, but comprehends the whole conflict, in which Clodius
lost his life. Cf. 6, 15.

12. Contra rem publicam esse factam. This is a general
formula, to denote any thing as dangerous or adverse to the state. It
occurs in the words of decrees, as cited by Cicero, ad Q. frat. 2, 3, 3,
and ad Fam. 8, 8, 6.

est hac ab interitu P. Clodii et . . . altera; a period which admit-
ted of various discussions of the question in the senate.

16. Frequentissimo senatu. In Cicero's time the senate prob-
ably numbered over 500. See ad Att. 1, 14.

17. Sumnum. The common reading is ad summum, which is
unciceronian. See Z. 271.

18. Declarant, sc. how fully the senate approved of Milo's con-
duct. Declarare is often put absolutely, without the addition of the
pronoun id or hoc.—Hujus ambusti tribuni plebis. T. Munatius
Plancus Bursa, who, with another tribune, Q. Pompeius Rufus, ha-
ranged the mob, which under their direction brought out the body of
Clodius, and exposed it in the forum before the Rostra, that its wounds
might be viewed. In their speeches they excited the populace against
Milo; and, Sextus Clodius, a scribe, acting as leader, the people bore
the corpse into the curia, where they made a pile of the benches,
desks, tables, and books, on which they burned the body, setting fire
to the curia, which was consumed, together with a portion of the Ba-
silica Porcia, which was adjoining. Asconius says the tribunes did
not cease haranguing, until the heat of the burning curia forced them
to retire: therefore the derisive epithet ambustus, scorched, singed.
Ambustus, however, circumustus, properly applies to one who has
been struck by lightning, but not killed.

19. Intermortuae, is explained by most as = inanes, futilis, ineffi-
caces. It properly expresses the alternate sinking and reviving of one
struggling between life and death, and is applied with bitter sarcasm
to the harangues, which were, in the confusion of the scene, ineffect-
ual and fruitless attempts, just dying, and as it were already dead be-
fore they reached the hearers.

20. Invindisc. For it was holding up Cicero to public odium
to represent him as the tyrant of the senate.—Quum diceret. The
general usage would lead us to expect the indicative here. See note
on p. 69, line 40. Kühner considers the subjunctive as expressing repetition; Madvig says the subj. stands when a fuller description of the manner of the action is added.

24. Apud bonos gratia. For the class denoted by Cicero as boni, optimi, optimates, optimus quisque, principes, see note on page 9, line 5. Cf. ch. 8, 21; Sest. chaps. 45, 48, 49; de Off. 1, 25.


28. Erant enim leges. Garatoni compares Demosthenes de corona Eloi vopoi, κ. τ. λ. The leges were the lex Plotia de vi, the lex Cornelia de sicariis, &c., the lex Aquilia de cade.—Quaestiones, sc. perpetuae. See Dict. Antiq. Jud. Milo’s was a special commission, the very appointment of which operates against him by giving an undue importance to the affair. Though in Cicero’s times there were quaestiones perpetuae for all leading crimes, special commissions were appointed in particular cases. For the people, by the organization of the former standing tribunals, did not surrender their supremacy and prerogative. Extraordinary questions were frequent, particularly in turbulent times.

29. Mærorem ac luctum. Dolor denotes an inward feeling of grief; mœror and luctus, an utterance or external manifestation of this inward feeling: luctus its artificial manifestation, designedly, and through the conventional signs of mourning, as cutting off the hair, mourning clothes, &c.; mœror, the more natural and involuntary manifestation of it in the gestures of the body, and in the countenance, by sighing and weeping.

31. Cujus enim de illo Incesto stupro. See below, chapters 22, 59; 27, 73; 32, 87. Clodius, in order to carry on an intrigue with Pompeia, the wife of Julius Cæsar, had gained admittance, in disguise, to Cæsar’s house, where the mysteries of the Bona Dea were celebrating. He was detected, however, but in the confusion effected his escape. Cicero calls the intrigue incestus, as polluting those sacred rites, at which males were forbidden to appear. Harus. 5: Ea sacra, que viri oculis, ne imprudentis quidem, adspici fas est. Juvenal goes still farther: Ubi velari pictura jubetur, Quecunque alterius sexus imitata figuram est.—Judicium decernendi. Appointing a trial. Cicero, ad Att. 1, 13, informs us that the affair was, by a decree, referred to the pontifices, and by them declared a sacrilege; and that the consuls proposed a bill to the people, by which the prætor was empowered to select assessors to try the cause. This bill, it appears, was, by the influence of the Clodian faction, headed by the tribune Fufius, prevented from passing, and an amended bill substituted; according to which, judges, selected in the usual way, were to try the cause. Owing to the corruption of the judges, Clodius was
acquitted. This Cicero calls judicium decernendi senatus potestas esset crepta.

34. Cur igitur, &c. The general disorders of the opposing faction, especially the burning of the curia, had excited greater displeasure in the minds of the better-disposed citizens, than the murder of Clodius. Cicero, therefore, mentions them in the order of their importance.

35. M. Lepidi. Two days after the death of Clodius, Lepidus was declared interrex. The factions of Scipio and Hypsaeus, with a view to force on an immediate election, attacked his house, insulted his wife Cornelia, and even tore her webs out of the loom; but falling in with the rival faction of Milo, they were compelled to desist.

36. Quia nulla vis, &c. Cf. Seneca, de ira, 2, 31: Nefas est nocere patria, ergo civi quoque, nam hic pars patriae est. Sanctae partes sunt, si universum venerable est. In the libera civitas Romana there was the closest connection between the welfare and interests of the citizen and the state. Violence done to a citizen was brought for trial before the judicium publica.

38. Illa, ἐντεκτικὸς, e.g. paulo ante memorata.

39. Nisi vero. Z. 526. “Unless, indeed,” &c., which it is absurd to assert; the loss of citizens, however abandoned, being still a loss. The usual indirect argument.

40. Ille dies, &c. Klotz: ille dies, in quo Ti. Gracchus.... aut quo arma Saturnini, etiam si.... tamen non vulnerarunt.

41. Ere publica. Z. 309.

Ch. VI.—43. Ego ipse decrevi. “My own vote then was.” Decernere is properly used of the sentences of the whole senate, though often applied to the vote of individual senators.

44. Non cum, quis se defendisset. For self-defence was just and right, and not a crime against the state.


3. Furiosum illum tribunum. Munatius Plancus. Furiosus is a common epithet of the tribunes, implying that their occupation was to excite the people to acts of violence. On the meaning of furere, see note on p. 9, line 2.


5. Extra ordinem. Extra ordinem querere is not to be confused with the nova quaestio. The senate purposely no change in the laws or tribunals, but wished the cause of Milo, as one of special
importance, tried without delay, without waiting its turn on the
docket.

6. Divisa sententia est. When a motion comprehended two or
more particulars, any senator could have them put separately, simply
by saying, divide. Here the points were: 1. ut veteribus legibus....
quereretur; 2. ut extra ordinem quereretur. This division allowed
the rejection of one and adoption of the other measure.—Postulante
nescio quo. Cicero doubtless knew, but wishes to show his judgment
of the insignificance of the individual. Cf. ch. 24, 65, where the name
is even given, and p. Sest. 31, 68. The name in this instance is given
by Asconius and Schol. Bob. as Q. Fufius Calenus.

8. Empta intercessione. That of the tribunes Munatius Plan-
cus and Sallust. When a tribune interposed his veto, the decree was
not completely nullified, but retained a species of authority, intimated
by the name senatus auctoritas, which, however, is sometimes used
for senatus consultum. Reliqua stands in reference to the unobnu-
vious part, ut extra ordinem quereretur.

9. At eum. The third prejudicium; sc. "that Pompey by his
act had condemned Milo." This Cicero refutes, by showing that Pom-
pey merely enacted an inquiry—that an inquiry, where the fact was
acknowledged, implies an inquiry into the merits of the cause—that it
will be seen by Pompey's own showing (Jam illud ipse dicet, &c.)
that his act is attributable to no predilection for Clodius, but to the
emergency of the case—that to act otherwise would be to overthrow
the very nature of a law, in the eye of which all men, whether high
or low, are equal, as appears from the instances of Drusus and Afri-
canus, whose untimely and lamented fate called forth no new enact-
ment—that to permit concomitant circumstances to have any weight
in determining the amount of guilt, would be to make the atrocity of
Clodius's death to be heightened, and that of his victim, Papirius,
lowered, by their occurring on the Appian (i. e. Clodian) way, (aut eo
mors atrocior, &c. § 17)—that in adducing an instance of Clodius's
guilt, it was unnecessary to go back to Papirius, (quid' ego illa com-
memoro, &c.,) the attempt to assassinate Pompey (as guilt consists in
the intention) being as bad as murder itself; not to mention the re-
peated attempts on Cicero's own life, (Quoties ego ipse, &c. § 20.)
Are we prepared to say, then, (asks Cicero,) that, while the great and
good have had their lives taken away, or attempted, and no new law
was called into existence by the public sorrow, Clodius's death has
excited such general regret, that Pompey framed his bill to assuage it?
No, (Non fuit ea causa, &c., § 21;) it was merely the fact of a recon-
ciliation having taken place between Pompey and Clodius some time
before, and in which Pompey wished to show himself perfectly sincere,
that has called forth the law in question, (timuit ne videretur, &c.,
§ 21;) which after all Pompey would not have proposed, were he not
aware that whatever severity there might be in this enactment, it
would be tempered by the firmness of the judges; the selection of
whom, from the most illustrious orders, and particularly the respecta-
bility of him who presides, proved incontestably, that Pompey's solo
motive was a regard to justice, &c. This Cicero considers sufficient
to clear the third prejudicium, and he now proceeds to the defence
itself, ch. 9.—Et de re et de causa. De re of the question of fact;
de causa of the question of law. Ch. 22 init., the opposition of the
law and the fact is thus expressed: Quodigitur in causa quareendum
est, id agamus hic; quod tormentis invenire vis, id fatemur. Cf.
ad Fam. 2, 6, 5: Nunc tibi omnem rem atque causam meque totum
commendo atque trado.

10. Tulit, sc. rogationem. Pompey, on being appointed consul,
prohibited the wearing of any kind of arms in the city, and carried a
law de vi, in which he made special reference to the murder commit-
ted on the Appian road, to the burning of the curia, and to the assault
on the house of the interrex.—Facta esset . . . . occisus esset. In le-
gum formulis nihil frequentius quam istud imperfectum conjunctivi
vel aliquoties repetitum. The reading occisus est or fuit is inadmissi-
ble, since esset doubtless belongs to the rogatio.


13. At paret. Paret is an old terminus judicialis. See Gaius
4, 47; Verr. 2, 12, 31: si judicium sit ejusmodi: L. Octavius ju-
dex esto: si paret, &c. Cf. Verr. 3, 22, 55, and 28, 69. In the
present passage condemnare and absolvere are near by, as in the for-
ma given by the prætor to the judex: si paret . . . . condemnna, si non
paret . . . . absolve.

14. In confessione facti = quum (etsi) factum concederetur.—
Juris . . . . defensionem suscipi posse. See ch. 3, § 8.

15. Quod nisi vidisset, posse absolvī. Quod ad antecedentia
relatum explicatur verbis posse absolvī, ubi nos nempe adderemus.

17. Salutarem . . . . literam . . . . tristem. The initials of ab-
sołvo and condemnō. There was a third tablet, not mentioned here,
which was marked N. L., i. e. non liquet. Each judge received these
three tablets from the prætor, and when the vote was taken, threw one
into the urn, which was provided separately for the different classes of
djudges, senators, equites, and tribuni sērarii. Ad Q. frat. 2, 6, 6. Ac-
cording to the tablets the prætor pronounced his sentence; when C.
was the prevailing number, videtur fecisse. Verr. 6, 14; Acad. 2, 47,
extr.; when A. predominated, non videtur; and when N. L. was the
vote, the decision was adjourned, or a compromise effected. Cicero
here means to say, that Pompey, if he had considered Milo guilty,
would not have appointed a trial, since he could, by virtue of the
power conferred upon him by the senate, have punished him himself.

22. Non interim = non, an aliquis occisus sit.

23. Tribuendum. Clodine causa, an temporis faciendum. No partiality for Clodius could have influenced Pompey to propose this law, but policy, and the soothing of the populace, which Sex. Clodius and the wife of P. Clodius, and the deed itself, had greatly excited.


26. Paeae patronus. Vere patronus senatus dictus erat ejus pat- ter. Vid. Suet. Tiber. 3.—Avunculus hujus judicis nostri. M. Cato Uticensis, whose mother, Livia, was sister of Drusus, and by a second marriage, mother also of Servilia, whose son was Brutus, the tyranni- cide. Cf. ch. 16, 44.

27. Tribunus plebis, whose person was therefore inviolable.


31. Illa nocturna vis. He was found dead in his bed, and com- monly believed to have been strangled. Others supposed he died sud- denly a natural death, while some thought he took his own life. Most authorities of that and the subsequent period agree in supposing he was murdered. This was Cicero’s decided opinion. Suspicion fell upon the tribune C. Papirius Carbo. Schmitz, Rome, p. 334. For qui- escenti, Klotz reads conquiescenti.


34. Necessariam . . . mortem, quam nature necessitas affert, naturalem.

35. Quæstio . . . lata est? An instance of brachylogy for lex lata est, ut quereretur.

36. Alio . . . alio. Z. 712: Nam caedes est, sive clarus homo, sive obscurus necatus est.

38. Mors quidem = sed mors.


40. Parricida. Many MSS. have patricia, and so Lambinus edited, to distinguish it from the wider signification of parricida and parricidium. The ground of the more extended usage of the word is partly rhetorical, partly legal. It originally denotes foul murder, and stands opposed to chance killing, or justifiable homicide. It was after-wards analyzed, and several kinds of punishable homicide were dis- tinguished. In its more restricted sense it was the killing of parents, grandparents, brothers, sisters, and other near connections, as also of
the patronus and patrona. In the signification of murder of one's father, it is of comparatively rare occurrence in Roman writers, although the derivation from pater was approved by them. Quinctil. 8, 6, 35. Perhaps the very old parricida (paricida) is to be derived from παρέδ, as in παραπροβείνω, παραβαίνω, and ειδέρε. This παρέδ expresses perverseness, wickedness, and is to be found often in the Latin prefix per (perfuga, perjurus, perdueillo). That the word did not take the form perecida, may be owing to the high antiquity of the notion and the word, or to regard for euphony. Legal forms were not readily changed.

41. In monumentis majorum suorum, in via Appia. This road, which still partially remains, was made by Appius Claudius Caecus in his censorship. Schmitz, Rome, p. 184. On the so-called plurale tantum majorum, compare Varro, de R. R., 1, 2 9, cujus majores ... nam Stolonis illa lex, &c. Cf. L. Manil. 12, 33, for a similar use of liberi.—Quod is .... sit interfectus. Z. 549. Klotz : necarit.

43. Ab istis, Clodianis, with contempt.—Proinde, Z. 232 and 344, Note.

44. Non qua .... sed ubi = non ut ea .... sed ut ibi, and therefore uteretur and latrocinarentur. Z. 567. The Clodians, it seems, urged it as an aggravation of Milo's guilt, that he killed Clodius on a road constructed by his ancestors; and Quinctil. 5, 10, 40, points out the force of this part of the Clodian charge. On the same principle, M. Manlius could not be convicted while he remained in sight of the capitol. Liv. 6, 20. Cicero replies by admitting the aggravation, if his opponents will admit that Appius made the road to afford his posterity an opportunity of plundering there with impunity.

112 1. Itaque. Accordingly; i. e. supposing the road made for the above purpose.

2. Quum ornatissimum equitem Romanum P. Clodius M. Papirium. The order should be noticed, which appears chosen for the purpose of giving an ironical emphasis to the name of P. Clodius, in contrast with a highly respectable Roman knight, who, however, cannot compare with Clodius in ancestral dignity; and M. Papirium is added for explanation = viz. M. Papirius.

3. Papirium. Pompey had, some time before, brought to Rome the son of Tigranes, king of Armenia, as a prisoner, and after his triumph, put him under the care of Flavius, a senator. The young prince, assisted by Clodius, attempted to escape, but the ship, in which he embarked, was driven into Antium. Flavius on hearing this, hastened to recover Tigranes, when a rencontre ensued between Flavius and Clodius, in which Papirius, Pompey's friend, was slain. This was the origin of Pompey's enmity to Clodius.

5. Quantas tragœdias. What a commotion! Dem. Cor ἐσπρ ἐν τραγωδία βοῶτα, ὡ γῆ καὶ ἡλικ καὶ ἄρετ. 7. Usurpatur = vocatur, commemoratur, is talked of.


15. Si res, si vir, si tempus. Each of these particulars is answered in the same order in the following sentence: Insidiator erat, &c.; ei viro, &c.; eo ... tempore.

17. In vestibulo ipso senatus. In Pison. 12, 28, comprehensum denique cum ferro ad senatum is, quem ad Cn. Pompeium interimendum collocatum fuisse constabat.


21. Proinde quasi exitus rerum. Juvenal, 13, 209: Nam scelus intra se tacitum qui cogitat ullam, Facti crimen habet. See the story of Glauclus, son of Epicydes, in Herodotus, 6, 86. This general principle, in regard to the punishment of such crimes, was maintained in the earliest times, and expressly embodied in the Lex Cornelia de sicariis. Cf. D. 48, 8, 1, 3, and ibid. l. 14. Divus Hadrianus in hac verba rescripts: In maleficis voluntas spectatur, non exitus.—Exitus rerum, non hominum consilia, i. e. quasi non hominum consilia, sed exitus rerum. When an affirmative clause is followed by another negative clause, so that the order can be inverted, and non—sed be substituted, the negative is expressed by the simple non. Ac non is used where a preceding statement is corrected, when potius may be supplied, and sometimes is added. It is then indicated that what follows ac non is true. Also et non is so used. In neither case is nec allowable.


27. Quæstionem tulissit. See note on p. 111, line 35.

Ch. VIII.—28. Stulti sumus. Non cogitamus. It is thoughtless or foolish in us to venture to compare, &c.—Qui ... audeamus, i. e. quum audeamus. Z. 564. For in the preceding chapter he had really compared Drusus, &c., with Clodius. This passage is an in-
stance of elegant and even eloquent irony. The verbs accurately correspond in importance with their subjects, forming together a descending series. Thus *luget* is the loudest grief; *senatus* the highest order; next *maret*—*equester ordo*, and so down to *agri* . . . *desiderant*. We may further notice in regard to the structure of the sentences, that in the first sentence *qui* is repeated with *Africanum*, and omitted with *Pompeium* and *nonsent ipsos*. In such a grouping the particle or other common word is often repeated in the first members, and omitted in the last, with a kind of evenness in the number of times of the occurrence and omission. Cf. p. Cæl. 14, 33: *non patrum, non avum, pravum, atavum, audieras consulm fuisse*; Verr. 5, 51, 133. In the remaining sentences, the anaphora and chiasmus should be observed. Of three clauses it is very common for the two first to be arranged anaphorically, while the last is chiastic to the former. The sentence *Luget—desiderant* furnishes a double instance of this. The artistic character of the period furnishes other points, which are worthy of careful attention and study.

34. *Non fuit ea causa . . . cur*. Z. 562. The irony is dropped. Cicero having in language of the deepest pathos expressed the sorrow and mourning of all parts of the Roman state at the death of Clodius, now suddenly and briefly, against such a fiction, sets the plain truth, that there was nothing of the kind, but directly the reverse (in *communi omnium latititia*).


39. *Flades reconciliatae gratiae*. Cf. ch. 32, 88. Pompey had quarrelled with Clodius on account of his attempt on Tigranes, but by this time they had found it convenient to make common cause with each other, and Clodius actively supported Pompey and Crassus when they became candidates for the consulship. Clodius hoped to be appointed on an embassy to Asia, and thus to have the opportunity of recruiting his exhausted pecuniary resources, and of getting from Brogitarus, and some others whom he had assisted, the rewards they had promised him for his services.

41. *Quamvis = quantumvis*. Z. 574.

42. *Delegit ... ipsa Iumina*. L. Domitius Ahenobarbus was chosen quæsitor. Of the others, Asconius says: *Aliorum quoque judicium, qui de ea re judicarent, Pompeius tales proposuit, ut nunquam neque clariores viros neque sanctiores propositos esse constaret.—E florentissimus ordinibus*. Compare note on p. 108, line 11. Klotz: *ca florentissimis.*
43. Secrevit. Set aside, passed over. Pompey in choosing the judges had passed by Cicero's intimate friends, which was adduced by some as a proof of Pompey's hostility to Milo. He did pass over my intimate acquaintances (familiares), says Cicero; nor is that strange, for they are necessarily few; but admitting that he appointed good men, he did not, could not, pass over my friends and adherents (studiosos mei).

