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PREFACE.

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 be-
ginners in the study of the classics. The editor felt therefore
that he would render an essential service to the cause of accu-
rate 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 consid-
ered 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 sub-
sequently to his edition of the entire works of Cicero, and
published in a volume containing fifteen orations. This re-
mark 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 vari-
tions, 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 unne-
cessary minuteness, but the editor is convinced that a teacher
may make use of various readings to the advantage of the pu-
pil, 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, Matthiæ, and Stürenburg, with the remark, that those without an initial letter appended are generally from Matthiæ. 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, Matthiæ, 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.
deest rei publicae consilium neque auctoritas hujus ordinis:
nos, nos, dico aperte, consules desumus.


5. Castra sunt in Italia contra rem publicam in Etruriae faucibus collocata: crescit in dies singulos hostium numerus: eorum autem castrorum imperatorem ductumque hostium intra moenia atque adeo in senatu videmus intestinam aliquam quotidie perniciem rei publicae mollentem. 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 dicit. 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 fataetur.

6. Quamdiu quisquam erit, qui te defendere audeat, vives: sed vives ita, ut vivis, multis meis et firmis praesidiis obessus, ne commovere te contra rem publicam possis. Multa quorum te etiam oculi et aures non sentientem, sicut adhuc fecerunt, spectabuntur atque custodient.

III. Etenim quid est, Catilina, quod jam amplius exspectes, si neque nox tenebris obscurecra coetus nefarios nec privata domus parietibus continere voces conjurationis tuae? Si illustrantur, si erumpunt omnia? Muta jam istam mentem, mihi crede: obliviscere caedis atque incendiorum. Teneris undique: luce sunt clariora nobis tua consilia omnia: quae jam mecum licet recognoscas. 7. Meministine me ante diem XII. Kalendas Novembres dicere
in senatu, fore in armis certo die, qui dics futurus esset ante diem VI. Kal. Novembres, C. Mallium, audaciae satellitem atque administrum tuæ? Num me feellit, 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, quam multi principes civitatis Roma non tam sui conservandi, quam tuorum consiliorum reprimendorum causa profugerunt. Num inﬁtiai potes te illo ipso die meis præsidiis, mea diligentia circumclusum, 10 commovere te contra rem publicam non potuisse, quum tu, discessu ceterorum, nostra tamen, quæ remansissemus, contentum te esse dicebas?


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


Purga uibem. Magna me metu liberabis, dummodo inter me atque tuum murum intersit. Nobiscum versari.

10 jam diutius non potes: non feram, non patiar, non sinam. 

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 scepius in uno homine salus periclitata ad publicam. Quamdiu mihi consuli designato, Catilina, insidiatus es, non publico me praesidio, sed privata diligentia defendi. Quum proximis comitiis consularibus me consulera in campo et comitatores tuos interficere voluisti, compressi conatus tuos nemo amicos praesidio et copiis, nullo tumultu publice concitato: denique, quotiescunque me petisti, per me tibi obstiti: quamquam videbam perniciem meam cum magna calamitate rei publicae esse conjunctam. Nunc jam aperte rem publicam universam petis: templum deorum immortalium, tecto urbis, vitam omnium civium, Italiam denique totam, ad exitium ac vastitatem vocas.

12. Quare, quoniam id, quod est primum et quod hujus imperii disciplineque majorum proprium est, facere nondum audeo, faciam id, quod est ad severitatem lenius et ad coram unem salutem utilius. Nam, si te interfici iussero, residebit in re publica reliqua conjuratorum manus; sin tu (quod te jam audum hostor) exieris, exhaurietur ex urbe tuorum comitum magna et perniciosa sentina rei publicae. 


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. Quae nota domesticæ turpitudinis non insta vitæ tuae est? [Quod privatum rerum dedecus non haeret infamia?] Quae libido ab oculis, quod facinus a manibus unquam tuis, quod flagitium a toto corpore abfuit?
Cui tu adolescentulo, quem corruptelarum illecebris irretisses, non aut ad audaciam ferrum aut ad libidinem facem prætulisti? 14. Quid vero? Nuper, quem morte superioris uxoris novis nuptiis domum vacuefecisses, nonne etiam alio incredibili scelere hoc scelus cumulasti? Quod ego prætermitto, et facile patior sileri; ne in hac civitate tanti facinioris immanitas aut exstississe aut non vindicata esse videatur. Prætermitto ruinas fortunarum tuarum, quas omnes impedire tibi proximis Idibus senties: ad illa venio, quæ non ad privatam ignominiam vitiorum tuorum, non ad domesticam tuam difficultatem ac turpitudinem, sed ad summam rem publicam atque ad omnium nostrum vitam saltemque pertinent. 15. Potestne tibi hæc lux, Catilina, aut hujus eæli spiritus esse iucundus, quæ scias horum esse neminem, qui nesciat te pridie Kalendas Januarias Lepido et Tullo consulibus stetisse in comitio cum telo? Manum consulum et principum civitatis interficiendorum causa peravisse? Sceleri ac favori tuo non mentem aliquam aut timorem tuum, sed fortunam populi Romani obstississe? Ac jam illa omitto (neque enim sunt aut obscura aut non multa post commissa): quotiens tu me designatum, quotiens consulem interficere conatus es! Quot ego tuas petitiones ita conjectas, ut vitari posse non videretur, parva quadam declinatione et, ut aiunt, corpore effugi! [Nihil agis], nihil assequeris, [nihil moliris], neque tamen conari ac velle desistis. 16. Quotiens tibi jam extorta est sica ista de manibus! Quotiens vero excidit casu aliquo et elapsa est! [Tamen ea carere diutius non potes]: quæ quidem quibus abs te initita sacrîs ac devota sit, nescio, quod eam nesse putas esse in consulis corpore defigere.

VII. Nunc vero, quæ tua est ista vita? Sic enim jam tecum loquar, non ut odio permutus esse videar, quo debeo, sed ut misericordia, quæ tibi nulla debitur. 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, vocis exspectas contumeliam, quum sis gravissimo judicio taciturnitatis oppressus? Quid? Quod adventu tuo ista subsellia vacuefacta sunt, quod omnes consulares, qui tibi persæpe ad caedem constituti fuerunt, simul atque asseisti, partem istam subselliorum nudam atque inane reliquerunt, quo tandem animo hoc tibi ferendum putas? 17. Servi mehercule mei si me isto pacto metuerent, ut te metuunt omnes cives tui, domum meam relinquendam putarem: tu tibi urbem non arbitraris? Et,
si me meis civibus injuria suspectum tam graviter atque offensum viderem, carere me adspectu civium, quam infestis oculis omnium conspicii mallem: tu, quum conscientia scelerum tuorum agnoscas odium omnium justum et jam diu tibi debitum, dubitas, quorum mentes sensusque vulneras, eorum adspectum præsentiamque vitare? Si te parentes tимерent atque odissent tui neque eos ulla ratione placare posses, ut opinor, ab eorum oculis alimento concederes: nunc te patria, quæ communis est omnium nostrum parent, odit ac metuit et jamdiu 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 unum multorum civium neces, tibi vexatio direptioque sociorum impunita fuit ac libera; tu non solum ad negligendas leges et quæstiones, verum etiam ad evertendas perfringendasque valuist. Superiora illa, quamquam ferenda non fuerunt, tamen, ut potui, tuli: nunc vero me totam esse in metu propter unum te, quidquid increpuerit, Catilinam terner, nullum videri contra me consilium iniri posse, quod a tuo scelere abhorreat, non est ferendum. Quamobrem discede atque hunc mihi timorem eripe: si est verus, ne opprimar; sin falsus, ut tandem aliquando timere desinam.”