4. Consuetudines victus. This determines the meaning of familiares; sc. those who are in the habit of meeting in convivial parties.

5. Res publica = salus rei publicae.

7. Non potuit ... non. Could not but. Z. 754.

8. Quod vero. Z. 627. But in that, &c.; i.e. Pompey's choosing you to preside, shows that he was in quest of no personal enemy of Milo; that he only wanted in the president, justice, &c.

9. Nihil ... alius, nisi. Z. 735.—Quaevit = spectavit, proprie nihil alius ut adesset curavit.

11. Ut consularem necesse esset, huic quaesitioni præesse. Domitius had been consul two years before with Appius Claudius.—Principum munus esse. Z. 448, Note 1.


Ch. IX.—17. Si neque, &c. He briefly recapitulates his answers to the praedicia.


24. Argumentis, &c. Klotz: perspicere possitis argumentis. Ch. 3, 7, ut omne ... videre possitis. The judges must first see what the question is, and then thoroughly examine the cause. Cf. chaps. 2, 6, and 26, 61.
25. Rem gestam ... dum breviter expono. Quinctil. 4, 2
Sulpitius Victor also takes the following account of the affray, as a specimen of what a narratio should be: aperta, brevis, probabilis.

26. In praetura vexare. As he had previously done in his aedileship and tribunate. Chaps. 9, 26, and 33, 89.

27. Tracta esse comitia. Owing to the bribery and disputes of the candidates, the election of consuls for the year 701 had not taken place when it commenced; and the tribunes, partly from partiality to an interregnum, during which their power was under the least possible control, partly from the wish of having Pompey created dictator, by their cabals retarded it six months longer. Finally, Cn. Domitius Calvinus and M. Valerius Messalla were elected. D. Cass. 40, 45.

29. Qui non honoris gradum spectaret, i.e. non ideo praetoriam appeteter, ut per hunc gradum ascenderet ad consulatum.

30. L. Paullum. L. Æmilius Paullus, praetor A. u. c. 701. He belonged to the party of the optimates.

32. Annun suum. The lex Villia annalis, A. u. c. 574, determined the age for holding the curule offices. By it the praetorship was fixed to forty. Liv. 40, 44; Phil. 5, 17, 47.

33. Religione aliqua. He hints that persons, through religious scruples, resulting from defects in the auspices, occasionally omitted to sue for offices in their proper year. Clodius was not one of these.


37. Summo consensu. Consequently he did not fear his opposition; and therefore had no interest in killing him.

39. Competitores. P. Plautius Hypsæus and Q. Metellus Scipio. Contulit se ad = cum iis se conjunxit, ut dicitur ad alicujus amicitiam se conferre.—Ita = tanta diligentia, tanto ardore. His assuming to direct the canvass alone, against the wishes of the candidates, characterizes him as a bold and shameless disturber, who would not have scrupled to interrupt the comitia by violence.


41. Convocabat tribus. In what way the people were prepared for elections, appears from the oration for Plancius.—Se interponebat. Either in a general sense, “became, as it were, a party concerned;” or, as Ernesti, “acted as bribing-agent for the candidates.” Planc. 16, 38; 18, 44.

42. Collinam ... conscribebat. The Collina was one of the four city tribes. Since the libertini were added to them, they were less respectable than the rustic tribes, and now embraced the fax populi. This turba or factio forensis demagogues and disorganizers.
used as their instruments, especially at the time of elections. The numbers of the city tribules were very large. If, as Cicero says, Clodius made, or attempted to make, the Colline tribe entirely new, by excessive increase of the tribules, his aim was first to secure the vote of this tribe for the candidates whom he favored, but not his principal aim. Conscribere is a military term, ch. 28, 76; and an expression relating to public law, for "to enroll in a definite class of citizens." Liv. 1, 13. Comp. Patres conscripti. But in this sense it did not belong to Clodius. The word was also used of those who prepared the people systematically, according to its political divisions, for elections, and for this purpose collected them together by enrollment. Planc. 18, 45, and 19, 47. Klotz: dilectu.

43. Misccebat, i.e. res turbulentas concitat ab ac moliebatur. Turbare is also used in a similar way.

44. Ubi vidit, &c., i.e. ubi vidit certissimum consulem fore virum, qui fortissimus et inimicissimus esset. Cf. Sest. 69, 144.

3. Suffragiis . . . declaratum. See ch. 35, 96. The election had been frequently adjourned by the interference of the tribunes, and disturbed by the violent partisans of Clodius, but not till Milo's likelihood of success was manifest.

4. Occidendum Milonem. Cicero gives great prominence to this threat of Clodius throughout his argument. See §§ 26, 44, 52. That Milo made like declarations, in regard to Clodius, is apparent from ad Att. 4, 4.—Servos agrestes et barbaros. Clodius possessed estates in Etruria, near the Aurelia via, on which he had a number of slaves located, whom he could summon to Rome from time to time, to assist him in his enterprises. He had, no doubt, been found, too, a troublesome neighbor in the country.

5. Quibus, i.e. quorum ope, per quos.

6. Ex Apennino deduxerat. So a fragment of the oration, de are alieno Milonis, 2, 2: Eosdem ad cadem civium de Apennino deduxisti, on which the scholiast says: Quasi hae omnia in Catilinae socium dicerentur, ita mentionem attulit Apennini, quem nuper ille cum exercitu obtinuerat.

8. Consulatum eripi . . . non posse, vitam posse. When one verb is common to two clauses, of which one is negative and the other positive, the common verb is given to each clause. Notice the omission of the conjunction. Z. 781.

9. Significavit . . . dixit. Cicero points out the difference, Or 1, 26. Significare inter se dicuntur, qui sibi innuant, &c.


Cm. X.—15. Ante diem XIII. Kal. See note on p. 10, line 44. The names of months are adjectives agreeing with Kal. Id. Non. Here therefore Feb. should be read Februarias. Z. 38. Since the year of the decemvirs, in which January had only 29 days, was still in force at Rome, this date would be the 15th of January, A. u. c. 702. The reformation of the calendar by Julius Caesar was effected A. u. c. 708, the last year of confusion. Klotz reads difficile id seire a Lanuvinis; and ante diem tertium decimum Kalendas Februarias.

16. Lanuvium. Behind the Alban mount, on the Appian way, was the city Aricia, about 160 stadia from Rome. Beyond Aricia lay Lanuvium, a city of the Romans, on the right of the Appian way. —Ad flaminem prodendum, sc. Junonis Sospite. Liv. 8, 14: edes lucusque Sospite Junonis communis Lanuvinis municipibus cum populo Romano. Appian gives another reason for Milo's journey. Pro- dendum = renuntiandum or creandum, is the proper word for appointing priests of particular deities, as cooptare of augurs, creare of consuls, dicere of dictators, and capere of vestal virgins and the flamen dialis. But this usage was not always observed. In the municipia the flamines usually were not named from the deity on whom they attended, but from the people where they served. This flamen therefore would have been called Lanuvinorum, and for this reason Cicero may have omitted the name of the deity.

17. Dictator. The dictatura was of Latin origin, and very generally the highest office in the Latin cities; and as the rex in Rome was the head of civil and religious matters, so also were the chiefs of the Latin cities. Therefore the language of Cicero: quod erat dicta- tor. Sometimes there were two chief magistrates in the municipia called duumnviri, and when there was but one he was sometimes called pretor.

18. Ante suum fundum, i.e. in a locality well known to him, and favorable for his object. Cf. § 29, and ch. 20, init. Villa denotes a country-house, usually with a real estate; fundus, a real estate, usually with a country-house; pradium, sometimes a country-house, sometimes a real estate, like landed property.


22. Obire = attend on. So diem, vadimonium obire.

23. Milo autem. Compare Quinctill. 4, 2, 57, who remarks on the effect produced by this affectation of simplicity in his language in lulling the suspicions of the judges, and raising an idea of the straightforward conduct of Milo.

24. Calceos. The calcei senatorii were of various colors, orna-
mented with a *lunula*, or letter C (the original number of the senators), and fastened by four thongs of black leather, which were wound round the leg up to the calf. The calceus belonged to the *toga*; the *soleae*, to the *tunica* and *lacerna*. To the senator's dress belonged the tunic with the *latus clavus*. These were laid aside to assume the *panula* or *lacerna* and *perones*.


27. *Si quidem . . . venturus crat*, as his friends contended.

29. Rheda. A large four-wheeled travelling vehicle, of Gallic origin, commonly drawn by mules, sometimes eight to thirty, yoked in pairs.—*Nullis Graecis comitibus*. Cf. 21, 55. It was the fashion among the wealthy Romans to patronise learned foreigners, and maintain them in their families. They were also, for entertainment or instruction, accompanied by them in their journeys.


32. *Pænulatus*. The *pænula* was a garment of wool or leather, similar to the *toga*, but shorter and narrower, with sleeves. It was used in journeys, as a protection against the cold and rain.—*Maggio et impedito*. Duplex comitatus significatur, servorum magnus et impeditus, i.e. impedimentis onustus, alter muliebris ac delicatus ancillarum puerorumque symphoniacorum. *Hic opponitur Graecis comitibus, impeditius comitatus autem impedimentis*, ut c. xxii, in. *expedito Clodio Milo pænulatus*, &c. The ablative are *ablativi consequentiae*.

34. *Hora fere undecima*. About 4½ o'clock in the afternoon, since it was on the 25th of October, a. v. c. 701, according to the true calendar. The *hora undecima* at the equinox would be 5 P. M. Asconius says the 9th hour, which would make it about 2½ o'clock, P. M. The key to the solution of the discrepancy is perhaps given by Quinctil. 6, 3, 49, who says the accuser of Milo charged him *quod Bovillæ ante horam nonam desertisset*, ut *exspectaret, dum Clodius a villa sua exiret*. This stopping of Milo at Bovillæ (which is the first station on the Appian way from Rome), before the 9th hour, was perhaps a fact, which the accuser had proved. Cicero seeks to set it aside, by changing the time. He is, however, consistent, for at the end of the 18th chapter, he asserts that it was about the 10th hour Clodius received news, as was pretended, of the death of the architect Cyrus. Asconius again says the body of Clodius arrived in Rome before the first hour of the night, which would favor the correctness of the time, as fixed by him, and be inconsistent with the time assigned by Cicero. Cf. Schol. Bob. p. 285. Orell.

35. *Secus*, in the sense of *alio tempore*, is not common.

36. *Superiore*. They had the choice of the ground, and the farm was on an elevated situation. This and every like circumstance is set forth as corroborative of the charge that Clodius planned the
waylaying and murder. It is a detailed description of a robber-ma
nœuvre.—*Adversi.* Those in front.

37. *Hic.* Milo.

38. *Illi, qui erant cum Cl odio.* It would appear that some of
Clodius’s party attacked the carriage in front, to prevent escape. Milo,
on quitting the vehicle, began to defend himself against their assault.
Clodius and the rest of his party, who had permitted the carriage to
pass them a little, seeing Milo thus engaged, ran back (they were on
their way to Rome) to attack him. But this did not require them all.
The remainder (partim), therefore, with whom Clodius happened to
be, fell in with the attendants of Milo, that were in the rear of the
carriage (*qui post erant,* and therefore nearer the Clodian body), by
whom Clodius was killed.

42. *Ex quibus qui animo fideli, &c.* The orator, with con-
summate skill, prepares the minds of the judges, by the mention of
sufficient and almost necessary grounds for the murder, for the re-
ception of the main fact, and in the very mention of the murder adds
servi Milonis for oratorical effect, to show, what was the principal
thing, that not Milo, but his slaves, committed the murder.—*Animo
.... pra senti.* Cf. *Terent. Phorm.* 5, 7, 64: *Animo virili præ senti-
qu e ut sis, para.*

44. *Succurrere prohibentur.* Z. 544 and 607.

1. *Fecerunt id.* A periphrasis and euphemism.

2. *Non derivandi criminis causa.* Not with the view of lay-
ing the blame elsewhere.

Cf. XI.— 7. *Vi victa vis.* Quam maxime cum Ciceronis con-
suetudine congruit, ut verba ab eadem origine ducta aut similibus lite-
iris scripta una in enunciatione conjungantur plura.

8. *Nihil dico, &c.* This line of argument was urged by some,
and adopted by M. Brutus in a defence of Milo, which he wrote out
and published, as if actually delivered. Quinctil. 4, 5, notices the in-
genuity of Cicero in enumerating, while he professes to omit, the ad-

vantages likely to accrue from the death of Clodius.

11. *Si id jure,* &c. If the principle of self-defence is inadmis-
sible. For *potuit* the common text gives *posset.*

12. *Nihil habeo, quod defendam.* Z. 562. Klotz: *quid de-
defendam.*

13. *Ratio, &c.* These fountains of law are appropriately refe-
red. For “reason” properly belongs to those who have improved their
powers; the uncultivated are the slaves of “necessity;” nations are
subservient to “custom,” while the lower animals are directed by
“mere instinct.” Klotz omits *et* before *ratio.*

17. *Quin simul.* Without at the same time deciding. Z. 538.

19. *Quod si ita putasset,.... optabilius.... fuit.* Not
*fuisse,* although we in such cases use a potential. Z. 519 a. If he
had imagined there was no alternative between the dagger of Clodius and the sentence of the judges, he would have preferred the former, as less dishonorable to you. Cf. Rosc. 3, 8.—Dare jugulum. Rosc. Am. 11, 30, services Roscio dare.

22. Illud jam, &c. Klotz: non illud jam in judicium venit, occasuere sit, &c.

25. Factas . . . factum . . . factae. Recte Garatoni monet repetitiones ejusmodi aliquando ita esse necessarias, ut, eas effugere si velis, nihil proficias, nisi ut inepto labore te maceres, et, perspicuiitate sublata, vitiosa fiat oratio. They form a kind of polyptoton. Q. uinctil. 9, 3, 37.

28. Notavit. Notare involves the notion of censure, derived from the censor's nota.


33. Quonam igitur pacto. His first proof, which occupies this and the following section, is, that Clodius would have gained by the death of Milo, and not Milo by the death of Clodius.

37. Illud Cassianum. Cf. Rosc. Am. 30, 84. L. Cassius was so remarkable for his strictness as a judge, that Val. Max. 3, 7, says: Ejus tribunal scopus reorum dicebatur. When appointed, says Asconius, to judge the vestal virgins, of whom L. Metellus had condemned only one, Emilia, and acquitted Marcia and Licinia, he condemned them also, along with several others.—Cui bono fuerit. Cui is native of the person, and bono of the thing.


40. Non eo consule, quo, &c. Cf. 13, 34, and 33, 89.

41. Iis consulibus. Plautius Hypsæus and Q. Metellus Scipio. Cf. 33, 89.

43. Eludere is used absolutely, and = bacchari quodam modo et quasi per ludum ac jocum, nemine resistente, audacissimo omnium permiscere, subvertere. See note on p. 9, line 2. Klotz: posse se eludere.

44. Cujus, Clodii.—Illi, consules.—Ipse. Klotz and others ille.—Nec cuperent, &c. Most editions, from a conjecture of Manutius, give nec, si possent, reprimere cuperent, quum, &c. Klotz and Süpfle retain the reading of the MSS. nec, si cuperent, reprimere possent, quum, &c., and make cupere denote the inclination of the feelings, the moral desire; elle, the energetic, efficient will. Cicero's meaning then is, that, as Clodius reasoned, the consuls would neither be able (morally), if they found it even desirable, to check his enterprises, since they supposed themselves bound in gratitude to him for so great a favor, nor, if they really wished it, were they in a condition (physically) to crush them. Madvig rejects this view, and assuming his conjecture to be the correct text, accounts for the reading of the MSS., by supposing that a careless copyist, not attending
1. Tantum beneficium. For Clodius had canvassed for them, ch. 9. Convocabat tribus.

2. An vero, judices. An eloquent amplification of the simple proposition: Clodius was about to enact pernicious laws in his pretorship, were Milo dead.—Hospites = peregrini. Cf. p. Rabir. perd. 10. Adeone hospes hujusce urbis, adeone ignarus ex disciplina consuetudinisque nostra, ut haec nescias? ut peregrinari in aliena civitate, non in tua magistratum gerere videare.


4. Quas ille leges. Asconius, on ch. 32, 87, mentions that P. Clodius, among other measures, had prepared a project of law, by which freedmen, who now had the right of suffrage only in the city tribes, should be allowed the same in the rustic tribes, which embraced the freeborn. From about the year 639, they, after various changes, had again been brought into the city tribes, and remained in them to the close of the republic, although it was a favorite scheme of individual party leaders to gain for themselves partisans and influence by extending the suffrage of the freedmen.

5. Ac non. See note on p. 112, line 22.

6. Inusturus = tam alte impressurus, ut acriter sentiantur. In Pison. 13, 30: Quæ lex privatis hominibus esse lex non videbatur, inusta per servos, incisa per vim, imposita per latrocinium.

7. Sexte Clodi. He was the kinsman and secretary of Publius Clodius.

8. Palladium. Sex. Clodius was as anxious to save Clodius's laws, as formerly Metellus the priest was to preserve the Palladium, when the temple of Pallas was on fire. Plin. H. N. 743.

9. Instrumentum. An apparatus for carrying on a tribune-ship; sc. a transcript of all such laws as a bad tribune could turn to the destruction of the state.

10. Atque per ** *. The *** indicate a lacuna or gap in the MSS. Klotz gives in brackets, with the text, the following attempt of Beier to supply the defect: Atque per [omenes tribus divisis libertinis servos ille omnes, qui in libertate morarentur, lege nova additurus erat, ut ipsi cum ingenuis equaliter suffragia ferrent.] An, &c. The common text gives deferre posses. Et adspexit, &c., without
any mark of a lacuna. Peyron observed the want of connection, as also the absence of five lines from the Turin palimpsest, and from Quinctil. 9, 2, 54, supplied the last half of the gap. From other sources he attempted to restore the rest.

15. A se inventam. S. Clodius was a libertinus; therefore the malicious observation that he was the author of this law.

16. De nostrum omnium—. An instance of the figure ἄροιος ηναί. Z. 823.

19. Et adspexit me. Phil. 2, 30, 76, At ... adspicis me, et quidem, ut videris, iratus. The connection of these words with the preceding is still loose; but the language is animated, and the abruptness not out of place. “But see, he has cast such a look on me, as he was accustomed to wear, when he threatened all evils to everybody;” se. in the tribunate of P. Clodius, when Sextus was the willing instrument of all the injuries inflicted on Cicero.


Ch. XIII.—22. Sexte, with the tone of familiarity, expressive of irony.—Cujus = quia mei.


21. Cruentum, when it should have been washed and anointed. See ch. 32, 86.

25. Ejecisti. But it should have been placed in the atrium in state, and after eight days, have been carried out with ceremony. Cudaver ejecisti and abjecisti are chosen to express the carelessness and contempt with which he treated the corpse of his patron.

26. Imaginibus. See note on p. 131, line 14.—Exsequeius. A following to the grave; funeral procession, which pompa also here signifies, and is therefore only amplificatory. The procession crossed the forum, when the lectus funebris was set down in front of the rostra, and the laudatio pronounced. It then moved to the place where the body was burned without the city. The ashes were gathered into an urn (condere), which was placed in the tomb (componere). Nothing of this respect was shown to Clodius.—Infelicissimis lignis. An allusion to the distinction between arbores felices and infelices in the (Etruscan) pontifical language. An arbore infelix was taken for a gallows, which, it may be intimated, Clodius deserved. The body of Clodius, however, was burned with the benches, tables, &c., of the senate-house, which he emphatically calls infelicissima. So Catulus devotes the writings of a sorry poet, infelicibus ustulanda lignis.

27. Semustilatum. Cf. 32, 86: Phil. 2, 36, 91.—Nocturnis canibus. Ex Homeric formula κόκωτι οἰωνίτι τε πάει, quam Graeci poetae, Latinique maxime frequentarunt, detraxit aves, addiditque noc-
turnis, quia de celeberrimo urbis loco agebatur. The bodies of the executed were thrown to wild beasts, to which allusion may here be made.

29. Laudare non possum, i.e. quamquam laudare non possum.  
30. [Demonstravi, &c.] Here is again a lacuna. The italics in brackets are supplied by Beier. Others give Audistis, judices, &c. Another form of supplying the omission is, Audistis, judices, quantum Clodio profuerit. But this could have been said only in case Milo had been killed.

33. Non dicam admitteret, sed. Z. 724. Admittere is used absolutely of the commission of a crime. Cf. ch. 23, 64; 37, 103.


42. Solutam autem fore, sc. omni religione, omni metu legum, effrenem. Was likely to be unrestrained; explained by constringere.

43. Constringere, as a wild beast. Cf. 33, 89.

117 2. At nunc. Hitherto Milo had a strong claim on the favor of the good by his opposing Clodius; now, however, that being removed, he must adopt the usual methods of obtaining popular favor. Therefore he was a loser by the death of Clodius.

5. Frangendis furoribus. Fractis would imply the completion of the act. See note on p. 65, line 6.

6. Vos adepti estis, ne quem civem metueretis. Z. 618.

7. Fontem perennem. Cited by Quinctil. 8, 6, 7, where he treats de egregiis metaphoris.

10. Tentari ceptus est. The passive voice of coerce with the passive infinitive is the regular construction in Cicero and Caesar. See Krebs, Guide, 220 in fin.; P. C. 150x; Z. 221 in fin.

11. At valuit, &c. At introduces an objection. Z. 349. But you will say, &c. The second argument, founded in personal animosity.

12. Punitor doloris sui. Sic cupiditas puniendi doloris, de Orat. 1, 51, 220, i.e. dolorem pœna de adversario sumpta satiandi, eum ulciscendi.


15. Quid enim, i.e. cur enim, ut ovi.—Segetem ac materiem sua gloriae. A metaphor derived from agriculture. Cf. Liv. 6, 7: hostis est quid aliud, quam perpetua materia virtutis gloriorque vestrae? See Quinctil. 8, 6, 7.

16. Praeter hoc civile odium, i.e. praeterquam hoc civili odio. Z. 323. Civile autem odium est, ex dissensione rei publicae s. civili suspicatum, non e privata aliqua causa. Victor. V. L. 21, 19, proposed commune odium. Cf. ch. 29, 78.

17. Ille erat ut odisset. Some construe: ille erat (sc. is, talis) ut, &c. Others take the construction as = erat, ut ille, it was the case, that, &c. And est ut is not unfrequently found in this way, serving
to direct attention prominently to what follows. Z. 752. *Ille erat ut* would then be a case of synchysis, or conmingling of words. But see Z. 562.—*Salutis meæ defensorem.* Cicero specifies three causes of enmity: 1 Milo, as tribune, had assisted in the recall of Cicero from exile; 2. he had opposed the Clodian mob in their attacks on the city; 3. he had accused Clodius. Klotz and others: *defensorum salutis meæ.*

18. Vexatorem furoris, eum, qui furiosa ejus consilia irrita reddebat.

19. Reus enim, &c. Milo a. v. c. 697 aimed to accuse Clodius under the *lex Plotia de vi,* but it did not come to trial. Cf. *Sest.* 41. From ch. 15, 40, we gather, that Milo made a second attempt to bring Clodius to trial. Cf. *chaps.* 14, 38, and 28, 77. Clodius retorted, with a like accusation against Milo. Cf. 15, 40. Klotz: *postremum.*

20. Quoad vixit. Because the cause never came to trial.

21. Tyrannum, i. e. Clodius, qui unus tum erat in re publica tyrannus.

Ch. XIV.—24. Reliquum est, ut, &c. Z. 621. Having argued, 1. from the *cui bono*; 2. from personal hatred; he now urges the natural disposition of the parties; and shows that his client was always obedient to the laws; Clodius always turbulent. The third argument. —*Illum, Clodium; hunc, Milonem.* The irony of the passage is evident.

26. Per vim. The repetition of *vim* and the omission of the verb impart energy to the sentence. On the omission of the verb, see Z. 771.—*Quid? ego,* &c. Klotz: *Quid ergo, judices?*

27. Mærentibus vobis. Cicero was deserted by Pompey and Caesar, the most powerful leaders in the state, and fearing the violent measures of Clodius, went into voluntary exile, whereupon the senators put on mourning. *Post red.* *in sen.* 5, 12; *Sest.* 11 and 12.—*Urbe cessi.* Planc. 10, 26: *quod me vel vi pulsum vel ratione cedentem,* on which the Schol. Bob. remarks: *prudenter hoc suspendit, ne aut damnatus aut exul fuisse unquam videretur.* Cicero is in the habit of calling his exile *discessus meus*; ch. 37, 103. *Sest.* 22, 49: *Servavi...rem publisham discessu meo...unus bis rem publicam servavi, semel gloria, iterum arumna mea.—Judiciumne.* *Parrat. 4, 1, 27:* *Non erat illa tum civitas, quam leges in ea nihil valebant, quam judicia jacebant,* &c.

28. Non servos, &c. i. e. nonne potius timui servos a Clodio conscriptos et arma, &c. By *servos* understand the Clodian mob, who followed Cicero, wherever he went, ridiculing his mourning garb.

29. Ejiciendi. *2 Cat.* 7, 14, *in exsilium ejectus;* and *de Rep.* 1, 42 without this addition *populus interfecit aut ejicit tyrannum.* Cf. 38, 105. Möbius takes *restituendi* not simply for revocandi, but as *to restoration to his former rights and possessions as a citizen; and so*
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117 ejiciendi non modo urbe, sed etiam possessionibus, therefore absolutely.

30. Diem . . . . dixerat. Diem dicere (ad populum) is the commencement of an accusation in a judicium populi, and belongs to magistrates. The meaning is to appoint a day for appearing before the people. It therefore corresponds to in jus vocare in the case of other tribunals. The tribunes threatened Cicero with it, because it was, they alleged, at his instigation that Milo killed Clodius.—Multam irrogaret. Multam irrogare (for the most part in the comitia tributa) or capitis accusare (in the comitia centuriata) formed the sequel of the diem dicere. Hence the corresponding phrases pecunia anquirere, and capite anquirere. It was very common for the tribunes at the comitia tributa to propose a fine for magistrates or generals who had transcended their duty or powers, or who had in general incurred any liability in their office. Clodius had it in his power to accuse Cicero before the people, and call for a fine to be imposed upon him, in con sequence of his measures against the Catilinarian conspirators; and he could also bring the actio perduellionis against him (therefore capite anquirere), because Cicero had, without sentence and without right, executed Roman citizens, as C. Rabirius was made perduellionis reus, for the murder of Saturninus.—Actionem perduellionis, ob cives Romanos, Catilinariae conjurationis socios, de senatus sententia indicia causa damnatos. So intendere (movere) litem frequently.

31. Videlicet, continues the irony indicated by credo in the preceding line.


37. Quum mihi adesset, meam causam sua presentia et auctoritate defenderet, ne in exsilium ejiceret. Adesse is often used in a legal sense of the countenance or support lent by a patronus or advogatus to a person in his trial, by his presence, advice, or his influence generally. The circumstances here referred to are given by D. Cass. 38, 16. The equites sent a committee from their number, and the senators sent Q. Hortensius and C. Curio to the consul Gabinius, to engage him to interfere in favor of Cicero; but Gabinius rudely repulsed them, and the messengers were maltreated by the Clodian mob.

39. Vitam amiserit. Asconius says that Vibienus died on the very day of the burning of the body of Clodius.

40. Sica illa. This passage furnishes no evidence that Cicero regarded Clodius as a fellow-conspirator with Catiline. The ambiguity appears intentional. Cicero looked upon Clodius as a second Catiline.—Haec intentata nobis est, ante exsilium.

41. Huic ego vos objici pro me non sum passus, urbem relinquendo.

42. Insidiata Pompea est. See ch. 7, 19.

44. Longo intervallo. Six years afterwards, when Cicero supported Milo for the consulship. Klotz omits est after rursus.

1. Ad regiam. The regia (Numæ) was an important building and locality in Rome, connected with the earliest religious rites, and situated on the confines of the forum, near the temple of Vesta. The sacra via opened into the forum by the side of the regia. The addition of ut scitis points clearly to an actual fact, and probably to the one mentioned by Asconius, where the bands of Milo met those of Hypsæus in bloody fray. An earlier attack on his person is mentioned by Cicero, ad Att. 4, 3, 3.

2. Cujus vis omnis. Cicero, Sest. 42, 92, makes a similar defence of Milo. But when he is no longer the orator, he, ad Att. 4, 3, keeps nearer the truth. Cf. de Off. 2, 17, 58.

3. Oppressam ... teneret, sc. opprimeret et teneret. Z. 634 and 635 Note.

5. Quantæ, quoties. Klotz: Quotiens et quantae.—Potuitne, i.e. nonne potuit. Z. 352.

6. Quum domum ... defendent. See ad Att. 4, 3, and introduction, p. 376. This attack was made at eleven o'clock in the day, and defeated by a vigorous sally of Milo's friends, under the command of Q. Flaccus.

7. Civl. Z. 63 (c) Note.

8. P. Sestio. See p. Sest. chaps. 35-39, for a description of this affray, in which Sestius received twenty wounds. He was a colleague of Milo in the tribuneship.—Q. Fabricio. Another colleague of Milo's. Sest. 35-36.

10. L. Cæcilli. Pretor in the year of Cicero's return. Asconius speaks of riots in the theatre, while he was exhibiting the Apollinarian games, but of this attack on his house he had nowhere read any account. Cf. Sest. 41, 88.

12. Hilo die, &c. Pison. 15, 34: me Kalendis Januariis ... frequentissimus senatus, concursu Italiae, referente ... P. Lentulo, consentiente populo Romano atque una voce revocavit. Cf. ch. 28, 77.—Totius Italiae concursus. Pison. 22: A Brundisio usque Romam agmen perpetuum totius Italiae viderem. All these, had Milo slain Clodius, would have claimed the glory of the deed.

Ch. XV.—16. At quod erat tempus! Supply with the next sentence, erat eo tempore clarissimus, &c. The old reading is: At-qui erat id temporis clarissimus, &c.

17. P. Lentulus was an intimate friend of Cicero, and was very active in the senate and at the comitia in promoting his recall from exile.

18. Illius, Clodii.—Propugnator senatus. Because he had restored the former freedom, which had been suppressed by the consuls
of the previous year, who wore tools of Clodius.—*Vestrae voluntatis*

Cicero's recall was the wish of the people, which Clodius hindered.

19. Publici consensus. The voice of the people was almost unanimous in the comitia for Cicero's return. *Pison. 15, 34; Sest. 51, 109.—Septem prætores. Pison. 15, 35: de me, quem omnes magistratus promulgasset, præter unum prætorem, a qua non fuit postulandum, fratrem inimici mei præterque duos de lapide emptos tribunos. The prætor was Appius Claudius, the two tribunes, Q. Numerius Rufus and Sex. Attilius Serranus.


21. Cn. Pompeius. *Pison. 15.* Pompey, finding that Clodius, presuming too much on his popularity, began to think himself a match for the triumvirate, favored the recall of Cicero in order to keep him in check.

22. Gravissimam et ornatissimam, i.e. gravitatis ac ponderis plenissimam et iis, quæ ad orationis elegantiam pertinent, instructissimam. The oration *ad Quir. p. Red. 7,* contains an abstract of Pompey's speech on this occasion.

24. Decretum de me Capua feclt. *Pison. 11, 25.* Capua, because of its defection from Rome in the second Punic war, was severely punished, and reduced to a præfectura. *Liv. 26, 16.* Julius Cæsar, A. v. c. 695, made it a colonia civium Romanorum. Capua could therefore take part in the restoration of Cicero. Pompey had been appointed, by the Julian law, one of the Duumviri for governing the new colony at Capua, in right of which office he made this decree. *Fecit not fecisset.* See note on p. 69, line 40.

25. Signum dedit, gave the signal to convene. Like *signum sustulit,* which is a military phrase, and therefore perhaps *concurrere,* with the notion of eagerness and haste, as in the first charge of battle.

27. Omnia tum denique, &c. So also Klotz without the ῳ. But Madvig now adopts the conjecture of Heumann: *omnia denique in illum odio civium,* &c.

29. Cogitaretur is not for *cognitatum esset,* although we should so speak, but the imperfect conveys the notion of continuance or incompleteness.


31. Privato Milone, deposito tribunatu. Magistrates could not as a general rule be accused during their magistracy.—*Accusante P. Cludio.* *Sest. 44, 95.* D. Cass. 39, 18, says Clodius was no sooner
made while, than he accused Milo, for keeping a band of gladiators, as an offset to a similar accusation which had been brought against himself. Pompey, Crassus, and Cicero defended Milo; and Pompey, notwithstanding the continued clamor and abuse of the Clodian mob, spoke for nearly three hours. Cf. ad Q. frat. 2, 3.

32. Impetus factus est. Ad Fam. 1, 5, 1; Pompeius ... quum pro Milone diceret, clamore convicioque jactatus est.

34. M. Antonius, afterwards triumvir, married Fulvia, the wife of Clodius, and subsequently became Cicero's bitterest enemy. Cf. Phil. 2, 9, 21. This occurred perhaps when Antony, A. u. c. 701, was a candidate for the questorship, and greatly favored by Cicero. Cf. Fam. 16, 23, 2.


37. Belluam .... laqueos .... irretitam. Metaphors borrowed from hunting.

39. In scalarum tenebras, sc. tabernae librariae. Cf. 2 Phil. 9, 21. On the construction, see Z. 489.

40. Magnum .... suit. Z. 520.—Illam pestem, Clodium.


42. Comititis. A. u. c. 702, when he was obstructing the election of Milo, and favoring that of Scipio and Hypseus.

43. In saepta. These were enclosures in the Campus Martius, (called also Ovile,) into which one class of citizens was admitted after another for the purpose of voting. The access to these compartments was formed by narrow passages called pontes or ponticuli. Steinmetz and Klotz: in saepta ruisset.

44. Fugeret ad Tiberim. For the Campus Martius was washed by that river. Liv. 2, 5.

1. Vos et omnes boni vota faceritis, ut. Z. 378. So ch. 28, 119 vota enim faceritis, ut, &c.—Ut Miloni uti virtute sua liberet. That it might please Milo to exert his bravery; a euphemism for "slay Clodius."

Ch. XVI.—3. Quem igitur, &c. The object of the argument from § 38 was to prove, "nilnil per vim Milo." As, however, it might be said that other motives besides the love of violence might have actuated Milo, Cicero here ingeniously reasons that Milo, having formerly omitted the fairest opportunities of killing Clodius, cannot be imagined to have done so now with any disadvantage. On the form of the argument, enthymema ex pugnantibus, compare Quinctil. 5, 14, and Cic. Top. 13, 55.—Cum omnium gratia = ita ut ab omnibus gratiam iniret; cum aliquorum querela, ita ut aliqui querenterunt.

6. Periculop capitis. Quinctil. 5, 14, in quoting the passage gives cum periculo capitis. Cf. 2 in Cat. 2, 3, vita periculo sustulissem; and Krebs, Guide, § 211. Z. 472 and Note.

9. Quam timida sit... quam sollicita sit. Is this the usual order? See note on p. 97, line 1.

12. Fabulam. Hearsay—which may be true or false; limited here by the epithet fictam. The common text gives fabulam falsum, fictam, levem. And so Steinmetz and Klotz.

16. Candidatorum. A candidate (candidatus) was so called from his appearing in the public places, such as the fora and Campus Martius, before his fellow-citizens in a whitened toga.—In recte factis, i.e. etiam quam recte faciunt. Fastidire vero dicuntur eos, quos sibi non satisfacere significant, ut hoc modo plus alis sapere videantur.


19. Augusta. This word originally belonged to the language of religion, and was therefore by Cicero often joined with sanctus. Here the allusion is to the comitia centuriata, at which the higher magistrates were elected, and to the solemn auspices which must precede.

20. Quam hoc, &c. For Milo was a respecter of religion—Clodius the reverse.


23. [Audacisc]. Klotz: audacie without [ ]; λογικὴν παράφαγα, leve tamen, audacie retinentes ab oratore ipso commissum sateamur, necesse est. Orelli. And finally Madvig strikes the word out entirely. Quod caput est = which is the main point.

24. Impunitatis spem. He strengthens his conclusion still further, by showing that the hope of impunity lay all with Clodius. This may be considered the fourth argument.

25. Aut praescri, as being done to benefit the state; necessarii, as being in self-defence.

26. Contemserat. Clodius had escaped the punishment of his violation of the mysteries of the Bona Dea by the corruption of his judges, and avoided trial on the charge of violence which Milo had brought against him. He was also accused of having committed incest with his sister. Fas of natural; licet of positive laws. Cf. Phil 13, 6, 14: licere id dicimus, quod legibus, quod more majorum insti-
tutisque conceditur.

29. Quid plura disputo? When I can appeal to the personal knowledge of some of my judges, that Clodius had resolved to slay Milo. This evidence of the animus of Clodius, from his denouncing Milo's death within three days, constitutes the fifth argument.

30. Divina quaedam sors. Pompey chose 360 of the best citizens for the selecti judices. After the three days' hearing of testimony, the sortitio judicium took place, by which the number was reduced to 81, and before the voting this number was still further reduced.
by the rejection of five from each order, by both the accuser and the accused, thus leaving 51 judges to vote. The 51 judges were composed of 18 senators, 17 equites, and 16 tribuni aersii. Of the latter 3, of the equites 4, and 6 senators voted for Milo's acquittal; the rest condemned, so that the vote stood 36 for condemnation against 13 for acquittal.


32. Vivo Cludio. He could, therefore, have denied the charge.

34. Dubitarit. Dubitarit referetur ad præsens potestis: dubitarit rectum esset, si sequeretur poteratis, et utraque actio per idem temporis spatium continuata significaretur. Nam actio præterita, relata ad aliam præsentem, perfecto declaratur, ad præteritam, plusquamperfecto. Matthæ. Klotz reads and defends: dubitarit ... cogitarit. Steinmetz: dubitarit ... cogitarit. Schultz: dubitarit ... cogitarit.

Ch. XVII.—36. Quemadmodum, &c. It might be objected to the fifth argument, that by specifying days it implied, what had not been proved, that Clodius had a knowledge of Milo's visit to Lanuvium. Cicero shows both how that knowledge could be obtained, and that to act upon it, Clodius had made the greatest personal sacrifice. Cicero, therefore, would have it appear that Clodius's expression was not made in anger or thoughtlessness, but that he then entertained the purpose to kill Milo.


43. Approperaret. Not an euallage of the imperfect for the pluperfect, but in reference to a repeated and later action, than is intimated in the leading clause; nam reliquit, quia approperabat.

2. Quid si, &c. His opponents might retort, that even admitting Clodius to be aware of Milo's journey, there was the same reason to suspect Milo of knowing about Clodius's. Cicero denies that the cases are parallel; and points out various sources whence Clodius might have procured his information; whereas there was none open to Milo.

5. Ut enim neminem. Z. 573.

6. T. Patinam. Probably a Lanuvian, and well skilled in the usages of the place.

9. [Ommes scilicet Lanuvini.] Klotz omits the [ ]. Garatoni and others doubt the genuineness of these words. But they are found
120 in almost all the MSS. without variation, and Mattheus defends them, as making more ridiculous the excuse of those who maintained that Clodius had no means of knowing. Scilicet = doubtless, omnes Laurinini making an antithesis to the one named, T. Patina.

10. **Unde quæsivit?** ex quonam quæsivit? Notice also how unde is dislodged from its position at the head of its clause.—**Quæsiverit** sane. Z. 529. So also corruperit below.

11. **Q. Arrius, meus amicus.** Some consider meus amicus as said with bitter irony. But Cicero, in Vatin. 12, 30, calls Q. Arrius familiaris meus, and ad Q. frat. 1, 3, 8, when complaining of him and Hortensius, indicates friendly relations with him. Amicus meus, familiaris meus, vir fortissimus, and the like, are rather complimentary additions, without their full meaning.

12. **Corruperit.** Though Cicero asserts that Milo had no means of knowing the return of Clodius from Aricia, yet, for argument’s sake, he admits that he might have bribed a slave of Clodius to inform him. He then produces the testimony of Clodius’s witnesses, to prove that no such information could have been given; his (Clodius’s) return to Rome being contrary to his intention, and owing to a circumstance that it was impossible to foresee.—**Legite testimonia.** The testimony had been previously taken. Cassinius Schola was brought as witness against Milo on the first day. The Clodians created great disturbance, and Pompey set a guard in the forum. The taking of testimony, therefore, on the two following days passed without disturbances. On the fourth or fifth day, with regard to which there is some discrepancy, the arguments of the parties were held, and the sentence pronounced.