VIII. 19. Hæc si tecum, ut dixi, patria loquatur, nonne impetrare debet, etiam si vim adhibere non possit? Quid? Quod tu te ipsa in custodiam dedisti? Quod vitandæ suspicionis causa ad M'. Lepidum te habitare velle dixisti? A quo non receptus, etiam ad me venire ausus es atque, ut domi meæ te asservarem, rogasti. Quam a me quoque id responsi tulisses, me nullo modo posse iisdem parietibus tuto esse tecum, qui magno in periculo essem, quod iisdem moenibus contineremur, ad Q. Metellum pretore venisti. 35 A quo repudiatus, ad sodalem tuum, virum optimum, M. Marcellum demigrasti; quem tu videlicet et ad custodiendum te diligentissimum et ad suspicandum sagacissimum et ad vindicandum fortissimum fore putasti. Sed quam longe videtur a carcere atque a vinculis absesse debere, qui se ipse jam dignum custodia judicaret? 20. Quæ quum ita sint, Catilina, dubitas, si emori æquo animo non potes, abire in aliquas terras, et vitam istam, multís suppliciis justis debitisque ereptam, fugæ solitudinique mandare?.

“Refer, inquis, ad senatum:” id enim postulas, et, si hie

IX. 22. Quamquam quid loquor? Te ut ulla res fran-gat? Tu ut unquam te corrigas? Tu ut ullam fugam meditere? Tu ut ultum exsilium cogites? Utinam tibi istam mentem dii immortales duint! Tametsi video, si mea 25 voce perterritus ire in exsilium animum induxeris, quanta tempestas invidiae nobis, si minus in præsens tempus recenti memoria scelerum tuorum, at in posteritatem impendeat. Sed est tanti; dummodo ista privata sit calamitas et a rei publicæ periculis sejungatur. Sed tu ut vitii tuis commoveare, ut legum penas pertimescas, ut temporibus rei publicæ cedas, non est postulandum. Neque enim is es, Catilina, ut te aut pudor a turpitudine aut mutus a periculo aut ratio a furore revocarit. 23. Quamobrem, ut sæpe jam dixi, proficiscere: ac, si mihi inimico, ut praedicas, tuo con- 35 flare vis invidiam, recta perge in exsilium: vix feram sermones hominum, si id feceris; vix molem istius invidiae, si in exsilium jussu consulis ieris, sustinebo. Sin autem servire meæ laudi et gloriae mavis, egredere cum importuna sceleratorum manu; confer te ad Mallium; concita perditos cives; secerne te a bonis, infer patriæ bellum; exsulta impio latrocinio, ut a me non ejectus ad alienos, sed invitat ad tuos isse videaris. 24. Quamquam quid ego te invitem, a quo jam sciam esse præmissos, qui tibi ad Forum Aure-
lium præstolarentur armati? Cui sciam pactam et con-
stitutam cum Mallio diem? A quo etiam aquilam illam
argenteam, quam tibi ac tuis omnibus perniciosam esse con-
fido ac funestam futuram, cui domi tuæ sacarium scelerum
tuorum constitutum fuit, sciam esse præmissam? Tu ut
illa carere diutius possis, quam venerari ad cædem profici-
scens solebas? a cujus altaribus sæpe istam impiam dexte-
ram ad necem civium transtulisti?

X. 25. Ibis tandem aliquando, quo te jampridem tua
ista cupiditas effrenata ac furiosa rapiebat. Neque enim
 tibi haec res assever dolorem, sed quandam incredibilem vo-
luptatem. Ad hanc te amentiam natura peperit, voluntas
exercuit, fortuna servavit. Nunquam tu non modo otium,
sed ne bellum quidem nisi nefarium concupisti. Nactus es
ex perditis atque ab omni non modo fortuna, verum etiam
spe deraelictis, conflatam improborum manum. 26. Hic tu
qua lætitia perfruere? Quibus gaudis exsultabis?
Quanta in voluptate bacchabere, quum in tanto numero tuorum
neque audies virum bonum quæcumque videbis? Ad
hujus vitae studium sunt illi, qui feruntur, labores
tui: jacere humi non modo ad obsidendum stuprum, verum
etiam ad facinus obeundum; vigilare non solum insidiantem
sacro maritorum, verum etiam bonis otiosorum. Habes,
ubi ostentes illum tuam praecelaram patientiam famis, frigo-
ris, inopiae rerum omnium, quibus te brevi tempore con-
fectum esse senties. 27. Tantum profeci [tum], quam te
a consulatu repelli, ut exsul potius tentare quam consul
vexare rem publicam posses atque ut id, quod esset abs te
scelerate susceptum, latrocinium potius quam bellum nomi-
naretur.

XI. Nunc, ut a me, Patres conscripti, quandam prope
justam patriæ querimoniæ detester ac deprecer, 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 pu-
blica 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 conjurationis, evocatorem servo-
rum et civium perditoris, exire patiere, ut abs te non
emissus ex urbe, sed inmissus in urbem esse videatur?
Nonne hunc in vincula duci, non ad mortem rapi, non sum-
mo supplicio maestri imperabis? 28. Quid tandem te
impedit? Mosne majorum? At persæpe etiam privati in
IN CATILINAM, CAP. XII, XIII. 17

hac re publica perniciosos cives morte multarunt. An leges, quae de civium Romanorum supplicio rogatae sunt? At nunquam in hac urbe ii, qui a re publica defecerunt, civium jura tenuerunt. An invidiam posteritatis times? Praeclaram vero populo Romano refers gratiam, qui te hominem per te cognitum, nulla commendatione majorum tam mature ad summum imperium per omnes honorum gradum extulit, si propter invidiam aut alicujus periculi metum salutem civium tuorum neglegis. 29. Sed, si quis est invidius metus, num est vehemens severitatis ac tituidinis invidia quam inertiae ac nequitiae pertimescenda? An quum bello vastabitur Italia, vexabuntur urbes, tecta ardebunt, tum te non existimas invidiae incendio conflagraturum?

XII. His ego sanctissimis rei publicae vocibus et eorum hominum, qui hoc idem sentiunt, mentibus pauca respondebo. Ego, si hoc optimum factu judicarem, Patres conscripti, Catilinam morte multari, unius usuram horae gladiatoriisti ad vivendum non dedissem. Etenim, si summi viri et clarissimi cives Saturnini et Gracchorum et Flacci et superiorum complurium sanguine non modo se non contaminaret, sed etiam honestaret, certe verendum mihi non erat, ne quid hoc parricida civium interfecto invidiae mihi in posteritatem redundaret. Quod si ea mihi maxime imponderet, tamen hoc animo semper fui, ut invidiam virtute partam gloriam, non invidiam putarem. 30. Quamquam nonnulli sunt in hoc ordine, qui aut ea, quae iminent, non videant, aut ea, quae vident, dissimulant: qui spem Catilinae mollibus sententiis aluerunt, conjurationemque nascentem non credendo corroboraverunt: quorum auctoritatem securi multi, non solum improbi, verum etiam imperiti, si in hunc animadvertissem, crudeliter et regie factum esse dicerent. Nunc intelligo, si iste, quo intendit, in Malliana castra pervenit, neminem tam stultum fore, qui non videat conjurationem esse factam, neminem tam improbum, qui non factatur. Hoc autem uno interfecto intelligo hanc rei publicae pestem paullisper reprimi, non in perpetuum comprimi posse. Quod si se ejecerit secunque suos eduxerit, et eodem ceteros undique collectos naufragos aggregaverit, exstinguetur atque delebitur non modo haec tam adulta rei publicae pestis, verum etiam stirps ac semen malorum omnium.