13. **C. Cassinius Schola.** On the occasion of his trial for violating the mysteries of the Bona Dea, Clodius attempted to prove an alibi by means of this Cassinius.—**Interamn anus.** A native of Interamna. There were several towns of this name in Italy. The one supposed to be here meant was on the Nar in Umbria, and is now called Terni. The distance of it from Rome is about eighty Roman miles. Cicero alludes to the false testimony of Cassinius ad Att. 2, 1, and p. domo, 30, 80, and on that trial was brought as a witness to disprove it.

14. **Eadem hora.** Ironically. It may appear strange that Cicero should lessen the credit of this witness, at the very time that he is quoting him to make out a point for himself, viz. that the return of Clodius being accidental, could not have been known by Milo. But it is enough for his present purpose, that his opponents admit the truth of the testimonies by which he convicts them of charging himself and Milo falsely. He afterwards shows that the evidence was false, and this remark on Cassinius leads the hearer to expect as much.

15. **In Albano.** In the beautiful country around the ancient Alba Longa, there were numerous splendid villas; one of Pompey,
ch. 20, 54, ad Att. 7, 5, 3; in Pison. 31, 77; of Clodius, ch. 19, 51; and others. At a later day, Tiberius and particularly Domitian had favorite residences there. The city Albanum arose from these country-seats, and considerable remains of amphitheatres and tombs are found near the modern Alban on the Appian way.

17. Cyrum architectum. Cf. ad Att. 2, 3, 2; Fam. 7, 14, 1; Q. frat. 2, 2, 2.

18. Comes, who was in his company the same day.—C. Clodius

The younger brother of Publius Clodius.

C. XVIII.—20. Quantae res. 1. That Clodius, whose return was thus proved accidental, could not have been waylaid by Milo. 2. That Cicero could not have instigated such an assault. In the next line good MSS. give sunt confectae. See Z. 553.

21. Liberatur Milo, non... profectus esse, i.e. absolvitur Milo eo quod demonstratum est cum non eo consilio profectum esse. Compare Phil. 5, 5, 14, excusatque Areopagites esse, and Thucyd. 1, 95, apüterat rh dúiv. Verba dicendi are often omitted while the construction remains such as they would require.

22. Quippe sometimes stands independently = “certainly.”

Quippe revera mirantis est, qui res aliter esse possit, et comparandum maxime cum Graeco πῶς ὅδε vel πῶς γερ. Itaque inter quippe et sententiam annexam, qua causa continebatur, olim distinguebatur: quae distincto quum diuturna consuetudine in oblivionem venisset, quippe ex interrogativa particula abīt in relatīvam. O. Müller. Other readings give quippe qui obvius and quippe; obvius, &c.

25. Fuisse, qui... dicerent, Q. Pompeius Rufus et C. Sallustius tribuni sunt, quos significat. Hi enim primi de ea lege feren- da populum hortati sunt, et dixerunt, manu Milonis esset esse Clodium, consilio vero majoris alicuius. This was afterwards maintained by Antony, Phil. 2, 9, 21; 20, 49; and before Clodius’s death Cicero had been designated as the counsellor and guide of Milo, ad Att. 4, 3, 5.—In hac rogatione suadenda, sc. that an extraordinary trial should be instituted. The suadere and dissuadere legem took place in the conciones; in the comitia the law was proposed by the presiding magistrate, and accepted or rejected without further discussion.


30. Respiravi. Simulationem hanc vocat Quinctil. 9, 2, 25.

32. Nam occurrit illud = objicitur or objici potest ab adversariis; this objection meets me. Above Cicero inferred the innocence of his client and himself from the testimony of Cassinius. He here pursues the argument further, because the inference remained, that since Clodius was to stay all night in his Alban villa, therefore he did not even think of waylaying Milo.—Igitur is omitted in many edi-
34. Si quidem, &c. Admitted, says Cicero, if he had not been to leave it to execute his bloody task. For I see the real business of the so-called messenger about Cyrus, &c. Si quidem, &c., therefore, is the answer of Cicero to the inference, and is to be separated from it by a full point.

35. Qui dicatur. The common reading is qui dicitur, but not so much an historic fact as a subjective thought is here expressed.

38. Testamentum . . . obsignavi. Cicero and Clodius were legatees and witnesses at the same time. This was not allowed in the later law. D. 28, 1, 20 pr.: qui testamento heres instituitur, in eodem testamento testis esse non potest. Witnesses sealed the will on the outside, and by their seal wrote their names. Afterwards the will must be subscribed by the (seven) witnesses, inside also. Una refers to locality; simul commonly to time. Klotz: testamentum Cyri simul, &c.

39. Palam. It was customary not to disclose the names of legatees till after the death of the testator, lest avarice should prompt them to hasten his death. As it was thought honorable to be made one's heir, independently of the profit, so the confidence implied in palam induces Cicero to give that fact prominence.

40. Animam efflantem. The Latin language has many expressions for mori, some of which are euphemisms, and others, as the present, are descriptive of the struggle at death. Similar to animam efflare, are animam exhalare, exspirare, emittere.

Cn. XIX.—43. Sit ita factum. Admitting that he was informed of Cyrus's death.

44. Quid afferebat, &c. Most MSS. give quid affererat festinationis, quod heres erat? and so Klotz.


4. Atque ut, &c. Having spoken of travelling by night, Cicero is led to consider the time and place of the rencontre. This constitutes the sixth argument.

5. Vitandus. The general odium in which he was held had him open to nocturnal attacks; and therefore made it advisable to avoid late journeys.

7. Subsidendum. See §51. Subsidere (subsidiurn) was originally a verbum militare, spoken of the Triarii, who, with their left foot extended, rested on their right knee, until the engagement reach-
ed them. In this half-sitting posture, they had their shields under the left shoulder, and their spears set in the ground before them.

8. Insidioso .... loco. The common reading is invidioso. The Appian road, especially near the tomb of Basilus, was notorious for harboring robbers and their booty. It was usual therefore in this vicinity to travel with a strong guard. Cf. ad Att. 7, 9, 1.

9. Occidisset, not for si occidisset, but occidisset cum, si subsidisset, i.e. supposing Milo the waylayer, he would have slain him by night, in a place notorious for lying in wait and for robberies. Every one, in that case, would have given credit to, &c. The locality, &c. &c., would have borne the blame.

11. Occultator et receptor locus. See Z. 102, Note 2. Receptator is the common text.

12. Tum neque, &c. The usual reading is dum neque, &c., i.e. sustinuisset crimen locus quamdiu et quatenus neque muta solutu-
do, &c.

13. Ibi, i.e. multi, ibi si cædes facta esset, ... in suspicionem caderent.—Ab illo, Clodio.

14. Multi hæc etiam. The common text is multi etiam hæc.

15. Tota denique rea citaretur Etruria, i.e. omnes Etrusci accusarentur cædis Clodii, quos vexarát ; 9, 26. Cf. chaps. 27, 74; 35, 98.

16. Atque illo die, &c. The seventh argument. The preceeding was that Milo the aggressor, his attack should have been made at night, near the city. This he here varies, by supposing his client to be aware that Clodius, whose country-seat lay between Rome and Aricia, was at that town; and by asking what particular spot an aggressor so informed would choose for his attack. Evidently either between Aricia and the villa, lest he might call there, and not leave it; or near the city, where his journey would be in the shades of night. But Milo chose neither; therefore, &c.—Arcia was a town of Latium, on the Appian way, 60 stadia from Rome. From Atque to Albacrum, Osenbrüggen supposes may be regarded as the position of the opponents of Cicero, who have been reduced already to weak subterfuges, as in § 48, Igitur ne Clodius quidem, &c.

17. Quod ut sciret Milo, scilicet illum Ariciæ fuisse, ideoque in via esse. On quod, see note on p. 111, line 15.—Ut. Z. 573. But admitting that Milo knew of Clodius's having been at Aricia, &c. The common reading is: Quod nisi sciret Milo. Garatoni takes illum Ariciæ fuisse as a gloss; and explains: Quod (ad villam suam dever-tisse Clodium) nisi sciret Milo, suspicari tamen debuit, eum, &c., vel, nisi sciret Milo, eum illuc deversurum, suspicari tamen id foro debuit.

20. Nec eo in loco, sc. near the city, at the tomb of Basilus.

22. Video coustare adhuc. He recapitulates the various argu-
ments from ch. 12, omitting, however, the *fourth*, 16, 43, and par-
ticularizing the several subsidiary points of the fifth, and then pro-
ceeds, ch. 20, to consider the actual *site* of the rencontre. He has
noticed where he *ought* to have attacked him; if he were the assailant,
now he considers where (as was said) he *did*. The *eighth* argument.


29. Reditus. The common reading is *reditum*. *Reditus* like *profectionis* depends on *diem*. Notice the different reference of the
pronouns *hic* and *ille*.

30. Præ se tulisse, *illo* se die, &c. The common text is *se
illo die*. Klotz: *pra se tulisse illo die*. The omission of the unac-
ccented subject accusative (*se, me, te, nos, vos,* less frequently *eum, eos*) is not uncommon. See 24, 65; 35, 95; and compare *P. C.* p.
55; *Z. 605*.

Ch. XX.—36. Locus ad insidias.... *uti*.... *fuerit* aptior.

See *Z. 409*, and note on p. 33, line 11. Argumentum hoc ex *loco*
ductum vehementissime tractasse Ciceronem docet Quintil. 5, 10, 37
and 50.

38. Etiam. See note on p. 9, line 2.

39. Ante fundum Clodiī. See note on p. 114, line 18.—*Quo in
fundo*. See note on p. 11, line 1.

40. Insanas illas substructiones. Cf. § 85: *Substructionum
insana moles*. Plin. *N. H.* 36, 15, 103: *Pyramidas regum miramur,
quum solum tantum foro exstruenda H-S. millies Caesar Dictator
emerit, et si quidem impensae movent captos avaritia animos, *P. Clo-
dius, quem Milo occidit, sestertium centies et quadragies octies domo
emta habitaverit, quod equidem non secus ac regum insaniam miror.
Itaque et ipsum Milonem sestertium septingenties aëris alieni debu-
isse, inter prodigia animi humani duco*. Sed tunc senes aggeris
vastum spatium, et *substructiones insanas* Capitolii mirabatur, &c. *The substructions* are the substuctures, foundations,
or changes made in the ground in preparation for the building. *Sall.*
*Cat.* 12, speaks of *villas* in *urbium modum exaëdicatae*, and ch. 13,
he says: *Nam quid ea memorem, quae nisi his qui videre, nemini cre-
dibilitia sunt*: a privatis compluribus *subversos montes, mar-
ria constructa esse*. Cf. *Liv.* 6, 4; 38. 25; *Vitr. 1.* 5; 5, 3; 6, 11.
On this ruinous passion for building, see also *Hor. Od.* 2, 18, 20; 3,
1, 33.—*Hominum mille versabantur*. The common text is *mille ho-
minster versabantur*. See *Z. 116, Note.* *Gellius, N. A.* 1, 16, and
Macrobi. *Saturn.* 1, 5, contend for the singular, which *Phil.* 6, 5, 15,
mille numnum.... *expensum*, favors. But *Gellius* decided for the
singular on theory, while he found the plural here in his MSS. *Klotz*
on this passage observes with truth, that in a freer use of language,
with regard to the inner thought a construction can also arise, which,
while false in external grammatical respects, is so much the truer in:
reference to the internal thought. Nonius Marc. cites from Cic. de Rep. vi. ut. . . mille hominum . . . descendenter.


1. Quae semper = et ca semper, &c.—Si haec, &c. He now proceeds to argue from the concomitant circumstances, the vehicle, dress, train, &c. This ninth argument, with the explanations arising from it, extends to ch. 23.

4. Alter. Milo: debebat ita pergere: alter egredaretur e villa subito, vesperi, tarde. Sed interjectis illis Quid horum non impeditissimum, &c., ordo immutatus est.—In rheda pænulatus. See ch. 10, § 28.—Uxor, Fausta, the daughter of Sulla.

5. Vestitus, an veliculum, quasi præcessisset Quid horum impeditius? vest. an veh.

6. Pænula irretitus. For the pænula was a close-fitting over-all without sleeves, which confined the arms. It was either made of wool or skin, and was principally used in travelling, and to keep off the rain and cold. The vehicle, too, was rather a pleasure carriage than one adapted to speed and flight.

7. Uxore pænæ constrictus, quæ muliebri timore perculsa eum non patiebatur ad pugnam descendere.

8. Videte nunc illum, &c. In this passage Cicero leaves the answers to his queries to be supplied from his previous observations. Thus, to the question, egredientem e villa, subito; cur? the answer would naturally suggest itself—"because he had heard from the messenger," ch. 18. Milonem approquinare. To vesperi; quid necessæ est? and tardæ; qui convenit? why leave the villa in the evening? the reply would be found ch. 18. He had no reason, si quidem exiturus ad cadem e villa non fuisset. Translate: Observe him now, first of all sallying out from his villa, unexpectedly: why?—In the evening too: where was the necessity for that? With slow progress: how is this to be rationally explained—especially at such an hour?—E villa, sc. sua, i. e. Clodii.

10. Devertit, &c. Cicero here in the spirit of his opponents suggests an explanation for the purpose of overthrowing it with still more force.—In villam Pompeii. See note on in Albano, p. 120, line 15. Some ruins belonging to it are still found.—Pompeium ut videret? As before his rhetorical questions were more forcible denials of any reason, necessity, or propriety in regard to the suddenness, time, and
12. slowness of his return, so here it is suggested that the turning aside to Pompey’s villa could not have been to see Pompey or his country-seat.

11. In Alsiensi, sc. villa. Alsius, now the village of Palo, was an old Etrurian town, on the sea-coast near Cære, northwest from Rome, while the Appian way lay to the southeast. Fronto, de fériis Alsiensibus, calls it maritimus et voluptarius locus. The Romans went there, ut bene haberent genio, ut facerent animo voluptatem, and the richer had villas there. Ad Fam. 9, 6, 1; Plin. Epp. 6, 10; Val. Max. 8, 1.

12. Millies. Z. 692.—Quid ergo erat? mora, &c. Klotz reads Quid ergo erat moræ et tergiversationis? to which dum hic, &c. forms the answer. His enemies invented a similar charge against Milo.


Ch. XXI.—14. Age .... comparate. Others agite. Scilicet ante Vallam non defuerunt, qui age putarent cum plurali non posse conjungi. Horum jamdi explosa sententia est. See note on p. 57, line 35.—Expediti, haud impediti, parati ad cædem faciendum, contrasted with impedimentis; which is derived from the same root.

15. Cum uxore, Fulvia, who afterwards married Antony; supply iter faciebat.

17. Græculi. Used by way of contempt. Juv. Sat. 3, 76. They were perhaps professors of music and the fine arts; perhaps worse.—In castra Etrusca. Asconius makes Cicero here hint that Clodius was privy to the conspiracy of Catiline, whose army was encamped under Mallius in Etruria. Cicero nowhere directly charges Clodius with participation in the Catilinarian conspiracy, but he is fond of speaking ambiguously about it, ch. 14, 37. Clodius had possessions in Etruria, and, as from a robber-fortress (castra Etrusca) in which he intrenched himself, he made war upon and plundered Etruria, ch. 27, 74; 9, 26. In the present passage Cicero does not speak of one journey of Clodius to Catiline in Etruria (quum c. ind. imperf.) did he not, however, choose the expression castra Etrusca, to lead the thoughts of his hearers to Catiline, and the Mallian camps in Etruria? Cf. note on p. 114, line 6. According to Plut. Cic. 29, Clodius, at the time of Catiline’s conspiracy, had attached himself to Cicero, to defend him, for they were not yet enemies; but afterwards Clodius was to Cicero a second Catiline, ch. 14, 37, sica illa, &c.; and the uitor Catilinaæ (in Pison. 10, 23; 7, 16), since he made Cicero’s proceedings against the Catilinarians the ground of driving him into exile. The remnants of Catiline’s adherents were in Clodius’s bands. Pison. 5, 11; 7, 16. Clodius, as Asconius speaks of his intention only as a report, may have given up his plan of following Catiline, as not holding out any advantages, and, to clear himself more certainly from
suspicion and not remain inactive, may have attached himself to the opposite party as a good citizen.

18. Nugarum nihil. Nugæ, like the Greek ἀρσος, is used of persons, ad Q. frat. 1, 2, 4; Sest. 10, 24. So quisquiliae, Sest. 43, 94. Nugarum nihil = nulos homines leves et nugatorios, h. l. versantes in artibus ludicris, quas tractare gravi viro indignum esset, jesters, buffoons.

19. Pueros symphoniacos. Articles of luxury and ornament were mostly denoted by Greek names, e. g. anagnostae, authepsa, baptisterium, chrysendeta, lychnuclus; as in modern times French fashions and French names mark corresponding objects. The Romans had to learn élégance from the Greeks, we from the French. Singing boys were taken by the Roman grandees on their journeys, to relieve by music the tediousness of the journey; and to avoid the appearance of effeminacy, the pretext was made, that they belonged to the retinue of their wives.

20. Ancillarum greges. A Roman domina was surrounded by an army of female slaves, each of whom had her special duty. Cf. Juv. Sat. 6, 495 sqq. The slaves in attendance upon the wives of Indian nabobs may furnish some parallel.—Qui . . . duceret for quum is . . . duceret.

21. Neminem, nisi ut, i.e. nisi tales omnes, ut, &c.—Virum a viro lectum esse. The Roman soldiers were permitted, when going on a dangerous service, to choose their comrades. Cf. Liv. 9, 39; 10, 38. This was not merely an Etruscan or Italian custom, but also in use among other ancient nations, as the Greeks and Persians. Xen. Cyrop. 1, 5, 5; Corn. Nep. Paus. 1, 2: Neminem nisi, &c., then = neminem nisi selectos (gladiatores). His were picked men.

25. Mullier. See ch. 33, 39, homo effeminatus. Cic. in Clod. et Cur. 5: num rusticos ei (Clodio) nos videri minus est mirandum, qui manicatam tunicam et mitram et purpureas fascias habere non possumus. Tu vero festivus, tu elegans, tu solus urbanus, quem decet muliebris ornatus, quem incessus psaltriae, qui effeminare vultum, attenue re vocem, laevare corpus potes.—Nec vero, &c. Milo was obliged, for his own security, to keep a band of gladiators. Cf. 14, 38.


30. Propositam et pæne addictam. The allusion is to a sale, where an object is first set up and then knocked down, assigned to, the highest bidder.

32. Martemque communem. Communis Mars est, qui non anam partem, sed utramque, modo hanc modo illam, adjuvat, älle-
34. Percutit ab abjecto, i. e. per eum, quem jam abjectus et prostratus erat. Matthiae. But Hand, *Turs.* i. p. 30: Mars sepe spoliante tem jam evertit et ab abjeto, cui jam incubuerat, depulit, which seems preferable.—Pransi, poti. Z. 633.—Oscitantis. Listless, inattentive. Quae oscitania licet nonnunquam e corporis vitio contingat, certum est tamen frequenter e potu et a prandio provenire. A. Gell. 4, 10.

35. Qui quum . . . interclusum relliquisset. Ch. 10, 29

Clodius thought every thing safe, when Milo had passed him, and was separated from his party, forgetting the famous gladiators Eudamus and Birria, in the rear of Milo's retinue; from the latter of whom, as Asconius relates, Clodius received a dangerous wound in the shoulder.

37. Hæsit, tanquam in laqueis aut in reti, metaphorically from wild animals, which are taken in nets.—*In iis penis, quas, &c.* Compare ch. 10: id fecrunt, &c.

39. Cur igitur eos manumisit? To reward them for having preserved his life, as the advocates of Milo claimed. Sometimes slaves were manumitted by their masters, when threatened with a criminal prosecution, to save them from exposure to torture, but more frequently for their own advantage, to screen themselves from any unfavorable disclosures which might be wrung from their slaves by torture. This was afterwards forbidden, and the manumitted slave was liable to torture.—*Metuebat scilicet.* See Z. 345 in fin.

41. Occisum esse a servis. Cf. ch. 10, 29.

43. Occideritque? Occidit. From *occido.* Having admitted the fatal interference of the slaves, Cicero might fairly be asked to submit them to examination, as they must be aware of the facts of the case. He replies that it was useless. These facts were acknowledged—Milo slew Clodius; and farther than this the testimony of slaves could not go. But here it is obvious to remark, that while Milo admitted he had slain Clodius, he urged that he had done so under peculiar circumstances; namely, in self-defence. Now to the existence of these peculiar circumstances it was surely competent for the slaves to depose; but this question of fact Cicero artfully confounds with the question *jure an injuria*.

44. Equuleo. The *equuleus,* as its name shows, resembled a horse, and was probably a wooden machine on four feet, provided with screws, by which the limbs of a body lying upon it could be stretched.

4. Nescis inimici, &c. Because you fix your censure upon that point of his conduct which is deserving of the highest praise; whereas the proper complaint would be a charge of ingratitude for inadequately rewarding conduct so meritorious.
6. M. Cato. He had defended Milo before the people, and as judge voted for his acquittal.—*Et dixit.* Z. 717.

10. *Propter quos,* per quos, quorum opera. *Propter for per in* this usage, is perhaps limited to persons. See Z. 302.


15. *Quod minus moleste ferat,* per *petita pro quo se erigat,* consoletur.

16. *Etiamsi quid ipsi accidat.* This euphemism is not here, as commonly, used of death, but of condemnation which would result in exile, or civil death. Cf. ch. 36, 99, and note on p. 109, line 2.

17. *Sed questiones.* That is, examinations of slaves by torture. The testimony of slaves was not believed, unless wrung from them by torture; hence, the rack is the means of strengthening the credibility of the witness. The rack, as a means of compelling a free citizen, when accused, to confess, was foreign to the Roman republic. In the criminal process, under the Roman law, the accuser must prove his accusation, and it was his business, before coming to the trial, to provide the means of proof. The declarations of the slaves of the opposite party often formed a part of the evidence; hence, of the accuser, the phrase: *postulat familiarium.* On the other side, the accused and his party had to provide all weapons of defence against the attack of the accuser: therefore also the party of Milo moved for the torture of the slaves of Clodiuss and his party. By the nova lex of Pompey the process against Milo took a new turn, even in regard to the torture of the slaves. The questor Domitius decided that the slaves of Milo must be subjected to torture, and the slaves of Clodiuss were likewise put upon the rack, but, as Cicero represents it, on motion of Appius Claudius, not, as has been said, upon motion of Milo’s party. Cicero here presses this point, but the passage has difficulties, because the orator here designedly confounds two entirely different things. He represents the depositions of Clodiuss’s slaves against Milo, derived by torture, as suspicious and invalid, because these slaves were produced by the accuser, Appius Claudius, and because the whole proceeding in regard to them, shows the greatest partiality and hostility against Milo. As no one could be a witness in his own case, so were the witnesses that were entirely dependent upon one party inadmissible. Cicero first takes this view, and has at least some right to it; but he then suddenly springs to a wholly different point: *Dii boni! quid potest,* &c., which does not properly belong here at all, for Clodiuss was dead, and Milo was the *reus.* He does this, in order to speak again of his favorite subject, the incest of Clodiuss, under which was included every species of sacrilege, and to conclude *a contrario:* *In reum de servo,* &c. He here proposes for the examination by torture of the slaves of Clodiuss the question: *Clodiuss insidiis fecit Miloni?* which is to him the main question, to answer which affirmatively, he makes his prin-
principal object in the oration. If this question was put in the torture of the slaves of Clodius, they were subjected to torture against their master, and: *de servis nulla lege quaestio est in dominum nisi de inceetu*.

18. Nunc, with emphasis = nunc demum, 100 days after the death of Clodius. See §60.—*In atrio Libertatis*. There was a temple of Libertas on the Aventine, built by the father of the Gracchi. There was also an *atrium Libertatis* by the forum, *ad Att. 4, 16, 14*. When Clodius had driven Cicero into exile, he destroyed his house on the Palatine, and on its site had erected a chapel to Libertas. The spacious porches of temples were used for various purposes; and perhaps business, particularly that relating to slaves and freedmen, was transacted in the Atrium Libertatis. Klotz supposes the *atrium Libertatis* is mentioned as the place of the examination, in order to suggest the hope of freedom as an inducement to the slaves to give the desired answers.

19. Quibusnam de servis. When Appius could not procure the slaves of Milo for examination, he had recourse to those of P. Clodius. Cicero shows the fairness that may be expected from slaves drilled by the accuser.—*Rogas?* A familiar formula of every-day conversation and dialogue, frequently used when one is surprised, or affects surprise, that the other could ask.

20. Quis . . . Appius. This is an instance of the rhetorical figure called *συμπλοκή (κωινότητι) complexio*. Quinctil. 9, 3, 31, cites it as an example. Z. 821. Appius was the nephew of Publius Clodius.

21. Ab Appio = ex Appii domo. How little credit would be due to their declarations, appears from Flacc. 10.

22. Quæstio est, like *actio est* = the right, &c., exists.—*In dominum*. Klotz: *in dominos*.

23. Proxime deos accessit Clodius. Because he is put on a par with them in the mode of examination touching his death. The violation of their mysteries demands the inquisition. The death of Clodius has called for the same. This is a nearer approach to divinity than was even his famous adventure at Caesar’s house. In this signification, *accedere ad*, commonly with *prope, propius, proxime*, is the usual construction in Cicero. He also uses the dative. Compare Arnold’s Nepos, *Them. 4, 1*, and 7, 2. See also Z. 386 and 387. What double meaning in this sentence? *Lig. 12, 37: homines enim ad deos nulla re propius accedunt quam salutem hominibus dando. Rabir. perd. 2, 5: Deinde vos, Quirites, quorum potestas proxime ad deorum immortalium numen accedit.*

25. Sed tamen, &c. Were the slaves of Milo examined against Milo, the truth might easily be elicited; for it was not the difficulty of arriving at the truth, but the indignity of the proceeding that dictated the rejection of such testimony; but where the slaves of the accuser are questioned against the arraigned, of Appius against Milo, is truth
to be expected? He illustrates this by giving, § 60, a specimen of the mode of examination.


28. *Domini.* Klotz and Süßle read with MSS. *indignum esse et domini morte,* &c. Schultz also reads *domini.*—*De servo... quaeritur.* See note on p. 85, line 25.

30. *Heus tu, Rufio,* &c. Spoken with comic seriousness, and put in the mouth of Appius, who directed the deposition of his slaves. Quintil. 8, 3, 21.—*Verbi causa = exempli gratia.*

31. *Sis = si vis is borrowed from the language of common life and comedy. Est blandae admonentis.—Mentiare.* See note on page 9, line 1.

32. *Certa crux.* Crucifixion was the usual form of capital punishment for slaves. *Deiot. 9, 26.* With it is contrasted *sperata libertas,* for which some prefer *parata libertas.*

33. *Subito abrepti,* &c. The customary and proper proceedings in such examinations of slaves are here given in contrast with the unusual course pursued in the present instance, as described in the next sentence. Slaves hurried away to torture without any previous warning, are yet kept apart from the others in solitary confinement, whence they are produced when required. In this case the prosecutor, after a hundred days tampering with them, produces them for examination. *Subito abrepti is opposed to centum dies.* Some read *adrepti.*

34. *In arcas.* Cells in jails and private houses for the solitary confinement of culprits or slaves.

Cf. XXIII.—38. *Quod si nondum,* &c. The only ground of argument remaining to Cicero, after so many being urged, was—a consequentibus—from the conduct of Milo after the fatal rencontre, his expeditious return, his lofty bearing and language. These could only result from conscious innocence. Chaps. 23, 24.

39. *Tot tam, for tot et tam.* So Liv. 25, 24, *tot tam opulentii tyranni; 28, 28, tot tam claris imperatoribus; 30, 30, tot tam egestii ducis; 4 in Cat. 3, 6, tantam tam.*


42. *Celeritas reditus ejus.* The excesses of the Clodiars, especially the burning of the curia, had turned the tide of popular feeling in favor of Milo, and he ventured to return to Rome the same night, in which the curia was burned. He also continued his canvass for the consulsiphip, and distributed by tribes to each citizen 1000 asses of borrowed money.

44. *Qui vultus.* Compare 3 in Cat. 5, 13; p. Cluent, 19. 54. —*Quae oratio.* The tribune M. Caetius, held a concio for Milo, and spoke also himself in Milo's behalf. They both maintained that Clodius had lain in wait for Milo.—*Neque vero se,* &c. This climax is
1. Populo .... senatul commisit, ejus fidei tradidit, sed ita ut ipse periculum in eo adiret. See chaps. 3, 4, and 5.


3. Ejus potestati. Ch. 6, 15. Pompey, with the interrex and tribunes of the people, was charged with the duty of preserving the peace and quiet of the republic. To effect this, he was authorized to levy troops in all Italy, which he did with the greatest dispatch. Klotz omits etiam after verum.

6. Omnia audienti, i. e. nihil eorum, quem ad so deferrentur, plane repudiant et negligentii. See ch. 24, 65.

7. Suspicanti .... credenti. Ch. 24, 66.—Magna vis est conscientiae, 3 in Cat. 5, 11, and 12, 27. Juvenal, 13, 196, thinks it exceeds the torments of hell, Nocte dieque suum gestare in pectore testem.


11. A senatu probata est. Ch. 5, 12.


15. Inimicorum Milonis. Z. 410.

16. Imperitorum. Who though not the enemies of Milo, were ignorant "rationis facti."


18. Arbitrabantur, sc. the imperiti.

19. Tanti .... putasse. Z. 444. Partit. 32: Spectantur etiam ad causam facti motus animorum .... si facinoris voluptas major, quam damnationis dolor; Virg. Æn. 2, 585: Exstinxisse nefas tam men et sumpsisse merentis Laudabor paenas, animumque expellesse juvabit.


23. Cederet .... legibus. To obey the laws, and go into exile, that being the penalty for homicide. Some reject legibus; but it is more honorable for Milo to make his reverence for the law the motive of his going.

Curios, omnesque eos, qui hāc ex minimis tanta fecerunt. Compare note on p. 15, line 20. On fruenda, see Z. 466 and 657.

25. Illa portenta. In Pison. 4, 9, Cicero calls Clodius fatale portentum prodigiumque rei publicae; and, de prov. Cons. 1, 2, the consuls, Piso and Gabinius, are described as duo rei publicae ... portenta ac pane funera. So in our passage, Heumann takes illa portenta as = ejus generis consceleratos atque exsecrables homines. Schütz, on the other hand, supplies verborum with portenta, and refers it to the following Erumpet, &c.—Loquebantur. Loqui with the accusative = to prate of, generally in Cicero with the notion of contempt. Cf. ad Att. 9, 2, 3, nihil nisi classes loquens et exercitus. Hor. Serm. 1, 3, 12, modo reges atque tetrarchas, omnia magna loquens.

26. Erumpet. This word Cicero had already applied to the hurried departure of Catiline from the city. 2 in Cat. 1, 1. By using it here, the enemies of Milo meant to suggest a parallel between him and that conspirator.

27. Miseros interdum cives. Z. 402.—Optime de ... meritos. Deserving best at the hands of; having best served.

30. Admisisset aliquid. Cf. 13, 34, and 37, 103.

Cn. XXIV.—32. Quid? Z. 769.—Quae postea sunt in eum congesta, a circumlocution for, the subsequent charges against him.

33. Conscientia. An ablative of the cause; but compare Z. 472, Note 1, and 646: “under the consciousness,” or “if he were conscious of.” Ernesti conjectured in mediocrum delict. conscientia.

34. Sustinuit! immo vero. See note on p. 9, line 13.

35. Pro nihilo putavit. Z. 394, Note 3.

37. + Frenorum. The reading here is doubtful. Lambinus proposed framearum. Garatoni conjectures, since Hispanorum occurs, gladiorum Hispanorum pilorumque; and supposes Hispanorum, sparorum, frenorum, and framearum may be varieties of one and the same word. Steiunetz brackets both frenorum and sparorum, Klotz and Süpfle read ferramentorum pilorumque.

38. Multitudo deprehendi posse indicabatur. The personal construction of verba dicendi in the passive voice is sometimes, as here, extended to other verbs which denote a peculiar and special kind of saying, showing, believing, &c. See Z. 607. But the impersonal construction in this case is more common.

39. Vicum. Vicus from oligos, as vinum from olivos, corresponding to wick in bailiwick, is not a principal street, but a collection of houses, a ward or quarter of the city, the subdivision of a regio.—Angiportum is according to Festus: iter compendiarium in oppido.

40. Miloni. The dative of the possessor; and this seems to be the origin of the dative with passive verbs, for the ablative with ab. Z. 419 and 420.—In villam Oericulanam. A villa of Milo’s, near
Ocricum, a town of Umbria, not far from the junction of the Nar with the Tiber. The modern Otricoli is about two miles from the ancient city.

41. Domus. Ernesti wished: domum ... respettam depending on diceabant. Garat. considers it an instance of syllepsis, and supplies dicebatur from diceabant. This house of Milo was called Anniana. Ad Att. 5, 3, 3.

42. Malleolorum. See note on p. 18, line 15.

43. Repudiata. Though totally unworthy of notice, such was the misery of the times, they were not rejected without inquiry.

44. Laudabam, &c. Cicero expresses the extraordinary solicitude of Pompey, but shows at the same time how little he was pleased with his timid credulity.

125 2. Coguntur audire. Cf. 23, 61, and Rose. Am. 8, 22.

3. Tota ... res publica. Cf. ch. 26, 70. Ernesti suspected tota, but compare 23, 61 ; 24, 66 ; 25, 68 init. Garatoni: Alíquando etenim una erat rei publicæ pars aut alicui commissa aut ab aliquo sponte suscepta—ut res frumentaria eidem Pompeio Scto commissa, &c.—Cui etiam, &c. "Since he had to hear," &c. The common text is publica. Quin etiam, &c., for which Madvig substituted his conjecture, making the subjunctive causal instead of concessive.

4. Popa Licinius. The popæ were freedmen, or men of the lower sort. Asconius describes this Licinius as quemdam de plebe, sacrificulum, qui solitus esset familias purgare; and it is reasonable to suppose that Cicero degrades him to a popa, as he also adds nescio qui, to denote his insignificance, in contrast with Pompey, who attached much weight to the information of Licinius. The popæ appear to have retained as their perquisites the gleanings or fragments of the sacrifices, and to have kept victualling shops. The popinae, at least in the time of the republic, were visited only by slaves and the lower class. There were doubtless many popinae about the Circus maximus, as also in the neighborhood of the theatres and other public buildings and places.

—De circo maximo. This was the largest of the courses of Rome, the foundation of which goes back to Tarquinius Priscus. After its enlargement by Cæsar, it was capable of holding 150,000 spectators, or 250,000 according to Pliny, N. H. 36, 15, 102. It lay in the hollow between the Palatine and Aventine, and was a chief place of amusement for the idle people of Rome, at other times also, besides during the circenses, as were the Campus Martius and the airy agger (Tarquinii), on the eastern side of Rome from the Esquiline to the Colline gate; the agger particularly for promenaders. Circus maximus and agger correspond with each other as residences of the lower classes. As here popa de circo maximo, so we find pomarius de circo maximo and pomarius de aggere; and the astrologi de circo are notorious: de Div. 1, 58. Z. 398. It was here that fortune-tell-
ers, astrologers, and conjurors practised their arts upon the credulous; hence fallaciae circum. Hor. Sat. 1, 6, 113.

5. Servos Milonis ... confessos esse, dependent, in some texts, which give a period after indicaret, on the verbum dicendi, implied in fuerit audientius. We should then supply "saying." Z. 620.


7. Ab uno de illis. Z. 308 and 340 in fin.

8. Hortos. Z. 96.—De amicorum sententia. Pompey called a council of friends (consilium amicorum) to hear the information of the popa in their presence, in order that the matter might receive more importance, and he not have the appearance of having feigned fear of Milo. Such private consilia of friends were very common, and amici in such cases = witnesses; acquaintances and friends were called to such extrajudicial depositions. In matters of interest to a family circle a consilium propinquirorum (cognatorum) was formed. De sententia, "by the advice," or "at the suggestion." So also ex sententia Z. 308 in fin. and 309.

9. Non poteram ... non. Z. 754.


13. Probari, fidem fieri hunc ictum esse gladiatoris.

15. Ne ... aliquid. Z. 708.—Oppugnata domus ... nuntiabatur. Z. 607.


18. Tamen audiebatur. It was listened to


22. Cum telo esse. See note on p. 110, line 2.

Ch. XXV.—25. Insidiose, nam fictis crimiuiibus Miloni fiebant insidiae. Another reading gives invidiose, i.e. ad invidiam contrahendum conficta, quamvis insidiando composita.

26. Quum tamen metuitur, &c. This is a conjectural emendation of Madvig. The common text is: sunt. Quod si tamen metuitur etiam nunc Milo, non jam hoc Clodianum, &c. Klotsz with some MSS.: Cur tamen si metuitur etiam nunc Milo, non, &c., with a point of interrogation after perhorrescimus.—Etiam nunc, i.e. after all the statements (in the preceding section) to show that the charges against Milo were mere calumnies, and the suspicions of Pompey unfounded.

27. Hoc Clodianum crimen. It is no longer the present in-
dietment, the charge of murdering Clodius, that we fear, but your sus-
picions, Pompey. The pronoun tuas is repeated with emphasis.

28. Exaudire. Fero semper exaudire est ita audire, ut dicta
plane percipliantur, ubi nostrates fere intelligere dicere solent. Rarius
m hoc verbo simplicis verbi audiendi vis aucta appareat. Exaudiantur
igitur verba, quae clara voce ἐν ἐπηκούῳ dicuntur; dicantur ex longinquo
an ex propriquo nihil refert; nam etiam ex propinquitate ita dicas, ut
vix proximi te exaudiant. See note on p. 43, line 11. Pompey was sit-
ting in front of the áerarium, at some distance from the rostrum.

29. Suspiciones. It appears from Asconius, that Pompey, being
interrogated by the Clodian leaders, as to whether his life had been
attempted by Milo, told the story of Licinius; and that in addition to
the precaution of confining himself to his gardens, on his return from
raising the levies through Italy, he had refused to admit the visit of
Milo, and of none else; and that when the senate was held in the
portico of Pompey, to allow of his taking part in the business, Milo
was the only man ordered to be searched before he was allowed to
enter.


32. Si Capitolinae cohortes. For when danger threatened, or
there was fear of disturbances, guards were set on the Capitol and
other hills of the city. Compare note on p. 9, line 4.

42, et promiscue usurpantur, sic tamen, ut vigilia numquam de diurno
tantummodo tempore dicantur.—Delecta juventus. Juventutis no-
mine praecipue equites designantur: hinc princeps juventutis.

36. Magna certe in hoc vis, &c. The consequent member of
this hypothetical period seems to correspond only with the latter clauses
of the conditional member, from si Italia, &c. These he answers by
showing their absurdity, as they would imply courage and resources in
Milo far above those of any single man; and, with regard to the ex-
traordinary levies; by proving that they are called for by the neces-
sities of the state without any reference to Milo. The answer to the
first clauses of the conditional member is implied in the words: Quod
si locus, &c., as if he said—"If you fear Milo, it is wholly owing to
misapprehension; for if an opportunity had been afforded him, he
would have proved to your satisfaction that no man was ever dearer to
another than you to him, &c. And if he had failed in his proof, (quaes
si non probaret,) he would have gone into exile; not, however, with-
out calling you to testify his innocence, as he now does."

37. Non unius, sed multorum. So Hor. Carm. 4, 9, 39: Consul
non unius anni.—Indicantur. See note on p. 124, line 38. Klotz
gives judicantur.

40. Ἐγρας . . . . labantes, corresponding respectively to sanares
and confirmares.
41. Quod si locus, &c. Had Milo been granted an audience. But Pompey, as Asconius informs us, would not allow Milo access to him.


3. Consiliis tuis. And, therefore, though the advantage was mine, yet the obligation was also yours.

4. In periculo capitis, i.e. in periculo deminutionis capitis modo, for exile would have been the punishment, had Milo been condemned. See note on p. 85, line 1, for the meaning of caput.—Adjunatum. Candidates were assisted in various ways by their friends; viz. in canvassing the electors of the city and the country, &c. Cf. Quint. Cic. de petit. consulat.

5. Se habere . . . sperasse. Krebs, Guide, 402; Z. 603.—Te tuo beneficio. This is a true, though not an obvious ground of friendship. We all take a lively interest in our own work; e.g. the success of one whom we patronize.

7. Inhæsisset. Like a deep-rooted tree. Hence evelli. The common text is insedisset.


10. Quis ita natus est et ita consuevit. Manutius: qui hoc habet et a natura et a consuetudine, ut otium salutemque patriæ rebus omnibus anteponat. Cf. ch. 14, init. The connection shows the relation (ος οὖσα πέφυκε); namely, so as to act the patriot.—Magne. When the young Pompey, A. u. c. 674, returned victorious from Africa, he was received as a second Alexander; the dictator Sulla went out to meet him, saluted him with the title of Magnus, and directed his attendants to join in the salutation. Cicero, ad Att. 2, 13, ridicules this surname of Pompey.