XIII. 31. Etenim jamdiu, Patres conscripti, in his periculis conjurationis insidiisque versamur, sed nescio quo
pacto omnium scelerum ac veteris furoris et audaciae matu-
ritas in nostri consulatus tempus erupit. Quod si ex tanto
latrocinio iste unus toletur, videbimus fortasse ad breve
quoddam tempus cura et metu esse relevati: periculum au-
tem residebit et erit inclusum penitus in venis atque in vi-
sceribus rei publicae. Ut sese homines aegri morbo gravi,
quum aestu febrique jaquetur, si aquam gelidam biberint,
primo relevari videntur, deinde multo gravius vehementius-
que affliciantur, sic hic morbus, qui est in re publica, rele-
vatus istius poena vehementius vivis reliquis ingravescet.
32. Quare secedant improbi, secernant se a bonis, unum
in locum congregentur, muro denique, id quod sese jam dixi,
secernantur a nobis, desinant insidiari domi suae consuli,
circumstare tribunal praetoris urbani, obsidere cum gladiis
15 curiam, malleolos et faces ad inflammamandam urbem compa-
rare; sit denique inscriptum in fronte unius cujusque, quid
de re publica sentiat. Polliceor vos hoc, Patres conscripti,
tantam in nobis consulibus fore diligentiam, tantam in vobis
auctoritatem, tantam in equitibus Romanis virtutem, tantam
in omnibus bonis consensionem, ut Catilinae profecione
omnia patefacta illustrata, oppressa vindicata esse videatis.
33. Hisce omnibus, Catilina, cum summa rei publicae
salute et cum tua peste ac pernicie cunque eorum exitio,
qui se tecum omni scelere parricidioque junxerunt, profici-
25 scere ad impium bellum ac nefarium. Tum tu, Juppiter, qui
iisdem, quibus haec urbs, auspiciis a Romulo es constitutus,
quam Statorem hujus urbis atque imperii vere nominamus,
hunc et hujus socios a tuis aris ceterisque templis, a tectis
urbis ac mcenibus, a vita fortunisque civium [ omnium] ar-
30 cebis: et homines bonorum inimicos, hostes patriae, latrones
Italae, scelerum fœdere inter se ac nefaria societate con-
junctos æternis suppliciiis vivos mortuosque mactabis.
IN

L. CATILINAM

SECUNDA

AD

QUIRITES ORATIO.

I. 1. TANDEM aliquando, Quirites, L. Catilinam, furentem audacia, scelus anhelantem, pestem patriae nefarie molientem, vobis atque huic urbi ferro flammaque minantem, ex urbe vel ejecimus vel emisimus vel ipsum egressum verbis prosecuti sumus. Abiit, excessit, evasit, erupit. Nulla jam pernicies a monstro illo atque prodigio mœnibus ipsis intra mœnia comparabitur. Atque hunc quidem unum hujus belli domestici duce sine controversia vicimus. Non enim jam inter latera nostra sica illa versabitis: non in campo, non in foro, non in curia, non denique intra domesticos parietes pertimescamus. Loco ille motus est, quum est ex urbe depulsus. Palam jam cum hoste, nullo impediente, bellum justum geremus. Sine dubio perdidimus hominem magnificeque vicimus, quum illum ex occultis insidiis in apertum latrocinium conjecimus. 2. Quod vero non cruentum mucronem, ut voluit, extulit, quod vivis egressus est, quod ei ferrum e manibus extorsimus, quod incolumes cives, quod stantem urbem reliquit: quanto tandem illum maiorе esse afflictum et profligatum putatis? Jacet ille nunc prostratusque est et se perculsum atque abjectum esse sentit et retorquet oculos profecto sape ad hanc urbem, quam e suis faucibus ereptam esse luget; quæ quidem mihi lætari videtur, quod tantam pestem evomuerit forasque procererit.

II. 3. At si quis est talis, quales esse omnes oportebat, 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-
que a me et mos majorum et hujus imperii severitas et res publica postulabat. Sed quam multos fuisset putatis, qui, quae ego deferrem, non crederent? [Quam multos, qui propter stultitiam non putarent?] Quam multos, qui etiam defendent? [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 sustulissem. 4. Sed quum viderem ne vobis quidem omnibus re etiam tum pro-bata, si illum, ut erat meritus, morte multassem, fore, ut ejus socios invidia oppressus persequi non possem, rem hoc deduxi, ut tum palam pugnare possetis, quum hostem aperte videretis. 5. Sed quum videbatur ne vobis quidem omnibus re etiam tum pro-

III. 5. Itaque ego illum exercitum et Gallicanis legionibus et hoc delectu, quem in agro Piceno et Gallico Q. Metellus habuit, et his copiis, quae a nobis quotidie comparantur, magno opere contemno, collectum ex senibus desperatis, ex agresti luxuria, ex rusticis dectoribus, 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 suos milites eduxisset: qui si hic permanent, mementote non tam exercitum illum esse nobis quam hos, qui exercitum deseruerunt, pertimescendo. Atque hoc etiam sunt ti-

35 mendi magis, quod, quid cogitent, me seire sentiunt neque tamen permoventur. 6. Video, cui sit Apulia attributa, quis habeat Etruriam, quis agrum Picenum, quis Gallicum, quissibi has urbanas insidias cædis atque incendiorum depoposcerit. Omnia superioris noctis consilia ad me perlata esse sentiunt; patefeci in senatu hesterno die; Catilina ipse pertimuit, profugit: hi quid exspectant? Næ illi vehementer errant, si illum meam pristinam lenitatatem perpetuam sperant futuram.

IV. Quod exspectavi, jam sum assecutus, ut vos omnes factam esse aperte conjurationem contra rem publicam vi-
deretis. Nisi vero si quis est, qui Catilinae similes cum Catilina sentire non putet. Non est jam lenitati locus: severitate rem res ipsa flagitat. Unum etiam nunc concedam: exent, proficiscantur, ne patiantur desiderio sui Catilinam miseram tabescere. Demonstrabo iter: Aurelia via pro-

7. O fortunatam rem publicam, si quidem hanc sentinam hujus urbis ejecerit! Uno mehercule Catilina exhausto relevata mihi et recreata res publica videtur. Quid enim mali aut sceleris fingi aut cogitari potest, quod non ille conceperit? Quis tota Italia veneficus, quis gladiator, quis latro, quis sicarius, quis parricida, quis testamentorum subjector, quis circumscriptor, quis ganeo, quis nepos, quis adulter, quae mulier infamis, quis corruptor juventutis, quis corruptus, quis perditus inveniri potest, qui se cum Catilina non familiarissime vixisse fateatur? Quae caedes per hosce annum sine illo facta est? Quod nefarium stuprum non per illum? 8. Jam vero quae tanta unquam in ullo homine juventutis illecebra fuit, quanta in illo? Quis alios ipse amabat turpissime, aliorum amori flagitiosissime serviebat, aliis fructum libidinum, aliis mortem parentum non modo impellendo, verum etiam adjuvando pollicebatur. Nunc vero quam subito non solum ex urbe, verum etiam ex agris, ingentem numerum perditorum hominum collegerat? Nemo non modo Romae, sed [nec] ullo in angulo totius Italiae op-