11. Antestaretur. Simpliciter est: te mouret, ut meminisses, se convenire te voluisse, et de sua innocencia, aliorum autem perfidia docere. Matthiae. This is a technical word for “to call on a person to be witness to an arrest.” If the defendant, when summoned to court, would not willingly follow, the plaintiff might call witnesses and bring him by force. The witnesses were necessary to testify to the unwillingness of the defendant, and to justify the force used. The witness was asked by the formula licet antestari, and if he assented, the plaintiff touched his ear to impress his duty on his memory. See Hor. Sat. 1, 9, 75. Milo, as Cicero exhibits it, had used only lawful force, to suppress the violence of the wicked for the welfare of the good, consequently for Pompey’s welfare, to whom he had been ever grateful and true: this he calls Pompey to witness. Schultz: ante testaretur.—Quod nunc etiam facit, tametsi neque tui conveniendi potestas est factura, neque abit a patria sed in judicio se sistit.

Ct. XXVI.—12. Vide, quam sit varia. See note on p. 97, line 4. The mention of banishment led Cicero to revolve the various turns
of fate below; and this constrained him to break out in the following exclamation. The circumstance, therefore, under which it was uttered, is a sufficient answer to those who claim for this passage the praise of prophecy. That of beauty and pathos it cannot be denied. Some read *vides*.


14. *Amicitias.* The common reading is *amicis.*—*Ad tempus aptae, accommodatæ et aptatæ;* time-serving.


16. *Illucescet ille . . . dies, quum . . . desideres.* It occurred in about four years after. After *fuit (erit) tempus (illud tempus, dies), quum,* there was once a time, when; there will a time come, when, (such a time, that,) the subjunctive almost always follows. So simply: *fuit, quum, de Orat.* 1. 1.

17. *Salutaribus.* So the MSS. Orelli remarks: Nihil omnino vetat, quo minus accipiamus, non tam *rebus salutem tibi afferentibus,* quam *rebus cum salutè tua conjunctis:* nec probari potest vel Gar- tonii *salutribus* vel Ant. Augustini Weiskiique *salvis; salutaribus majus quiddam est, quam *salvis.* Cf. ad *Fam.* 10, 23, 2, *salutariter recipere.* After *communium temporum* the editions commonly give *inmutatis,* and this or *inmutatus,* is found in some MSS., but not the best; therefore Madvig, Klotz, and others omit it.

18. *Quam crebro.* Sulla, Cinna, Catiline, were within the ex- perience of Cicero

20. *Unius post homines natos . . . viri,* i. e. from the foundation of the world. Cf. 28, 77, *unum post hominum memoriam T. An- nium.—Hominis . . . viri.* See note on p. 93, line 34.

21. *Quamquam.* A correction, as if he said, “ and yet why sup- pose that Pompey harbors suspicions against Milo, which his own acts disprove? Had Milo been disposed (in Pompey’s opinion) to abolish trials altogether, would Pompey, clothed with supreme authority, have conceded a trial to Milo? Yet he did; while in the very choice of his position, he fully indicates his anxiety to protect you in the im- partial expression of your opinions on this occasion.”

22. *Moris majorum.* The formula quoted below: *ne quid res publica, &c., came under the mos majorum,* or common law. On this formula, see note on p. 10, line 4, and the reference there given.

24. *Quo uno versiculo.* *De Legg.* 2, 6, 14: *leges Titiás, Apu- leias, Livias uno versiculo senatus subtalas commemorat, i. e. hoc codem SCto.
25. Satis armati, i. e. subsidii ad consilia sua perciicienda instructi. Cf. Liv. 4, 53, hoc decreto consul armatus. Cf. ch. 1, 2.


28. Tolleret, i. e. tollere audearet, sublatum iret, sc. by taking the law into his own hands, murdering Clodius, and plotting against Pompey.

29. Ista. The calumnies which were said to have excited the suspicions of Pompey.—Legem tulit, qua . . . liceret. See ch. 6, 15.

31. Quod vero. Z. 627. "But in that," &c., i. e. by his taking post in that particular place; sc. the entrance to the treasury, as Asconius says. See ch. 25, 67, and ch. 1.


35. Animaladvertere Ipse. See note on p. 17, line 32.—Suo jure. For the act permitted the consul coercere modis omnibus socios atque cives. Sall. Cat. 29.


Ch. XXVII.—38. Clodianum crimem, quod Milo accusatur Clodium occidisse. He had contrasted this charge, ch. 25, with the suspicions of Pompey, and cleared away those suspicions. He now addresses himself to prove that the death of Clodius, being a service to the state, its perpetrator (Milo) had therein performed a glorious act. This is the second principal division of the confutation, called by himself, ch. 34, extra causam, the use and defect of which is noticed by Quintil. 3, 6, and 4, 5. It was this line of argument that Brutus adopted in a written defence of Milo; but Cicero dissented from Brutus’s ground of defence, as Asconius says; quod non qui bono publico damnari, idem etiam occidi indemnatus posset.

42. Mentiri gloriose. In saying occidi, i. e. per vim et insidias, which he has just disproved.—Gloriose, boastfully, proudly, glorifying in it.


1. Apptendi. Z. 652.—Ti. Gracchum. Cicero, from his political principles, held the view, which the younger Africanus expressed: Ti. Gracchum jure caesum videri. Cf. ch. 3, 8; de Off. 2, 12 fin. In the latter passage, he likewise passes a general sentence of condemnation on both Ti. and C. Gracchus, while here he makes prominent a single act of Ti. Gracchus as worthy of death.
2. College. Octavius, the colleague of Ti. Gracchus in the tribune-ship, opposed his Agrarian law, and had a right by his veto to prevent the reading of it before the people. They opposed each other with honorable weapons, with the power of eloquence, without personal abuse. But Gracchus was compelled to find a means of setting aside his opponent who was unyielding in his opposition. Though the person of a tribune was inviolable (sacrosanctus), he had his colleague dismissed from his office by the people. That was a seditious proceeding, and the people had no right and no reason to depose him. The only justification Gracchus could bring for his measure was political necessity. If the end justified the means, Gracchus needed no defence, but deserved the highest praise of a determined statesman; but it is certain, that, with only the appearance of legal right, he destroyed a wise regulation of the Roman state, and in his noble efforts, which the present age better understands and appreciates than an earlier, committed a mistake, which is so much the more sad, as upon the Roman horizon the morning of a day dawned, in which law and justice were silenced. Compare note on p. 9, line 20.

3. Interfectores. Servilius Ahala and Scipio Nasica.


6. Nobilissime. Vestal virgins and noble matrons who had assembled at Caesar’s house, to perform the rites of the goddess Caesar was Pontifex Maximus.

7. Religiones expiandae. See de Harusp. resp. 12, 13.

8. Cum sorore germana. P. Clodius had three sisters, the youngest of whom and the one here intended, was married to L. Lucullus. Elsewhere Cicero speaks of Clodius’s being guilty of the same crime with his other sisters.

9. L. Lucullus juratus. On his return from the third Pontic war, he discovered the guilt of his wife, and repudiated her. The occasion of the testimony referred to was the trial of Clodius (ch. 5, 13) A. u. c. 693.—Juratus. Z. 633.—Questionibus habitis. The slaves of Clodia were put to the torture.


13. Regina dedit, ademit. Through Clodius’s influence, exerted for a bribe, Brogitarus of Galatia, son-in-law of Deiotarus, was made
priest of Cybele at Pessinus, and received the title of king. Sest. 26 sqq.; de Harusp. resp. 13. On the motion of Clodius, when tribune of the people, a decree was passed, by which M. Cato was sent with the powers of praetor to take possession of the island of Cyprus, with the treasures of its king, Ptolemy, and reduce the island to the form of a province.—*Orbem terrarum.... partitus est.* In return for services which the consuls Piso and Gabinius had rendered to Clodius in his efforts to destroy Cicero, he proposed a bill, by which they had the provinces of Macedonia and Syria assigned to them, with extraordinary powers. Sest. 10, 24; 14, 33; 24 sqq. By the lex Sempronia of C. Gracchus, it was the duty of the senate to determine the consular provinces before the election of the consuls, so that the consuls after their consulship could draw lots, or agree in regard to those provinces only which had been previously designated. *Pro domo,* 9, 24.


17. *Ædem Nympharum.* In this temple, as being most secure from fires, were kept the public registers of the censors. It was burned in the disturbances which preceded the exile of Cicero, though the motive here assigned may have been unfounded. *Cael.* 32, 78; *Parad.* 4, 2; *Sest.* 39, 84; 44, 95; *Harusp.* 27.—*Memoriam publicam recensionis.* Recensio = actus recensendi is not elsewhere found in Cicero. Suetonius uses it, *Caes.* 41. Clodius could not obliterate the ignominy which was the result of the *animadversio (castigatio, notatio, notio) censoria,* though he might remove it from the public collection, by destroying the censors' tablets, where it was recorded. The repetition of *publicam in publicis* makes this notion emphatic.

19. Cui.... *crat.* Who regarded, &c. From Clodius's public crimes the orator passes to his private life. He trampled under foot the laws.

20. *Nulli possessionum termini.* *Possessio* = both the right of possession, and, as here, actual possession. The stories respecting the god Terminus show the feeling of the ancient Romans with regard to the certainty and sacredness of landmarks. A remarkable passage is found in one of the agrimensores: *qui contigerit moreritique possessioem, promovendo suam, alterius minuendo, ob hoc scullus damnabitur a die.* *Si servi faciant, dominio mutabuntur in dextris; sed si conscientia dominica fiet, celerius domus extirpabit genusque ejus omnis interiet,* &c.—*Calumnia litium.* Unjust law-suits; the twisting or perversion of right in litigation. *Calumnia* = trick, artifice, chicanery, and is opposed to veritas, fides, aequitas.

21. *Vindiciis ac sacramentis.* The orator makes use here of technical expressions belonging to the Roman process, to bring out strongly the contrast between the judicial prosecution of unjust claims to others' possessions, and the open violence with which Clodius seized
possession of others' property. Vindicææ is the mock contest of the two parties, (therefore the plural as inducia,) who, appearing before the prætor to make good their claim, exhibit force in asserting it, (vim dicere, δικνυναι.) They both take hold of the thing in controversy, (or a piece of it to represent the whole,) lay the festuca (vindicta) on it and maintain: Hanc rem ex jure Quiritium mean esse aio. The vindicææ form only the introduction to the process. Also by the following ac (injustis) sacramentis, the beginning of a suit is indicated, inasmuch as the parties deposited a pledge or gage, to be forfeited by the loser; the gainer of the cause receiving his back. This pledge went to the state, and was especially applied to the sacra publica; hence the name sacramentum. Varr. l. l. 5, 150. Here the special parts in the commencement of a suit are taken for the whole suit.

23. Etruscos. Ch. 9, 26.—Hunc P. Varium. Ch. 9, fin.


27. Janiculo et Alpibus, i.e. the entire of upper Italy, from Rome to Gaul.—Terminabat. Klotz: terminarát.

28. Equite Romano splendido. Equites Romani are the knights, qui publico equo stipendia faciunt or qui eique publicum habent, Liv. 39, 9: 24, 18, in distinction from those qui eique privato stipendia faciunt. Only the former have the distinctions and the splendor which belong to the rank of knight; and only they, at least to the time of the Gracchi, have the name Equites.


31. Arma. Recte Garat. monet arma per vim edificanti fuisset necessaria, et quæque commemorationem solam facere potuisse, ut vim armatam intelligeremus. Some understand by arma tools.—Dominoque ... inspectante. This was an aggravating circumstance.

32. Edificio exstruere in alieno. For the expression, compare Liv. 39, 55. It was a principle of the Roman law: accessio cedit principali (sc. rei) and with a more special application: superficies solo cedit, and omne quod inedificatur solo cedit. Inst. 2, 1, 29. Later constructions of the rule which is very old are: If one built on another's ground with his own materials, knowing it to be another's, (mala fide,) he forfeited the building. Inst. 2, 1, 30. D. 41, 1, 7, 12. In the older law this was surely the rule without exception and without limitation. If the builder supposed the land his in good faith, he could claim to be indemnified. Clodius came under the former case, but he did not fear the legal consequences, therefore he built even in sight of the owner of the island, for his principle was, "might makes right," and he showed by his proceedings, that he hoped to acquire by force the island, which the owner would not sell to him.

33. Huic T. Furfanio. One of the judges; a friend and correspondent of Cicero. Fam. 6, 8.
36. Sed ausus est. On sed, see note on p. 29, line 3. Klotz and Süpfle with MSS. give sed ausum esse, &c. The former considers the infinitive as chosen by Cicero to express, in a lively manner, surprise and displeasure, with which force it often occurs with the enclitic ne. Süpfle takes it as an anacoluthon occasioned by the long parenthesis.

37. Mortuum .... se illaturum, ut Furfanius caedis auctor videtur.

38. Qua invidia. By the odium consequent on which this honorable man should be overwhelmed.


40. Absentem .... dejectit. Dejecere is the technical expression for a forcible or violent ejectment of a person from his possessions. Before Cicero’s time detrudere was common. If one’s house or ground were entered and taken possession of by force during his absence, he was regarded as dejectus, and as such could use the interdictum de vi.

41. Sororis. This was probably the second of Clodius’s three sisters, the wife of Q. Metellus Celer, since the dwellings of P. Clodius and Q. Metellus on the Palatine, were contiguous. She became infamous for her debaucheries, and was often called by the nickname Quadrantaria. The vestibulum was not a part of the house, but, as explained by Gellius, the place, per quem a via aditus accessusque ad ades est.

Ch. XXVIII.—44. Quamquam, &c. The preceding chapter contained a review of Clodius’s past enormities, forming a sort of descending series from the profanation of the rites of the Bona Dea to the building a partition across his sister’s courtyard. In this is sketched his intended crimes, and the praise due to Milo for cutting short his mad career inferred.—Tolerabilia. In comparison of the evils which he was likely to inflict on the state.

1. Etsi, &c. Eisi non debebant tolerabilia videri, quia .... irruebat; sed .... usu jam obduruerat civitatis patientia.

2. Propinquos = vicinos, neighbors.


6. Imperium illae si nactus esset. How Clodius hoped to gain the imperium, appears from ch. 9, 24. The apodosis of this period begins with a liberis, &c.

7. Tetrarchas. This name was now a mere title for petty subordinate princes.

9. Pecunias. Pecunia sometimes has a wide sense, covering all one’s property or possessions. In the old legal language it is often
found in connection with *familia*, which then embraces the persons in the potestas of the pater familias, especially the slaves, and *pecunia* includes the rest, particularly lifeless property. This signification suits our passage.

**11. Patent, .... nota sunt .... tenentur?** Res manifestas continet verbum *patent*, conscientiam omnium et testimonium ea significant, *qua* *nota* sunt omnibus, convicta sunt probationibus, *qua* *tenentur.* Klotz omits *hoc* after *fingi.*

**12. Servorum exercitus.** With reference to the rule, by which slaves were excluded from military service. See *Deiot.* 8, 24. The *servi publici* were used as rowers in the marine. The *jus militiae* was a right inherent in the *civitas*. It was a Roman proverb: *Quot servi, tot hostes.* Cicero often speaks of Clodius's being surrounded with a band of slaves, ch. 14, 36.

**18. Cervicibus. Z. 94.—Per me ut unum.** Some read *per me unum ut.* See Z. 356.

**19. Pudor, Pudicitia.** See note on p. 92, line 15. *Pudor,* aiddōs, ejus est, qui male facere reformidat, non ejus, quem male factorum pudet; ejus pars est *pudicitia.*


**27. Summorum imperatorum.** Marius, Sulla.

**29. Mandate hoc memorica.** He foretells that they will attribute every future blessing to the removal of Clodius, and he bids them note that he now said so. Matthiae notices that the legitimate order is abandoned, which would be the following: *Mandate hoc memorica, etsi sperem multa vos ... esse visuros, tamen in iis singulis vos existimatus.*

**34. Hoc ipso summo viro.** Pompey, who, appointed to be sole consul, had passed some salutary laws against bribery and corruption, and attempted to reform the state.

**35. Legibus et judicibus constitutis.** Klotz: *legibus et institutis constitutis;* and below, line 39, *domino* for *hominem.* The variation appears to be in each instance a typographical error, as no authority is given.

**38. Ea, quae tenetis, privata.** See ch. 27, 74.—Dominante. § 78, *imperium ille si nactus esset.*

Ch. XXIX.—**41. Non timeo, &c.** Having now detailed all the enormities of Milo, Cicero apprehensive that the feelings of the judge did not accompany him in his exaggerations, resolves to give them a palpable proof of their abhorrence of Clodius. This he does by supposing him recalled to life; the bare thought astounded them. Nay, he adds, Pompey would not recall him. Therefore Clodius was a ty-
rant, and his murder meritorious.—Odio... inimicitarum, i.e. odio ex inimicitii orto.

42. Libeutius... quam verius. Z. 690. Fatetur Cicero se libenter in Clodium invehit, sed ita, ut omnes intellegant, nihil se odii causa confingere, nihil amplificare.

43. Etsi praecipuum, sc. odium meum; being banished by Clodius, my brother nearly killed, my family persecuted, my property confiscated, my house burned, &c. Communi opponitur proprium et praecipuum, quod, qui nunc latine scribunt, peculiare dicunt. Hinc proprius jungitur cum meas, tuus, suus. Klotz: Etenim si, &c.

44. Pæne aequaliter versaretur. Was almost on an equality with; i.e. did not much exceed.

3. Quid sic attendite. As the magnitude of Clodius's guilt admitted neither of expression nor conception, he thought the judges might best approximate to the idea of it, by supposing his recall to life.

6. Cernimus. Cernere, related to σπέω, properly denotes to distinguish, then to know; videre, also connected with the root of dividere, properly signifies to divide and see, but soon took the general notion of seeing or perceiving by the organs of sight, while cernere holding more firmly to its original signification, is elsewhere, as here, contrasted with videre. Cf. Tusc. 1, 20, 46: Nos enim ne nunc quidem oculis cernimus ea, quae videmus. Some read cernamus. Klotz omits igitur after fingite.

7. Conditionis meæ, quam vobis propono verbis si, &c. Sed ea conditione proposita abrumpitur oratio verbis quid vultu extinuvisitis? ita ut absorpta sit apodosis. Form, I say, in your own minds, a distinct image of the proposition which I make to you: suppose I could bring you to acquit Milo, but on the condition that Clodius should be brought to life.—Cicero artfully connects the acquittal of Milo with the reanimation of Clodius; as well to keep the former ever before the minds of the judges, as to reconcile them to it the more, when they should perceive it to be relieved from such a fearful condition.


10 Quid! si Ipse Cn. Pompeius. Nay, Pompey, the best and bravest man alive, would not, if he could, recall Clodius to life. Therefore his death must have been a public benefit. For percussit, Klotz gives the stronger but unusual peculisit.


12. Aut quaestionem... aut ipsum. So with the best MSS. Klotz and others. Garat. defends the common reading, ut quaest... sic ipsum.

14. Utrum = utram rem, which of the two, sc. quaestionem ferre
or ab inferis excitare.—Propter amicitiam. Pompey having become reconciled to Clodius a short time before his death, ch. 8.


17. Cujus vitam si putetis... nolitis. Z. 524 Note, in fin. Significat ficii adhuc posse, ut putent; ut, ut reviviscat, non potest.

18. Qui si, &c. = de quo, si. See Z. 804.

19. Hujus ergo Interfecto si esset. Matthia defends the common reading qui esset, for which, from the best MSS. Garatoni, Orelii, Klotz, &c., give si esset.

21. Graeci homines. A Grecism: compare the Homeric πόλις, Μερώτων ἄνδρῶν, and ἀνέφες Κίλικες, Θ'αθῆναις, &c. The contrast is in Vos tant i conservaretur populi.—His viris, e. g. Aratus, Timoleon, Pelopidas, and Brasidas, in other cities; in Athens, Harmodius and Aristogiton. Pliny, N. H. 34, 4, says the Athenians first erected statues of Harmodius and Aristogiton the same year in which the kings were expelled from Rome. Slaves were not allowed to be called by their names.


24. Quos canto! Quae carmina! For fragments of these songs, which were sung at festivals and entertainments, see C. Dav. Ilgen Σκόλια hoc est carmina convivalia Graecorum, p. 58 sqq.

25. Consecratur, quae inter deos referuntur et cultu divino afficiuntur. Ad religionem, ita ut religiose colantur et memoria hominum vigeant. Immortalitatis autem religio est, qualis immortalitati sive naturis immortalibus, i. e. diis debetur.

Ch. XXX.—31. Etenim, si id, sc. that he slew Clodius in self-defence. An a fortiori argument.

33. Nisi vero. "Unless truly," &c., which is absurd. Z. 526

34. Sui se capitis quam vestri, &c. Klotz, Steinmetz, and others retain ordinis after vestri.—Quum præsertim, refertur ad sententiam non verbis expressam, sed in eorum, quae præcedunt, conformatio latente. Quum enim formula nisi vero usurpetur, ubi absurdi quid commemoratur in verbis nisi vero—fuisse, hæc inest sententia: gratissimum vobis putat esse, se vestri capitis defensorem fuisse, iisque libenter prædicaret, quum præsertim, &c. See note on page 90, line 25.

35. In ea confessione, dum ea conferetur. Poterat etiam &
cere ea confessione sine in, ut id indicaret, quo efficeretur, ut honores assequeretur amplissimos. See note on p. 25, line 5.

36. Si factum. That Milo slew Clodius, not in self-defence, but in your defence. He reasons on this supposition all through to niteretur below

38. Sed tamen si. See note on p. 29, line 3. Quamquam nemo esso potest cui salus sua non probetur, si tamen, &c.—Minus ... grata caecidisset. Had proved displeasing.

39. Cederet ex. Ch. 25 fin. without the preposition.

41. Propter quem. See note on page 123, line 10. Z. 452.—Quamquam, is corrective. He had supposed (what was hardly possible) that had he slain Clodius in its defence, his country would not thank him for so doing; he would therefore abandon so ungrateful a country—yes, ungrateful, to make the author of their joy the only one sorrowful, and yet (quamquam, &c.) this is what we patriots all expect, danger and odium; without which where in fact would be our merit? Wherefore if Annius had slain a tyrant, he would have frankly confessed it; rejoiced, if his country approved; if not, rejoiced at the consciousness of having done his duty. Sed—But unhappily for his fame, he did not. The fortune of Rome and the gods claim all the merit. They had long borne with his enormities, to which Milo, ch. 32, was the only impediment. They therefore inspired him with the idea of attacking Milo in the very place where he had most outraged the laws. Ch. 33. He did so and fell. And this leads to the peroration.

1. Quae mihi ipsi tribuenda laus esset, ... si ... arbitrarer, nam nulla mihi tribuenda laus erat, si arbitrabar. Nos diceremus: tribuenda fuisset, si arbitratus esset. Z. 525.—Tantum. The suppression of Catiline’s conspiracy.

4. Quae mulier, &c. Klotz: Quae mulier interficere sceleratum ... civen: non auderet?

11. Alahal ... Nasica ... Opimius ... Marius. See notes on p. 9, lines 20 and 24; p. 10, lines 3 and 9.

13. Conscientia sua niteretur. Z. 452.

14. Sed. But so far from Milo having any claim, the fortune, &c. Cicero, by making the death of Clodius a matter of religious concern, in which the gods participated, renders Milo no trifling service towards gaining the favor of the people. Compare a similar passage, 3 in Cat. 9.

16. Nullam vim esse ductit numenve divinum, &c. This beautiful passage is one, from which, with others scattered through his writings, we learn Cicero’s views respecting the existence of a deity, and the grounds of his belief. Cf. de Nat. Deor. 1, 9; Tusc. 1, 13. For the positions of the adjective when common to two substantives, see P. C. p. 236, 18.
NOTES.

Cic. XXXI.—23. Est, est profecto illa vis. Cf. 27, 72. Occidit, occidi, &c.—Neque ... inest ... et non inest. See the thought more fully exhibited, de Legg. 2, 7, 16. The name of the logical form of this sentence is conjunctionum negantia or negatio. Cic. Top 14, 57. Cf. de Fato, 8. It is a form of the argument a minori ad majus. Compare note on p. 9, line 19. The meaning is: Nor is there in these mortal frames an active, thinking principle, without its being in like manner in the system of nature, i.e. if it be in the former, a fortiori it is in the latter. Proprie dicendum erat: quum in his corporibus—insit quiddam, quod vigeat et sentiat, multo magis hoc inest, &c. But the Greek and Latin writers often place two sentences in juxtaposition as co-ordinate, although the relation between them is causal: as, instead of the above, in his corporibus inest quiddam, quod vigeat et sentiat, et hoc idem inest in naturæ motu, for which, however, a double negation is substituted, so that the first neque extends to the whole proposition, but especially applies to the second member. Although the Stoics particularly delighted in this form, the orators also used it in climaxes. Compare ad Herenn. 4, 25, 34, and the passage from Demostenes in note on p. 123, line 44. See note on p. 47, line 11.


30. Ea vis igitur ipsa, i.e. ea inquam ipsa. See note on p. 46, line 12. Is is correct, when the speaker returns to a person or thing before named.

32. Cui primum, &c. Cf. ch. 33, init. and § 89. The deity infatuated Clodius, to lead him to his ruin. This reminds us of ärn.—Mentem inject, ut ... auderet vinceturque, i.e. mentem inject ut ... auderet; quo factum est, ut vincetur.

35. Sempiternam, i.e. all his life.

37. Religiones ipsæ, sc. ædes, ara, caerimoniae, or rather, the gods which belong to them, and which alone can be said to "bestir themselves."

38. Commovisse sc. This expression points to the well-known prodigy of Mars and Juno shaking their spears. Liv. 21, 62; 40, 19; 24, 10. Gell. N. A. 4, 6. Cicero skillfully avails himself of the superstitions of the people, to work upon their minds.—In illo, sc. punendo, i.e. dum illum puniebant. See note on p. 88, line 37.

39. Retuuisse. Maintained, asserted. They seemed heretofore to have waived it.—Vos enim jam. Z. 824. This apostrophe to the sanctuaries of Alba is specially commended by Quinctilian, 9, 2, 38; 11, 1, 34; 12, 10, 62. The Alban mount was in sight from Aricia near Bovillæ.—Albani tumuli atque luci. Clodius had a villa
in the Alban land; and it would appear that in the building of it he had destroyed some old groves and altars attached to Mons Albanus, where the Latinae feriae were celebrated. Mons Albanus was covered with trees; but we may suppose that every little hillock and grove was the site of an altar for these occasions.

41. Sacrorum populi Romani sociae et aequales. Liv. 1, 7, says of Romulus: Sacra diis aliis Albano ritu, Graeco Her culi ut ab Evandro instituta erant, facit. The worship of Vesta particularly was derived from Alba. After the destruction of Alba, the joint worship continued, whence Cicero, making use of an expression of public law, calls the Alban altars populi Romani sociae et aequales. As in a surrender the conquered people were obliged to make over to the Romans divina humanaque omnia, so the gods and sanctuaries were included in the league. The common worship of Juno Sospita in Lavnium and Rome is well known. Liv. 8, 14, and above, ch. 10, 27. The temples and altars of Alba had not been destroyed in the destruction of the city; Clodius destroyed them.

43. Substructioonum insanis molibus. See ch. 20, 53.

44. [Arœ.] This word, if correct, is the vocative, like obrutæ ære, above. Madvig now rejects it entirely. Klotz retains it without the brackets.

1. Tuque .... Latiaris sancte Juppiter. The form Latiaris, not Latialis, is confirmed by Priscian, though MSS. confound them. In the sacred grove, on the lofty Alban mount, sacrifice was performed to Juppiter Latarius, the guardian god of the old Latin league, and afterwards also the highest national god of Latium.

2. Lacus. The beautiful Alban lake lay at the foot of the mountain on the west—an oval sheet of water about six or seven miles in circumference. The plural is not merely oratorical, as other writers also have Albani lacus.

5. Solutæ sunt. Cicero skilfully makes the death of Clodius a propitiatory sacrifice. His crimes against the gods had long before brought down upon him the sentence Sacer esto, which it was every one's duty to execute.

6. Nisi forte. Cicero thought it absurd to deny a providential interference, in the fact of his death happening in the very presence of the goddess whose rites he had profaned.

7. Sacrarium Bonæ Deæ. The rencontre was near this chapel.

10. Acciperet. Steinmetz, Klotz, and Süpfle acceperit. In perfecto simplex ineest facti notio: in imperfecto etiam necessitatis et consili divini, quasi dixisset; ut eum oporteret vulnus acciper, ita volente numine Bonæ Deæ. Unless we wish to maintain that it was mere chance, that he must receive that wound. See Z. 514.

11. Judicio illo nefario. Wherein he was tried for the violation of the mysteries. Ch. 5, 13. Cicero here, as often in his letters,
characterizes the trial, in which Clodius was acquitted, as infamous. *Ad Att.* 1, 16, 18.

Ch. XXXII.—13. Nec vero, &c. Z. 808.

14. Inject amemiam. So § 84.—*Sine imaginibus.* The imaginés were wax masks, made to resemble the deceased ancestors, and colored. (*Juven.* Sat. 8, 2, *pictos vultus majorum.*) In the atrium figures, dressed in the costumes of the deceased, wore these masks; in triumphal and funeral processions men carried them before their faces, and thus the ancestors accompanied their descendant on his greatest and last day of honors, when he went to join them. It was also customary to have these figures, as they stood in the atrium, borne before the procession.—*Sine cantu,* tibicinium, siticinium cornicinumque.

15. Ludis scurrarum, histrionum gladiatorumque, qui in funeribus indictis edi solebant.


17. Ambureretur abjectus. See ch. 13, and ch. 33, 90.

18. Clarissimorum virorum formas, i.e. imaginés, quae propri vacantur. Clodius's father, uncle, grandfather, great-grandfather, and the grandfathers of his great-grandfather were consuls.


22. Dura... videbatur, i.e. I did think the goddess of Roman fortune cruel in bearing so long with Clodius; but I now confess my error: she knew better the time and agent for punishing him.

24. Polluerat, &c. He now enumerates the enormities of Clodius, most of which are touched on before. Of course the pollution of the mysteries of the Bona Dea stands first. See ch. 5, 13.

25. Senatus... decreta. See ch. 5, 13. Cf. 33, 90 fin. They had ineffectually voted ejus supplicio sollemnès religiones expíanūs. *Ad Att.* 1, 13, and 14.—*Pecunia se... redemerat.* Alluding to the trial for sacrilege. See ad *Att.* 1, 16. To this fact the fragment refers, from the oration de aere alieno Milonis; iterum a piratis redemptum. *Quo enim nomine appellam eos, qui te pretio accepto liberaverunt? On which the Schol. Bob.: Significat judices eos, qui accepta pecunia reum deincesto absolverant Clodium. Compare note on p. 110, line 31.

26. Vexarat... senatum. By procuring the proscription of Cicero, and inducing the consuls to forbid their mourning for him. See *Sest.* 7 sqq.

28. Gestæ. Cicero's acts against the Catilinarian conspirators,
which he, by vote of the senate and with the concurrence of all the orders, had as consul carried into execution.—

_Me patria expulerat._

Ch. 14, 36.—_Bona diripuerat._  

_Sest._ 24, 54. The _aqua et ignis interdictio_, as also voluntary exile to escape a sentence or a capital punishment, was attended by the confiscation of the property of the proscribed or exiled, which was sold by the questor as a whole in the name of the state to the highest bidder. The purchaser took it with the indebtedness upon it, so that if the debts were great, but a small sum came into the treasury.—_Domum . . . vexarat._  

_Sest._ 69, 145: _versa domus est, fortuna vexata, dissipati liberi, vaptata conjux, &c._ See Introduction, p. 375.


30. _Magistratum . . . cædes effecserat._ The slaves of Clodius attacked the tribunes Sestius, Fabricius, and Cispius, and much bloodshed was caused; but they escaped. See _Sest._ chaps. 35 and 36.

31. _Domum . . . fratris incenderat._ Not at the same time with Cicero’s Palatine house, but in the following year, _a. u. c._ 697. See _ad Att._ 4, 3, 2. Introduction, p. 376.

32. _Vastarat Etruriam._ See ch. 9, 26; 21, 55; 27, 74.

34. _Incidebantur, &c._ This being due only to laws actually ratified, was a proof of the insolence of Clodius. His laws were engraved on brass before he served on the magistracy in which he was to bring them forward!

35. _Quæ nos servis nostris addicerebant._ See note on p. 116, line 6. From the time of the well-known censor Appius Claudius, _a. u. c._ 442, frequent attempts were made to give to the libertini the right of voting in all the tribes, and this was a principal means in the hands of the _populares_ of gaining favor and followers from among this class. See note on p. 113, line 42. Counter attempts were as frequently made to confine the voting of the libertini again to the four city tribes. When thus confined, they, though very numerous, could exercise no decisive control over the elections; but if permitted, as was the design of Clodius’s law, to vote in all the tribes, they would have the control; and the language of Cicero is not perhaps very extravagant. Cicero here calls the libertini _servi_, in the same spirit in which he calls, _p. Rosc._ _Am._ 48, 140, Chrysogonus a _servus nequissimus_. So he often designates the Clod‘an mob as _servorum manus_, or the like. Compare _Tac._ _Germ._ 25, where he says of the Germans: _liberti non multum supra servos sunt._

36. _Hoc anno._ The year of his praetorship.

38. _Illum ipsum._ Pompey, to whom he had become reconciled. See ch. 8, 21. _Klotz: obstare poterat._

39. _Caesaris potentiam._ Caesar was now pursuing his victories in Gaul, leaving Pompey to conduct the home department. _Crassus_
the preceding year had lost his life in Parthia. Klotz: Cæsaris potentiæ suam potentiam esse.

10. In meo casu. See ch. 14, 36.

Ch. XXXIII.—42. Hic. See note on p. 57, line 26.—Ut supra dixi. Ch. 31, 84.

43. Huc. Milo.

132. 1. Senatus...circumscriptus. Would have restrained him in the exercise of his power. Magistrates were dependent upon the senate as the supreme administrative authority, and therefore the senate could check them if they overstepped their province, and misused their office, the fulfilment of the duties of which must be sworn to both on assuming it and on laying it down. Circumscribere in this sense (see just below in praetore coercendo) is found also ad Att. 7, 9, 2: trib. pl. Sæculo circumscriptus. Phil. 2, 22, 53: circumscriptus a senatu esset Antonius. Ibid. 13, 9, 19.—Credo. With an ironical force, as frequently.

2. Id facere, sc. magistratus circumscribere. For Sulla had increased the authority of the senate by abolishing the tribunes' veto, which Pompey afterwards restored.

3. Profecerat. Clodius baffled the senate in the trial for incest. Ch. 5, 13, and ch. 32, 87: senatus gravissima decreta perfregerat. The argument is one a fortiori: Not even when it used to do this, sc. coerce, had it effected any thing in the case of this same Clodius as a private citizen.—An consules, &c. See ch. 9, 25: mancam ac debilem praetumam, &c., and ch. 13, 34: consul...constringere. According to the principle: Par majorve potestas plus valeto, de Legg. 3, 4, a consul could keep a praetor within bounds. Val. Max. 7, 7, 6, gives an instance of appeal to the consul against a praetor. Liv. 5, 9, fin.

5. Suos consules, sibi faventes, et addictos. Hyphæus and Scipio, his nominees.

6. Virtutem consularum, in consulatu præstitam a Cicerone: nam propter res in consulatu fortiter, i.e. cum virtute gestas Clodius vexavit Ciceronem vel res ejus gestas ut est pro Sest. 5 in. Virtus autem vexari similis modo dicitur, ut supra 32, 86, mors lacerari.

7. Oppressisset...teneret. See ch. 28.

8. Lege nova. See chaps. 33, 87, and 12, 33: Exhíbe librarium illud legum vestram. Clodius wished to effect a second emancipation of the libertini, so that they should be in a measure his liberti, and he the patronus of them all.

10. Nisi...impulissent. For which, ch. 33 init. mentem dare.

11. Effeminatus. See ch. 21, 55.

12. Nullam haberetis. De Orat. 1, 9, 38: (pater Gracchorum) libertinos in urbanas tribus transtulit; quod nisi fecisset,
rem publicam, quam vix nunc tsemus, jamdiu nullam habemus.


16. Satellitibus. Properly the body-guard of a king; but used by the Romans, who hated every thing regal, to signify "bravoes, accomplices, aiders, and abettors in crime."—[Sex. Clodio.] Klotz and others without the brackets.

18. Templum, curiam, locum inauguratum; sanctitatis, i. e. where sanctity, or inviolable honor, holds its seat; and amplitudinis, majesty; mentis, wisdom.

19. Consiliœ publicœ. See note on p. 11, line 30.—Urbi, not orbis, which in Cicero is not used without the addition of terræ or terrarum.—Portum omnium gentium. De Off. 2, 8, 26: Regum, popularum, nationum portus erat et refugium senatus. Ovid, Heroid. 1, 110: Tu citius venias, portus et ara tuis. Id. Pont. 2, 8, 68: Vos eritis nostræ portus et ara fuga. Aram sic usurpavit etiam Trist. 4, 5, 2.

21. Funestari, cadavere illato. For a place was considered to be polluted by a dead body.—A multitudine. The mob generally act under the excitement of the moment; but Sex. Clodius acted by premeditation, which was worse.

23. Ustor. Ustor opponitur—signifero, ut munus muneri, munusque funebre, humile ac sordidum militari muneri splendido et lauto. Argumentatur igitur a minori ad majus: si utor tantum potuit, quantum signifero ausus esset?

25. Everterat. Ch. 5, 13, and 32, 86 fin. 87.—Et sunt. Particula et, hic sapius cum quadam indignatione proferuntur. See note on p. 58, line 21; p. 57, line 26; and p. 99, line 25.


27. Ab eo. From or against him.


30. Furias pro furore nominat, tanquam daemones malesficos diabópat.—Insipulti? See ch. 13, 33; 32, 86. He uses insipultus instead of mortuis, in reference to the popular superstition that the souls of the unburied could find no repose, but wandered over the earth troubling the living.—Nisi vero. Ironical.

31. Falcibus. Non falces hæ messoriæ fuerunt, sed quæ in armis numerabantur, quum militariibus, tum etiam gladiatoriis. Ernesti supposes the object was to break into the temple of Caster, to secure arms which had been deposited there. Pison. 5, 11; 10, 23: Sest. 15: p. domo 21. Garatoni thinks it more probable the motive was
money, which Grævius, ad Quinct. 4, shows was customarily deposited there.—Ad Castoris. Z. 762.


33. Disturbari. Driven here and there, dispersed.

34. M. Cælius. When the fate of Clodius was known at Rome, the tribune Cælius, a friend of Milo, collected his adherents, and began to explain the outrages that led to Clodius’s death. He was interrupted by the tribunes Plancus and Q. Pompey, who, with an armed mob, dispersed the meeting, and slew numbers. Cælius and Milo escaped in the dress of slaves.

35. Firmissimus, &c. He even opposed the arrangement of Cn Pompey regarding this trial; till Pompey threatened to put down his opposition by force. Compare Brut. 79, 273.

37. Fortuna singulari. Why may not singulari be joined with sile? Z. 783.

Cu. XXXIV.—38. De causa; wherein he proved Clodius the aggressor: ch. 12.—Extra causam; wherein he proved that Milo’s act was praiseworthy, even supposing it intentional, ch. 27. The verbum dicendi is to be supplied, which is often omitted. The epilogus or peroration now follows. Quinctil. 4, 1, 28: In ingressu parcius et modestius prætentanda sit judicis misericordia, in epilogu vero licet totos effundere affectus, et factam orationem induere personis, et defunctos excitare, &c. Cicero’s skill in conclusions is pre-eminent: he was acknowledged by his contemporaries to be a master in them, and when several orators appeared in one case, the closing argument was readily yielded to him, even by Hortensius. Brut. 51; Orat. 37; Balb. 7; Sest. 2; Muren. 23. Laterensis, the accuser of Cn. Plancius, charged him with having proposed a severe law against ambitus, that he might have an opportunity to deliver touching perorations. Planc. 34, 63. Schol. Bob. ad orat. pro Flacco, 41 (p. 246, Orelli): secutus videlicet suam consuetudinem et artis oratoriae disciplinam, ut lacrimosis affectibus prope sententiam judices impleantur. Cicero is called by Quinctil. 11, 1, 85, summus tractandorum animorum artifex; and the closing chapters of this oration give a complete illustration of his skill and power.

40. Misericordiam . . . quam ipse non implorat. Milo rejected with disdain the usual means of awakening the compassion of the judges; the tears, the suppliant gesture, and mourning garb. This, besides the defence, Cicero must alone undertake. Quinctil. 6, 5, 10, praises the orator, quod Miloni preces non dederit, et in earum locum ipse successerit. Cf. Id. 6, 1, 24, and 11, 1, 40. Plut. Cic. 35, says: Milo with his unmoved resignation, which Cicero here represents as magnanimity, formed a marked contrast to the alarmed and panic-stricken Cicero.
12. Nolite... parcere. Z. 586.—In nostro omnium. See note on p. 11, line 30.