10. Hunc vero si sequi erunt sui comites; si ex urbe exierint desperatorum hominum flagitiosi greges: o nos beatos, o rem publicam fortunatam, o praelaram landem consulatus mei! Non enim jam sunt mediocres hominum libidines, non humanae audaciae ac tolerate: nihil cogitant nisi caedes, nisi incendia, nisi rapinas: patrimonia sua profuderunt: fortunas suas obligaverunt: res eos jampridem, fides nuper deficere cœpit: eadem tener illa, quæ erat in abundantia, libido permanet. Quod
si in vino et alea comissationes solum et scorta quærerent, essent illi quidem desperandi, sed tamen essent ferendi. Hoc vero quis ferre possit, inertes homines fortissimis viris insidiari, stultissimos prudentissimis, ebriosos sobriis, dormientes vigilantibus? Qui milii accubantes in convivis, complexi mulieres impudicas, vino languidi, conferti cibo, certis redimiti, unguentis obliti, debilitati stupris, eructant sermonibus suas cædem bonorum atque urbis incendia. 11. Quibus ego confido impendere fatum aliquod et poenam jamdiu improbitati, nequitise, sceleri, libido debitam aut instare jam plane aut certe appropinquare. Quos si meus consulatus, quoniam sanare non potest, sustulerit, non breve nescio quod tempus, sed multa secula propagarit rei publicæ. 

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 insidia 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, quaecunque ratione sanabo: quæ rescanda erunt, non patiari ad perniciem civitatis manere. Proinde aut exeat aut quiescant aut, si et in urbe et in eadem mente permanent, ea, quæ merentur, exspectent.

25 VI. 12. At etiam sunt, qui diciant, Quirites, a me in exsilium esse Catilinam. Quod ego si verbo assequi possem, istos ipsos ejicerem, qui hæc loquuntur. Homo videlicet timidus aut etiam permodestus vocem consueisse ferre non potuit: simul atque ire in exsilium jussus est, paruit, ivit. Hesterno die, quam domi meæ pæne interfectus esset, senatum in ædem Jovis Statoris convocavi; rem omnem ad patres conscriptos detuli. Quo quum Catilina venisset, quis eum senatur appellavit? quis salutavit? quis denique ita adspezit ut perditum civem, ac non potius ut importunissimum hostem? Quin etiam principes ejus ordinis partem illam subselliorum, ad quam illæ accesserat, nudam atque inanem reliquerunt. 13. Hic ego vehementem ille consul, qui verbo cives in exsilium ejicere, quæsivi a Catilina, nocturno conventu apud M. Læcum fuisset necne. Quum ille, homo audacissimus, conscientia convictus primo reticuisset, patefeci cetera; quid ea nocte egisset, quid proxima constituisset, quemadmodum esset ei ratio totius belli descripta, edocui. Quum hæsitaret, quum teneretur, quæsivi, quid dubitaret proficisci eo, quo jampridem para-
IN CATILINAM, CAP. VII, VIII.

ret: quam arma, quam secures, quam fasces, quam tubas, quem signa militaria, quam aquilam illam argenteam, cui ille etiam sacrarium scelerum domi suæ fecerat, scirem esse præmissam. 14. In exsilium ejiciebamus, quem jam ingressum esse in bellum videbamus? 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 hæ castra conferet.

VII. O conditionem miseram, non modo administrandæ, 10 verum etiam conservandæ rei publicæ! Nunc, si L. Catilina consiliis laboribus periculis meis circumclusus ac debilitatus subito pertimuerit, sententiam mutaverit, deserverit suoi, consilium belli faciundi abjecerit, ex hoc cursu sceleris et belli iter ad fugam atque in exsilium converterit, 15 non ille a me spoliatus armis audaciam, non obstupefactus ac perterritus mea diligentia, non de spe conatique 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, sed crudelissimum tyrannum existimari velint. 15. Est mihi tanti, Quirites, hujus invidiae falsæ atque iniquæ temperatæ, 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 iturus. Nuncquam ego a diis immortalibus optabo, Quirites, invidiae meæ levandæ causa, ut L. Catilinam ducere exercitum hostium atque in armis volitare audiatis; sed triduo tamen audiatis: multoque magis illud timeo, ne mihi sit invidiosum alienando, quod illum emiserim potius, quam 30 quod ejecerim. Sed quum sint homines, qui illum, quem profectus sit, ejectum esse dicant, idem, si interfactus esset, quid dicerent? 16. Quamquam isti, qui Catilinam Massiliam ire dictitant, non tam hoc queruntur, quam verentur. Nemo est istorum tam misericors, qui illum non ad Mallium quam ad Massilienses ire malit. Ille autem, si mehercule hoc, quod agit, nunquam ante cogitasset, tamen latrocinantem se interfici maliex quam exsulem vivere. Nunc vero, quum ei nihil adhuc praeter ipsius voluntatem cogitatio-nemque acciderit, nisi quod vivis nobis Roma profectus est, 40 optemus potius, ut eat in exsilium, quam queramus.

VIII. 17. Sed cur tamdiu de uno hoste loquimur, et de eo hoste, qui jam fatetur se esse hostem, et quem, quia, quod semper volui, murus interest, non timeo: de his, qui

IX. 19. Alterum genus est eorum, qui quamquam premuntur ære alieno, dominationem tamen exspectant, rerum potiri volunt, honores, quos quieta re publica desperant, perturbata consequi se posse arbitran tur. Quibus hoc praecipiendum videtur, unum scilicet et idem, quod reliquis omnibus, ut desperent, se id, quod conantur, consequi posse: primum omnium, me ipsum vigilare, adesse, providere rei publicæ; deinde magnos animos esse in bonis viris, magnam Concordiam, maximam multitudinem, magnas praeteræ copias militum; deos denique immortales huiç invicto populo, clarissimo imperio, pulcherrimæ urbi contra tantam vim sceleris præsentis auxilium esse lataros. Quod si iam sint id, quod cum summo furore cupiunt, adepti, num ills in citnere urbis et in sanguine civium, quæ mente conceplerunt, consules se aut dictatores, aut etiam reges sperant futuros? Non vident id se cupere, quod si adepti 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 iis
coloniis, quas Fœsulis Sulla constituit: quas ego universas
civium esse optimorum et fortissimorum virorum sentio:
sed tamen hi sunt coloni, qui se in insperatis ac repentinis
pecuniis sumptuosius insolentiusque jactarunt. Hi dum
œdificant, tamquam beati, dum prædiis, lecticus, familiis
magnis, conviviis apparatis delectantur, in tantum æ alienum
inciderunt, ut, si salvi esse velit, Sulla sit iis ab inferis ex-
citandus. Qui etiam nonnullos agrestes, homines tenues
10
atque egentes, in eandem illam spem rapinarum veterum
impulerunt; quos ego, Quirites, in eodem genere prædato-
rum direptorumque ponam. Sed eos hoc moneo: desinant
furere et proscriptiones et dictaturas cogitare. Tantus
enim illorum temporum dolor inustus est civitati, ut
jam ista non modo homines, sed ne pecudes quidem mihi
passuere videantur.