Klotz: multo sit etiam, &c.

2. Etenim si in gladiatoriis pugnis. Senec. de tranq. vita, 11: Gladiatores, ait Cicero, invisos habemus, si omni modo vitam impetrare cupiunt; facemus, si contentum ejus pra se ferunt. Tusc. 2, 17, 41: Quis mediocreis gladiatori ingemuit? quis vul
tum mutavit unquam? quis non modo stetit, verum etiam decu
buit turpiter? quis quum decubuisset ferrum recipere jussus, v
ultum contraxit? The gladiators were men of the lowest class, (in
fimi generis homines,) many of them the very dregs of society: their
combats were viewed in the light of bull-fights, or other combats of
beasts. Ch. 2, the gladiators of Milo are called servi. Subsequently,
the nobles of Rome did not disdain to become gladiators, and exhibit
on the stage. Juvenal, 8, 200.

10: Servos quorum jus et fortuna conditio infima est. Klotz omits
the in before infimi.

5. Odisse, i. e. to demand their death from the magistrates. This
was done by a well-known signal.

6. Servare, sc. pollices premendo.—Eorumque nos... miseret.
Z. 441.

12. Sint incolumes... florentes... beati. Notice the gra
dation in which one word succeeds the other, while the preceding is
explained by the one which follows.

13. Mihiique patria carissima. So § 94, and ch. 37, 102. Milo,
though born in Lanuvium, calls Rome his country. Cf. 1 in Cat. 11,
27: de Legg. 2, 2, 5.

14. Tranquilla. Clodius, the prime mover of every disturbance,
being removed.

15. Per me. Klotz: propter me.

Milo did not go into exile till all was lost; he had no such resignation
as Cicero here gives him credit for.—Si... licuerit. Z. 510.


18. Moratam. (From mos) possessed of good institutions and
morals; where the turbulence of a Clodius is unknown. The follow-
ing apostrophe, O frustra, &c., is noticed by Quinctilian, 6, 1, 27, as
an instance of the propriety of putting suitable exclamations in the
months of the accused, even when prayers are not allowed.

spes fallaces et cogitationes, &c.

20. Ego, quam... me senatui dedisse... putarem.
Non putassem; nam putabat sibi honorum oræsidium non defuturum,
Notes.

et sibi futurum in patria locum. Dare se aliqui = ad aliquem se applicare, ei gratum esse laborare omni obsequii officiique genere. Sic etiam tradere se aliqui. Sest. 62, 130. Garat. proposed dedidisset. See ch. 2, 4, and 33, 91.—Re publica oppressa. By Clodius and his party, for Milo was tribune a. u. c. 697, the year after Clodius's tribunate. See Introduction, p. 375.


28. Equites Romani illi, illi . . . . tut? Cicero's equestrian extraction is not so much alluded to here, as the friendship of the knights, which he had gained, as well by his general attention to their interests as his exertions in effecting the celebrated junction between the and the senate. Plin. N. H. 33, 2, 8: Marcus Cicero . . . stabilivit equestre nomen in consulatu suo, Catilinariis rebus, ex eo se ordine prefectum esse celebrans, ejusque vires peculiari popularitate quaerens. Ab illo tempore plane hoc tertium corpus in re publica factum est cespitque adjici senatui populoque Romano et equester ordo. Cic. Phil. 6, 5, 13: Quem unquam iste ordo (equitibus Romanis precedes) patronum adoptavit? Si quemquam, debuit me.—Studia municipiorum. So ardent in the cause of your recall from exile. See ch. 15, and Pison. 15.

29. Italæ voces. Ch. 15, 39. The acclamations and congratulations with which he was accompanied on his route through Italy to Rome.

Ch. XXXV.—32. Nec vero haec. Wishing to praise the kindness of "the good" to Milo, Cicero here begins by representing the firmness and resignation which he exhibited as resulting from their feelings towards him.—Flens. See ch. 34, 92, and 38, 105.

33. Quo videtis, sc. eum loqui.

34. Negat, Ingratis civibus, &c. Dicit, sc. Milo, cives suos non haberi a se ingratos erga se, sed tantum nimis timidos mimisque cautos.

36. Quæ . . . . imminebat. The sentiment of Cicero, else we should expect immineret.

37. Eam . . . . se fecisse commemorat ut . . . . flecteret. The pronoun eam recall: with emphasis the noun to which it refers. Plebem . . . . se fecisse. ut . . . . flecteret. See note on p. 56, line 15. Cf. § 63: illud . . . . fecisset, ut, &c. On the periphrasis of facere ut, see Z. 619. The sentence may be construed: Commemorat se fecisse, ut n. m. v. flecteret, sed etiam, quo t. e. v. v., deleniret multitudinem eam, &c.

38. Tribus suis patrimoniiis, sc. those of his father, Papius; of his maternal grandfather, C. Annius, by whom he had been adopted; and of his mother. Cicero complains of Milo's extravagance, ad Q. frat. 3, 9. He involved himself greatly in debt, besides wasting his patrimonies, which he squandered in exhibiting gladiatorial and theatrical shows to the people, and distributing money among them.

43. Occursationes. Occursatio imports running to meet one out of respect; respectful greetings.

44. Secum se ablaturum, sc. in memory: memoria conservaturum ubicumque vixerit. Klotz: secum ablaturum, without se.—Meminit .... defuisses. Z. 589.

1. Vocem sibi praconsis. By whom the person was declared duly elected. The elections had been repeatedly broken up by the disturbances of the Clodians.

3. Declaratum. Ch. 9, 25. Cicero represents, that Milo nad already been chosen by the single centuries before the interruption of the election, only the praeco had not declared the combined result, owing to the disturbances. The praeco announced the single suffragia and at the close of the voting proclaimed the result of the choice.—Si hae. Klotz: si haec arma contra, &c. By haec Orelli understands omnia in rem publicam merita, quae supra enumeraverat.


5. Addit haec. Compare Cicero's remarks on famo and honor, ad Fam. 15, 4, 13; p. Arch. 11.


8. Si quidem nihil sit praestabilius. Klotz omits sit, making si quidem as si quando, si forte (see § 104), si adeo, take the place of an entire clause.

10. Honori fuerit a suis civibus. Z. 305.—Nec tamen eos miseross, in reference to the preceding beatos esse, quibus.

11. Sed tamen, &c. This stands in reference to the clause fortiss et sapientes, &c.

13. Preremium is thrice repeated with emphasis.


16. Cujus gradibus. Cf. Parad. 1, 2, 11; p. dom. 28; Deiot. 9, 27.

19. Quum .... subjiciaterr. That quum here has the significance of time, is plain from the preceding words hoc tempore ipso; yet the following tamen shows that quum has also a causal or re-
strictive force, like *quamvis*. The subjunctive is therefore correct. Z. 579.


21. *Gratias agendis.* See note on p. 12, line 11.—*Gratulationibus habendis.* *Gratulationes habere* = to present congratulatory addresses to one on account of distinguished success.

22. *Actos,* the already celebrated; *institutos,* appointed and yet to be celebrated. The Etruscans regarded Milo as their benefactor, by whose exertions they had been relieved of their oppressor. See 9, 26; 21, 55; 27, 74. It was usual for a people to institute *feasts* in honor of a benefactor. So the Syracusans instituted the *Marcellea* in honor of M. Claudius Marcellus; and the Asiatics the *Mucia,* in honor of Q. Mucius.—*Centesima ... et ... altera.* The hundred and second. Z. 118. Some contend that *alter* should be translated *first,* as adding only one to *centesima.* The date of the rencontre as given by Cicero, ch. 10, was a. d. XIII. Kal. Feb., or January 18th A. u. c. 702. See note on p. 114, line 15.

There were remaining in January, the 18th included, 12 days.
February had . . . . . . . . . . . . . 28 "
Mercedonius . . . . . . . . . . . . . . . . 22 "
March . . . . . . . . . . . . . . . . . . . . 31 "

93 days.

To make up 102 days, we must add 9 from April, which would make the day of the trial the 9th of April, or a. d. V. Id. April. There is a discrepancy in the dates given by Asconius, who at one time gives a. d. III. Id. April, at another VI. Id. April. Yet according to him, Milo first appeared before the tribunal of Domitius pridie non. April. (April 4th.) Three days were occupied in the taking of testimony. On the fourth day (quarta die) all were set down for the following day, (in diem posterum,) and on the next day (rursus posteri die) the accusation and defence were heard, and the sentence followed. See Ascon. ed. Orell. p. 40, and Brewer, Cicero's Rede für den Milo, p. XXX., whose reckoning is given above.

Ch. XXXVI.—29. *Hæc tu,* sc. the preceding from *Valeant,* § 93. —*His,* sc. judicibus.

30. *Hæc ego,* sc. the following from *Te quidem.*

31. *Quum isto animo es.* *P. C.* 488 (d) (2). Some read *quod.*

33. *Nec vero, si mihi eriperis.* Cicero complains that he has not even the poor consolation left of feeling angry at those who inflict the wound. Therefore they ought not to inflict it; but pardon Milo. —*Tamen,* sc. etsi mihi eriperis.

34. *Ut his irascl possim,* ponitur, *ut post reliquam est.* Z. 621
38. Inuretis. A metaphor borrowed from branding animals with marks by which they might be known. Here a forcible expression for “inflict.”—Etsi quis, &c. Though what (other) pain could be so great as this (sc. depriving me of Milo); but not even this will you inflict on me to the degree that I shall forget, &c. Before ut obli-viscar supply tantum inuretis, i.e. ne hic quidem ipsa dolor tantum erit, &c.

39. Quae si vos cepit oblivio. For cujus rei (sc. quanti me semper feceritis) si vos cepit oblivio. See note on p. 91, line 32.

40. Si in me aliquid offendistis. Offendere in aliquo est animadvertere aliquid, quod molestiam faciat, itaque moleste aliquid ferre in aliquo. This comes from the proper signification of offendere which is impingere in re, quasi incurriere in aliquid, quod displaceat.—Cur non, &c. Why is not that offence atoned for by my life rather than by Milo’s.

42. Si quid .... acciderit. See note on p. 39, line 8.

44. Nullum a me amoris .... officium defuit. Cf. ad Fam. 2, 6, 3: Ego omnia mea studia, omnen operam, curam, industriam, cogitationem, mentem denique omnem in Milonis consulatu fixi et locuti statuque in eo me non officii solum fructum, sed etiam pie-tatis laudem debere quævere, &c. This is confirmed by the following just tribute of praise, which Asconius, who lived not long after this period, and was accurately acquainted with its history, pays to Cicero, in his argument to this oration. After speaking of the attempt to excite odium against Cicero for his zeal in the defence of Milo, and of the threats made use of to compel him to desist, Asconius adds: Tanta tamen constantia ac fides fuit Ciceronis, ut non populi a se alienatione, non Cl. Pompeii suspicionibus, non periculi futuri metu, si dies ad populum diceretur, non armis, quæ palam in Milonem sumpta erant, deterreri potuerit a defensione ejus, quum posset omne periculum suum et offensionem inimicæ multitudinis declinare, redimere autem Cl. Pompeii animum, si paulum ex studio defensionis remisisset.

1. Potentium. Pompey and others.


4. In communionem tuorum temporum contuli, i.e. tecum communicavi, quum tempora tua (i.e. pericula, vid. ad. Manil. 1.) id poscerent, sive tecum partitus sum.

6. Dimicatio capitis. Si Clodiiani, quum te absolutum sense-rint, vim inferre conantur. Diminutio is here out of place.

7. Quid habeo, quod. Klotz: quid habeo? quod faciam, &c. The common text is, Quid habeo, quod dicam, quod faciam, &c.


10. In hujus salute, i.e. dum hujus salutem tuemini: in ejus-dem exitio, i.e. dum ei exitium affertis, pro quo e nostra consuetudine
planius esset, ut aut hujus saluto conservanda, a ut ejusdem exitio de-
cerrando.

11. Vldcatis, h. e. intelligatis, vobisque persuadeatis.

Cf. XXXVII.—12. His lacrimis. See note on p. 136, line 13 —Est .... animi. Klitz and Säpfle take these words as a parenthe-
sis, erasing the period after Milo, and continuing sed exsilium, &c.

13. Exsilium lib esse putat, ideoque patriam esse, ubicunque
virtuti locus sit.

14. Mortem naturae finem esse. Cf. 4 in Cat. 4, 7, and note
on p. 40, line 30. Natura, i. e. existentia, quam vulgo vocant, sive
vivendi.

15. Sed hic. The reading is here various. Madvig has given
that of Codd. Erf. and Bavar., with a little difference of punctuation.
He remarks: Verbum ad superiorem partem assumitur ex altera et
contraria parte sententiae, similiter conformata (eritis). Nec haerere
debemus, quod ex futuro prae sensum sumitur, similiter atque de Legg. 1,
5, 17: quae (res) quandam a multis claris viris (sustinebatur), nunc ab
uno summa auctoritate et scientia sustinetur. Other readings are
Sed hic ex mente natus est and ornatus est. Klitz: Sit hic ex mente,
quo natus est. Quid, &c.

16. Memoriam Milonis. Compare ch. 38, 104, animi monu-
menta.

18. Qui procreavit. See note on p. 133, line 13. Milo was
born in Lanuvium. Exile extended to all Italy.

21. Centuriones, vosque, milites. See ch. 1. The guards
were in hearing of Cicero.

22. Expelle tur, exterminabitur, projicietur? Demosth. in
Aristog. ἱγορίαι, τί ἦοι ἐκ τῆς πάλιν, ἀνελίν. Sed gravius Cicero pro-
jicietur, tanquam res contenta. Est autem hic congregatio verborum
idem fere significantium, de qua Quintil. 9, 3, 45, quo h. l. indicat
animum, quod verbum rei accommodatissimum et gravissimum sit, in
affectu ambientem. Est autem interrogatio detestantis. Compare
note on p. 19, line 5.


26. Rectinere. Which should be easier than revocare.


As being the restorer of their first.

28. Qui nunc abes. Schol. Bob.: Opportunissime fortunam Mi-
lonis per totam domum suam familiamque communicat, ut congregata
per multos miseratio magis commoveat affectus. Frater autem Cice-
ronis Q. Tullius legatione tunc in Gallia apud exercitum Caesaris fun-
gebatur.—Consorti. Consortes frateres are properly those who have
not yet divided a common inheritance; who live in community of pro-
erty. Festus: Sors et patrimonium significat, unde consortes dicimus.
Cic. Verr. 3, 23, 57; tres frateres consortes, Figuratively consors =,
socius. Brut. 1, 2: Socium potius et consortem gloriosi laboris amic. seram.

29. Mene non potuisse. Z. 609.

31. Quae est grata **. Cod. Erf. has gentibus non potuisse his qui, &c. The editions do not generally indicate any marks of various readings in this passage, which is commonly given quae est grata gentibus. A quibus non potuisse? Ab iis, &c. Madvig supposes the text to be corrupt, and that a dative after grata has dropped out. After which he suggests [Quibus judicatibus non potuisse? Osenbrüggen thinks this would be tautological with tueri per cosdem, per quos, &c., and proposes: quae est grata omnibus. Quibus intestibus non potuisse? referring to ch. 1, 3, Reliqua vero multitudo decertari putat.

32. Acquierunt, quasi securi facti, maguam oblectationem acceperunt. Z. 416.

33. Quodnam ego concepi. Cf. Sest. 69, 145: Quod tantum est in me scelus? quid tanto opere deliqui illo, illo die, quum ad vos indicia, litteras, confessiones communis exitii detuli, &c. The conclusion of the oration for Sestius has many points of similarity to that for Milo.

35. Indagavi. See the 3d oration against Catiline.—Exstinx, non indicia, sed semina sive auctores communis exitii. Ex indicis res indicate sumuntur. See note on p. 38, line 5.

40. Discessus. See note on p. 117, line 27.

41. Distrahari. To express a possible case, which the orator conceives in his imagination.

Cf. XXXVIII.—42. Utinam dii immortales fecissent. The sentence is interrupted by the parenthesis, and instead of going on with ut P. Clodius ... viveret, as would have been the case without the parenthesis, a new sentence commences with utinam, giving the simple proposition utinam viveret Clodius. After an interruption, by a parenthesis of considerable length, the form of the sentence is usually changed. On the difference of the tenses with utinam, see Krebs, Guide, 228; P. C. 496; Z. 57.

1. Praetor. He begins with the first office which Clodius did not hold.

3. A vobis ... conservandum. Z. 651. These words refer to Clodius.—Minime, minime. We may suppose that Milo motioned a negative on Cicero's wish: Utinam ... dictator esset. "Let him," he adds, "meet his deserts, and I care not for personal consequences."

6. Patriae natus. Framed by nature for the especial purpose of saving his country.—Usquam nisi. Nisi because the question implies a negative.—Si forte, i. e. si foris ita tulerit, et virxerit.

7. Pro patria. Some MSS. have procul patria, which led to the emendation of Peyron, aut, si forte procul, pro patria. Sensus est:
Hic vir in patria debet mori; in nullo alio loco, nisi si forte pro patria moritur.—Animi monumenta, quae animi ejus fortitudinem et magnitudinem memoriam consecravit, sc. his public services recorded in the history of his country; opposed to corpus sepulcrum.

8. In Italia. Milo went, as is known, to Marseilles. Upon such voluntary exile, ensued a decree of the people, declaring the exile just, and pronouncing the aqua et ignis interdictio. This involved the loss of the civitas. An exile could not therefore remain in Italy, because the lex Plautia Papiria a. u. c. 665 had extended the Roman civitas over all Italy. For the same reason the wearing of the toga, the distinctive dress of the Roman citizen, was not allowed. Plin. Ep. 4, 11, 3: Carent enim iure togae, quibus aqua et igni interdictum est. In some cases, as in that of Cicero, the distance from Rome to which one was exiled was fixed.—Sepulcrum. At the close of the oration for Cluentius, ch. 71, 201, Cicero says: Nunc vero quid erit profectum, nisi ut hujus ex mediis mortis insidiis vita ad lucem conservata, mors sepulcro patris privata esse videatur. The importance attached to a burial in one's native land, may be seen exemplified in the prayer of Hector to Achilles, Il. 22, 254; of Mezentius, Æn. 10, 904; of Turnus, Æn. 7, 935, and of Polynices, Eurip. Phæ. niss. 1460.

12. Sed finis sit. For my tears prevent my words, as well as the wish of Milo, to depend solely on the goodness of his cause.

13. Prae lacrimis. Quinctil. 11, 3, 173: Illa quoque mire facit in peroratione velut deficientis dolore et fatigatione confessio, ut pro ... Milone: Sed finis ... est possum. Quae similem verbis habere debent etiam pronuntiationem. Cf. ch. 34, 92; 35 init. Other passages, where Cicero speaks of his own tears and those of his clients and the judges, are, Planc. 31, and 41, 99; Sest. 11, 26; Cluent. 69, 197; Font. 17, 37; Mur. 40, 86; Robir. Post. 17, 48. Cf. Liv. 39, 44; Cæs. B. G. 1, 31; Suet. Cæs. 33; Tac. Ann. 3, 23; Seneca de Tranq. an. 15. It is, however, to be observed that lacrimari often forms only the antithesis to latetari, and therefore = to be moved, affected even to tears. So the substantive lacrimae often stands opposed to latetia, and its proper meaning must not be urged. Tears are in Cicero often a rhetorical artifice: they give to the words the requisite pathos. Upon our minds an orator by such appeals would make perhaps an impression directly opposite to that which Cicero by this means produced upon the minds of the judges and the audience (corona); but among the Greeks and Romans tears were the natural expression of pain and emotion. They felt keenly, and the expressions of their feelings were strong. Etiquette did not require them to suppress the loud outbreak of pain, or silent tears, and custom did not compel them to stifle their bitterest sorrows. In the midst therefore of a circle composed of men of like tone and temper, Cicero could commu-
nicate his sad feelings to their hearts. Tears and lamentations were usual also before Greek tribunals, and not merely in capital trials.

14. Vos oro. Having wound up the feelings of the judges to the highest pitch, he now affects to call upon them to attend only to the dictates of justice, &c.

tur. Cf. 2, 4; 8, 21.

16. Is maxime. Pompey, who being the prime mover of the whole proceeding, is here presented, in conclusion, to the minds of the judges, as the friend of justice and of Milo.

17. Optimum .... sapientissimum .... fortissimum. These adjectives correspond to the substantives virtutem, justitiam, fidem, but in the inverse order, optim. to fidem, sapientiss. to justitiam, and fortiss. to virtutem.

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