X. 21. Quartum genus est sane varium et mixtum et
turbulentum; qui jampridem premuntur, qui nunquam
everunt; qui partim inertia, partim male gerendo negotio, 20
partim etiam sumptibus in vetere ære alieno vacillant; qui
vadimonis, judiciis, proscriptionibus honorum defatigati,
permulti et ex urbe et ex agris se in illa castra conferre
dicuntur. Hosce ego non tam milites acres, quam ininitiatores
lentos esse arbitror. Qui homines primum si stare non
possunt, corruant: sed ista, ut non modo civitas, sed ne
vici quidem proximi sentiant. Nam illud non intelligo,
quamobrem, si vivere honeste non possunt, perire turpiter
velint, aut cur minore dolore perituros se cum multis, quam
si soli perseant, arbitrentur. 22. Quintum genus est parri-
cidarum, siciarorum, denique omnium facinorosorum; quos
ego a Catilina non revoco; nam neque divelli ab eo possunt,
et perseant sane in latrocinio, quoniam sunt ita multi, ut eos
carcer capere non possit. Postremum autem genus est,
non solum numero, verum etiam genere ipso atque vita, quod
proprium Catilinæ est, de ejus delectu, immo vero de com-
plexu ejus ac sinu; quos pexo capillo, nitidos aut imberbes
aut bene barbatos videtis, manicatis et talaribus tunicis, ve-
lis amictos, non togis; quorum omnis industria vitae et vi-
gilandi labor in antelucanis caenis expromitur. 23. In his
gregibus omnes aleatores, omnes adulteri, omnes impuri
impudicique versantur. Hi pueri tam lepidi ac delicati non
solum amare et amari, neque cantare et psallere, sed etiam
sicas vibrare et spargere venena didicerunt; qui nisi exeunt,
nisi pereunt, etiam si Catilina perierit, sitote hoc in re publica seminariiun Catilinarium futurum. Verumtamen
quid sibi isti miseri volunt? Num suas secum mulierculas
sunt in castra ducturi? Quemadmodum autem illis carere
poterunt, his præsertim jam noctibus? Quo autem pacto
illi Appeninnum atque illas pruinas ac nives perferunt? Nisi
idcirco se facilius hiemem tolerandos putant, quod nudi in
conviviis saltare didicerunt.

XI. 24. O bellum magno opere pertimescendum, quam
hanc sit habiturus Catilina scortorum cohortem prætioram!
Instruite nunc, Quirites, contra has tam praeclasas Catilinæ
copias vestra præsidia vestrosque exercitus; et primum
gladiatori illi confecto et saucio consules imperatoresque
vestros opponite: deinde contra illam naufragorum ejectam
ac debilitatam manum florem totius Italici a robur educite.
Jam vero urbes coloniarum ac municipiorum respondebunt
Catilinæ tumulis silvestribus. Neque ego ceteras copias,
ornamenta, præsidia vestra, cum illius latronis inopia atque
egestate conferre debeo. 25. Sed, si, omissis his rebus
omnibus, quibus nos suppeditamur, eget ille, senatu,
equitatibus Romanis, populo, urbe, æario, vectigalibus, cuncta
Italia, provinciis omnibus, exteri nationibus, si his rebus
omissis, causas ipsas, quæ inter se confligunt, contendere
velimus: ex eo ipso, quam valde illi jaceant, intelligere
possimus. Ex hac enim parte pudor pugnat, illinc petulantia:
hinc pudicitia, illinc stuprum: hinc fides, illinc fraudatio:
hinc pietas, illinc scelus: hinc constantia, illinc furor:
hinc honestas, illinc turpitudo: hinc continentia, illinc
libido: denique æquitas, temperantia, fortitudo, prudentia,
virtutes omnes certant cum iniquitate, luxuria, ignavia, teneritate,
cum vitiis omnibus: postremo copia cum egestate, bona
ratio cum perdita, mens sana cum amentia, bona
denique spes cum omnium rerum desperatione conflagit. In
hujusmodi certamine ac prælio nonne, etiam si hominum
studia deficient, dii ipsi immortales cogent ab his præcla-
rissimis virtutibus tot et tanta vitia superari?

XII. 26. Quæ quam ita sint, Quirites, vos, quemadmod-
dum jam antea, vestra tecta custodiis vigilisique defendite:
mihi, ut urbi sine vestro motu ac sine ullo tumultu satis
esse presidii, consultum atque provisum est. Colonii omnes
municipesque vestri certiores a me facti de hac nocturna
excursione Catilinarum 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.

27. Nunc illos, qui in urbe remanserunt atque adeo qui contra urbis salutem omniumque nostrum in urbe a Catilina relictì 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 oblivisci meam hanc esse patriam, me his esse consulem, mihi aut cum his vivendum aut pro his esse moriendum. Nullus est portis custos, nullis insidiator via: si qui exire volunt, connivere 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 fortem senatum, esse arma, esse carcerem, quem vindicem nefarium ac manifestorum scelerum majores nostri esse voluerunt.

XIII. 28. Atque haec omnia sic agentur, Quirites, ut res maxima minimo motu, pericula summa nullo tumultu, bellum intestinum ac domesticum post hominum memoria crudelissimum et maximum me uno togato duce et imperatore sedetur. Quod ego sic administrabo, Quirites, ut siullo modo fieri poterit, ne improbus quidem quisquam in hac urbe poenam sui sceleris sufferat. Sed si vis manifestae audacieæ, si impendens patriæ periculum me necessario de hac animi lenitatem deduxerit, illud profecto perficiam, quod in tanto et tam insidioso bello vix optandum videtur, ut neque bonus quisquam intereat paucorumque poena vos jam omnes salvi esse possitis. 29. Quæ quidem ego neque mea prudentia neque humanis consiliis fretus pollicor vos, Quirites; sed multis et non dubiiis deorum immortalium significationibus, quibus ego ducibus in hanc spem sententiamque sum ingressus; qui jam non procul, ut quondam solebant, ab externo hoste atque longinquo, sed hic præsentes suo numine atque auxilio sua templo atque urbis tecta defendunt; quos vos, Quirites, precari, venerari [atque] implorare debetis, ut, quam urbem pulcherrimam, florentissimam potentissimamque esse voluerunt, hanc omnibus hostium copiis terra marique superatis a perditissimorum cívium nefario scelere defendant.
IN

L. C A T I L I N A M

ORATIO TERTIA

AD QUIRITES.

I. 1. Rem publicam, Quirites, vitamque omnium vestrum, bona fortunas, conjuges liberosque vestros atque hoc domicilium clarissimi imperii, fortunatissimam pulcherri-mamque urbem hodierno die deorum immortalium summo erga vos amore, laboribus consiliiis periculis meis ex flamma atque ferro ac pæne ex faucibus fati ereptam et vobis conservatam 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, 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 debetit is, qui eandem hanc urbem conditam amplificatam-que servavit. Nam toti urbi, templis delubris, tectis ac moenibus subjectos prope jam ignes circumdatosque re-stinximus iuidemque gladios in rem publicam destrietos retu-dimus muronesque eorum a jugulis vestris dejecimus. 3. Quæ quoniam in senatu illustrata, patefacta, comperta sunt 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 scire possitis.

Principio, ut Catilina paucis ante diebus erupit ex urbe, quem sceleris sui socios, hujusce nefarii belli acerrimos duces Romæ reliquisset, semper vigilavi et providi, Quirites, quemadmodum in tantis et tam absconditis 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, quem illum externari volebam, aut reliquam conjuratorium 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 sceleris minorem fidem faceret oratio mea, rem ita comprehenderem, ut tum dum animis salute vestre provideretis, quum oculis maleficium ipsum videretis. 5. Itaque ut comperi legatos Allobrogum bellii Transalpini tumultus Gallici excitandi causa a P. Lentulo esse sollicitatos eosque in Galliam ad suos cives eosque in eo omnes dies noctesque consumpsi, ut, quid agerent, quid molirentur, sentirem ac viderem: ut, quoniam auribus vestris propter incredibilem magnitudinem sceleris minorem fidem faceret oratio mea, rem ita comprehenderem, ut tum dum animis salute vestre provideretis, quum oculis maleficium ipsum videretis. 6. Interim tertiae fere vigiliae exacta, quum jam pontem Mulvium pervenerunt atque ibi in proximis villis ita bipartito fuerunt, ut Tiberis inter eos et pons interesset. Eodem autem et ipsi sine cum quam suspicione multos fortes viros eduxerunt, et ego ex prefectora Reatina complures delectos adolescentes, quem opera uto assidue in re publica, praesidio 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 praetoribus nota solis; ignorabatur a ceteris. III. Tum interventu Pompitini atque Flacci pugna, quae erat commissa, sedatur. Literae, quaequae erant in eo comitatu integris signis praetoribus traduntur; ipsi comprehendendi me, quum jam dilucesceret, deducuntur. Atque horum omnium scelerum improbissimum machinatorem Cimbrum Gabinium statim ad me nihil dum suspicantem
vocavi. Deinde item accessitur L. Statilius et post eum [C.] Cethegus. Tardissime autem Lentulus venit, credo quod in litteris his dandis præter consuetudinem proxima nocte vigilaverat. 7. Quum vero summis et clarissimis hujus civitatis viris, qui audita re frequentes ad me mane convenerant, literas a me prius aperiiri 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 rem integrum deferrem. Etenim, Quirites, si ea, quæ erant ad me delata, reperta non essent, tamen ego non arbitrabam in tantis rei publicae periculis esse mihi nimiam diligentiam pertimescendam.

Statilius et post eum [C.] Cethegus. Tardissime autem Lentulus venit, credo quod in litteris his dandis praeter consuetudinem proxima nocte vigilaverat. 7. Quum vero summis et clarissimis hujus civitatis viris, qui audita re frequentes ad me mane convenerant, literas a me prius aperiiri 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 rem integrum deferrem. Etenim, Quirites, si ea, quæ erant ad me delata, reperta non essent, tamen ego non arbitrabam in tantis rei publicae periculis esse mihi nimiam diligentiam pertimescendam.

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THEGO SIGNUM; COGNOVIT. NOS LINUM INCIDIMUS; LEGIMUS.
ERAT SCRIPTUM IPSIUS MANU ALLOBROGUM SENATUI ET POPULO,
SISE, QUE EORUM LEGATIS CONFIRMasset, FACTURUM ESSE: ORARE,
UT ITEM ILLI FACERENT, QUE SIBI EORUM LEGATI RECEPISSENT.
TUM CETHEGUS, QUI PAULLO ANTE ALIQUID TAMEN DE GLADIIS AC 5
SICIS, QUE APUD IPSUM ERANT DEPREHENSE, RESPONDISSSET DI-
XISSETQUE SE SEMPER BONORUM FERRAMENTORUM STUDIOSUM FU-
SE, RECIATIS LITERIS DEBILITATUS ATQUE ABJECTUS, CONSCIEN
TIA CONVICTUS, REPENTE CONTICUIT. INTRODUCTUS EST STATIIUS;
COGNOVIT ET SIGNUM ET MANUM SUAM. RECIATÆ SUNT TABELLÆ 10
IN EANDEM FERE SENTENTIAM: CONVICTUS EST. TAM OSTE
DI TABELLÆ LENTULUM ET QUÆSVIVI, COGNOSCERETNE SIGNUM. ANNUIT.
—"EST VERO, INQUAM, NOTUM SIGNUM, IMAGO AVI TUI, CLARI
SIMI VIRI, QUI AMAVIT UNICE PATRIAM ET CIVES SUOS: QUE QUI
DEM TE A TANTO SCELERE ETIAM MUTA REVOCARE DEBUIT." 11. 15
LEGUNTUR EADEM RATIONE AD SENATUM ALLOBROGUM POPULUM
QUE LITERÆ. SI QUID DE HIBI REBUS DICERE VELLET, FECI POTEN
STATEM. ATQUE IIL PRIMO QUIDEM NEGAVIT; POST AUTEM ALI
QUANTO, TOTO JAM INDICO EXPOSITO ATQUE EDITO, SURREXIT;
QUÆSIVIT A GALLIS, QUID SIBI ESSET CUM ÍIS; QUAMOBLRUM DO-
MUM SUAM VENISSENT; ITEMQUE A VOLTURCIO. QUI QUM ILLI
BREVITER CONSTANTERQUE RESPONDISSSET, PER QUEM AD EUM
QUOTIENSQUE VENISSENT, QUÆSISSENTQUE AB EO, Nihilne secum
ESSET DE FATIS SIBYLLINIS LOCUTUS, TUM ILLE SUBITO SCELERE DE
MENS, QUANTA CONSCIENII VIS ESSET, OSTENDIT. NAM, QUM 25
ID POSSET INFIITARI, REPENTE PRÆTER OPINIONEM OMNII
CONFESSUS EST. ITA EUM NON MODO INGENIUM ILLUD ET DICENDI
EXERCITATI0, QUA SEMPER VALUIT, SED ETIAM PROPTER VIM SCELERIS
MANIFESTI ATQUE DEPREHENSIONE IMPUDENTIA, QUA SUPERABAT
OMNES, IMPROBITASQUE DECIGIT. 12. VOLTURCIUS VERO SUBITO 20
LITERNIS PROFERIT ATQUE APÉRIRI JUSSET, QUAS SIBI A LENTULUM AD
CATILINAM DATAS ESSE DICEBAT. ATQUE IBI VEHMENTISSIME
PERTURBATUS LENTULUM, TAMEN ET SIGNUM ET MANUM SUAM
COGNOVIT. ERANT AUTEM SCRIPTÆSINE NOMINE, SED ITA: QUI
SIM, SCIES EX EO, QUM AD TE MISI. CURA, UT VIR SIS, ET COGITA 35
QUEM IN LOCUM SIS PROGRESSUS, ET VIDE, QUID JAM TIBI SIT NE
CESSA. ET CURA, UT OMNII SIBI AUXILIA ADJUNGS, ETIAM IN
FIMORUM. GABINIUS DEINDE INTRODUCTUS, QUM PRIMO IMP
UDENTERE RESPONDERE COEPISSE, AD EXTREMUM NIHIL EX ÍIS,
QUE GALLI INSIMULANTABANT, NEGAVIT. 13. AC MIHI QUIDEM, 40
QUIRITES, QUMM ILLA CERTISSIMA SUMA VISA ARGUMENTA ATQUE
INDICIA SCELERIS TABELLÆ, SIGNA, MANUS, DENIQUE UNIUS CUJUS
QUE CONFESSIO, TAM MULTO CERTIORA ILLA, COLOR OCULI, VULTUS
TACITURNITAS. SIC ENIM OBSTUPERANT, SIC TERRAM INTUEBANTUR,
ORATIO III.

sic furtim nonnunquam inter se adspiciebant, ut non jam ab aliis indicari, sed ipsi a se viderentur.

VI. Indiciis expositis atque editis, Quirites, senatum consului, de summa re publica quid fieri placeret. Dictæ sunt a principibus acerrimæ ac fortissimæ sententiae, quas senatus 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 maximis periculis sit liberata; deinde L. Flaccus et C. Pompinus, prætores, quod eorum opera fortifi fidelique usus essem, merito ac jure laudantur: atque etiam viro, collembe meo, laus impertitur, quod eos, qui hujus conjurationis participes fuissent, a suis et rei publicse consiliis removisset. Atque ita censuerunt, ut P. Lentulus, quem se praetura abdicasset, in custodiam tradetur: atque idem hoc decretum est in L. Cassium, qui sibi procurationem incendendæ urbis depoposcerat: in M. Caeparum, cui ad sollicitandos pastores Apuliam esse attributam erat indicatum: in P. Furium, qui est ex iis colonis, quos Fœsulas L. Sulla deduxit: in Q. Manlium Chilonem, qui una cum hoc Furio semper erat in hac Allobrogum sollicitatione versatus: in P. Umbrenum, libertinum hominem, a quo primum Gallos ad Gabinium perductos esse constabat. 15. Atque ea lenitate senatus usus est, Quirites, ut ex tanta conjuratione tantaque vi ac multitudine domesticorum hostium novem hominum perditissimorum poena, re publica conservata reliquorum mentes sanari posse arbitretur. Atque etiam supplicatio diis immortalibus pro singulari eorum merito meo nomine decreta est, Quirites; quod mihi primum post hanc urbem conditam togato contigit: et his decretae verbis est, Quod urbem incendis, cæde civis, Italiam bello liberasse. Quæ supplicatio si cum ceteris supplicationibus conferatur, Quirites, hoc intersit, quod ceteræ bene gesta, hæc una conservata re publica constituata est. Atque illud, quod faciendum primum fuit, factum atque transactum est. Nam P. Lentulus, quamquam patefactus indicis et confessionibus suis, judicio senatus non modo prætoris jus, verum etiam civis amiserat, tamen magistratu se abdicavit: ut, quæ religio C. Mario, clarissimo viro, non fuerat, quo minus C. Glauciam, de quo nihil nominatim erat decretum, praetorem occideret, ea nos religionem in privato P. Lentulo puniendo liberarem.

VII. 16. Nunc, quoniam, Quirites, sceleratissimi peri-
inusissimique belli nefarios duces captos jam et comprehensos tenetis, existimare debetis omnes Catilinae copias, omnes spes atque opes his depulsis urbis periculis concidisse. Quem quidem ego quem ex urbe pellebam, hoc providebam animo, Quirites, remoto Catilina mihi esse 5 P. Lentuli somnum, nec L. Cassii adipes, nec C. Cethegi furiosam temeritatem pertimescendam. Ille erat unus timendus ex his omnibus, sed tamdiu, dum moenibus urbis continebatur. Omnia norat, omnium aditus tenebat; appellare, tentare, sollicitare poterat, audebat; erat ei consilio neque lingua neque manus deerat; jam ad certas res conficiendas certos homines delectos ac descriptos habebat; neque vero, quod aliquid mandaverat, confectum putabat. Nihil erat, quod non ipse obiret occurreret, vigilaret laboraret; frigus sitim famem ferre 15 poterat. 17. Hunc ego hominem tam aereum, tam paratum, tam audacem, tam callidum, tam in scelere 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 depulsissem. Non illae nobis Saturnalia constituisset neque tanto ante exitii ac fati diem rei publicae denuntiaviisset nec commississet, ut signum, ut literae suae testes manifesti sceleris deprehenderentur. Quae nunc illo absente sic gesta sunt, ut nullum in privata domo furtum unquam sit tam palmam 25 inventum, quam hae in tota re publica conjuratio manifesto inventa atque deprehensa est. Quod si Catilina in urbe ad hanc diem remansisset, quamquam, quod fuit, omnibus ejus consiliis occurri atque obstiti, tamen, ut levissime dicam, dimicandum nobis cum illo fuisset, neque nos unquam, 30 quem ille in urbe hostis esset, tantis periculis rem publicam tanta pace, tanto otio, tanto silento liberassemus.

VIII. 18. Quamquam haec omnia, Quirites, ita sunt a me administrata, ut deorum immortalium nutu atque consilio et gesta et provisa esse videantur. Idque quum conjectura 35 consequi possimus, quod vix videtur humani consilii tanta rum rerum gubernatio esse potuisse, tam vero ita praesentes his temporibus opem et auxilium nobis tulerunt, ut eos pæne oculis videre possemus. Nam, ut illa omittam, visas nocturno tempore ab occidente faces ardoremque coeli, ut 40 fulminum jactus, ut terrae motus ceteraque, quae tam multa nobis consulibus facta sunt, ut hae, quae nunc fiunt, canere dii immortales viderentur: hoc certe, Quirites, quod sum dicturus, neque praetermittendum neque relinquendum est.
19. Nam profecto memoria tenetis Cotta et Torquato consulibus complures in Capitolio res de cælo esse percussas, quum et simulacra deorum immortalium depulsa sunt et statuae veterum hominum dejectæ et legum æra liquefacta; tactus est etiam ille, qui hanc urbem condidit, Romulus, quem inauratum in Capitolio parvum atque lactentem, uberiibus lupinis inhiantem fuisse ministis. Quo quidem tempore quum haruspices ex tota Etruria convenissent, cædes atque incendia et legum interitum et bellum civile ac domesticum et totius urbis atque imperii occasum appropinquare dixerunt, nisi dii immortales omni ratione placati suo numine prope fata ipsa flexissent. 20. Itaque illorum responsis tunc et ludi per decem dies facti sunt, neque res ullæ, quæ ad placandos deos pertineret, praetermissa est: iidemque jussurit 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 etforum curiamque conspicereat, fore, ut ea consilia, quæ clam essent inita contra salutem urbis atque imperii, illustrarentur, ut a senatu populoque Romano perspici possent. Atque illud signum ita collocandum consules illi locaverunt, sed tanta fuit operis tarditas, ut neque a superioribus consulibus neque a nobis ante hodiernum diem collocaretur.

25 IX. 21. Hic 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, cædes, incendia interitumque rei publicæ comparari, et ea per cives, quæ tum propter magnitudinem scelerum nonnullis incredibilitia videbatur, 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 domicilliis 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,
ille hæc tempa, ille hanc urbem, ille vos omnes salvos esse voluit. Diis ego immortalibus ducibus hanc mentem, Quirites, voluntatemque suscepi atque ad hæc tanta indicia perveni. Jam vero illa Allobrogum sollicitatio ā sic a P. Lentulo ceterisque domesticis hostibus tam dementer tanta 5 res credita et ignotis et barbaris commissæque litteræ nunquam essent profecto, nisi ab diis immortalibus huic tantæ audaciæ consilium esset erectum. Quid vero? Ut homines Galli ex civitate male pacata, quæ gens una restat, quæ bellum populo Romano facere et posse et non nolle videatur, spem imperii ac rerum amplissimam ultros sibi et patris hominibus oblatam neglecterunt et suis opibus anteponerent, id non divinitus factum esse putatis? Præsertim qui nos non pugnando, sed tacendo superare potuerunt.

X. 23. Quamobrem, Quirites, quoniam ad omnia pulvinaria supplicatio decreta est, celebratote illos dies cum conjugibus ac liberis vestris. Nam multi sœpe honores diis immortalibus justi habitanti sunt ac debiti, sed profecto justiores nunquam. Erepti enim estis ex crudelissimo ac miserrimo interitu, et erepti sine caede, sine sanguine, sine exercitu, sine dimicatione; 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 Sulpici um oppressit: ex urbe ejecit C. Marium, custodem hujus urbis, multosque fortes viros partim ejecit ex civitate, partim interemit. Cn. Octavius, consul, armis expulit ex urbe collegam suum; omnis hic locus acervis corporum et civium sanguine redundavit. Superavit [postea] Cinna cum Mario. Tum vero clarissimum viris interfectis lumina civitatis extincta sunt. Ultus est hujus victoriae crudelitatem postea Sulla; ne dici quidem opus est, quanta de minutione civium et quanta calamitate rei publicæ. Dissensit M. Lepidus a clarissimo ac fortissimo viro, Q. Catulo. 35 Attulit non tam ipsius interitus rei publicæ lucrum, quam ceterorum. 25. Atque illæ tamen omnes dissensiones erant ejusmodi, Quirites, quæ non ad delendam, sed ad commutandum rem publicam pertinent; non illi nullam esse rem publicam, sed in ea, quæ esset, se esse principes, neque 40 hanc urbem conflagrare, sed se in hac urbe florere voluerunt. Atque illæ tamen omnes dissensiones, quorum nulla exitium rei publicæ quæsivit, ejusmodi fuerunt, ut non reconciliatione concordiae, sed internecione civium dijudicatae
sint. In hoc autem uno post hominum memoriam maximo cruelissimoque bello, quale bellum nulla unquam barbaria cum sua gente gessit, quo in bello lex haec fuit a Lentulo, Catilina, Cethego et Cassio constituta, ut omnes, qui salva 5 urbe salvi esse possent, in hostium numero ducerentur, ita me gessi, Quirites, ut omnes salvi conservaremini; et, quum hostes vestri tantum civium superfuturum esse putassent, quantum infinitae caedi restitisset, tantum autem urbis, quantum flamma obire non potuisset, et urbem et cives 10 integros incolumesque servavi.

XI. 26. Quibus pro tantis rebus, Quirites, nullum ego a vos præmium virtutis, nullum insigne honoris, nullum monumentum laudis postulabo praeterquam hujus diei memoriaem semperitem. In animis ego vestris omnes triumphos meos, omnia ornatamenta honoris, monumenta gloriae, laudis insignia, consi et collocari volo. Nihil me mutum potest delectare, nihil tacitum, nihil denique ejusmodi, quod etiam minus digni assequi possint. Memoria vestra, Quirites, nostre res alientur, sermonibus crescent, litterarum monumentis inveterascent et corroborabuntur: eademque diem intelligo, quam spero aeternam fore et ad salutem urbis et ad memoriam consulatus mei propagatam sole unoque tempore in hac re publica duos cives exstitisse, quorum alter fines vestri imperii non terrae, sed ceeli regionibus 25 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 reliquerrunt: vestrum est, Quirites, si ceteris recte facta sua prosunt, mihi mea ne quando obsint, providere. Mentes enim hominum audacissimorum sceleratae ac nefariae ne nobis nocere possent, ego providi: ne mihi noceant, vestrum 35 est providere. Quamquam, Quirites, mihi quidem ipsi nihil ab iis 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 improbos ultero semper lacesamus. Quod si omnis impetus domesticorum hostium depulsus a vos se in me unum converterit, vos erit viden-
dum, Quirites, qua conditione posthac eos esse velitis, quia pro salute vestra obtulerint invidiæ periculisque omnibus. Mihi quidem ipsi quid est, quod jam ad vitæ fructum possit acquiri, præsertim quum neque in honore vestro neque in gloria virtutis quidquam videam altius, quo mihi libeat ascendere? 29. Illud periciam profecto, Quirites, ut ea, quæ gessi in consulatu, privatus tuear atque ornem; ut, si qua est invidia in conservanda re publica suscepta, laedat invidos, mihi valeat ad gloriam. Deinde ita me in re publica tractabo, ut meminerim semper, quæ 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 custodiis vigiliiisque defendite. Id ne vobis diutius faciendum sit atque ut in perpetua pace esse possitis, providebo, Quirites.
IN

L. CATILINAM

ORATIO QUARTA

HABITA IN SENATU.

I. 1. Videò, Patres conscripti, in me omnium vestrum ora atque oculos esse conversos. Videò vos non solum de vestro ac rei publicæ, verum etiam, si id depulsum sit, de meo periculo esse sollicitos. Est mihi jucunda in malis et 5 grata in dolore vestra erga me voluntas: sed eam, per deos immortales! deponite atque salutis meæ de vobis ac de vestris liberis cogitate. Mihi si hæc conditio consularibus data est, ut omnes acerbitates, omnes dolores cruciatusque perferrem, feram non solum fortiter, verum etiam 10 liberenter, 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 auxillum omnium gentium, non domus, commune 15 perfugium, non lectus ad quietem datus, non denique hæc 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 consularibus mei dii immortales esse 20 voluerunt, ut vos, Patres conscripti, populumque Romanum ex caede miserrima, conjuges liberosque vestros virginesque Vestales ex acerbissima vexatione, templar atque delubra, hanc pulcherrimam patriam omnium nostrum ex foedissima flamma, totam Italiam ex bello et vastitate eriperem, quœ- 25 cunque mihi uni proponetur fortuna, subeatur. Étenim, si P. Lentulus suum nomen, inductus a vatibus, fatale ad pernicem populi Romani fore putavit, cur ego non læter
meum consulatum ad salutem rei publicae prope fatalem exstitisse?

II. 3. Quare, Patres conscripti, consulite vobis, prospicite patriae, conservate vos, conjuges, liberis fortunasque vestras, populi Romani nomen salutemque defendite, mehi parere ac de me cogitare desinete. Nam primum debeo sperare omnes deos, qui huic urbi præsident, pro eo mihi, ac meereor, relatiros esse gratiam; deinde, si quid obtigerit, æquo animo paratoque moriar. Nam neque turpis mors forte viro potest accidere neque immatura consulari nec misera sapienti. Nec tamen ego sum ille ferreus, qui fratris carissimi et amantissimi præsentis maerore non movear horumque omnium lacrimis, a quibus me circumsessum videtis. Neque meam mentem non domum sæpe revocat examinata uxor et abjecta metu filia et parvulus filius, quem mihi videtur amplecti publica tamquam obsidem consularum maiorum evitare. Moveor his rebus omnibus, sed in eam partem, uti salvi sint vobiscum omnes, etiam si me vis aliqua oppresserit, potius quam et illi et nos una rei publicae peste pereamus. 4. Quare, Patres conscripti, incumbite ad salutem rei publicae; circumspicite omnes procellas, quæ impendunt, nisi providetis. Non Ti. Gracchus, quod iterum tribunus plebi fieri voluit, non C. Gracchus, quod agrarios concitare conatus est, non L. Saturninus, quod C. Memmium occidit, in discrimen aliquod atque in vestre severitatis judicium adductur: tenentur ii, qui ad urbis incendium, ad vestram omnium cædem, ad Catilinam accipiendum Romæ restiterunt. Tenentur literæ signa manus, denique unius cujusque confessio; sollicitantur Allobroges; servitia excitantur; Catilina arcessitur; id est initium consilium, ut interflectis omnibus nemo ne ad deplo randum quidem populi Romani nomen atque ad lamentandam tantæ imperii calamitatem relinquatur.

III. 5. Hæc omnia indices detulerunt, rei confessi sunt; vos multis jam judiciis judicatis: primum, quod mihi gratias egistis singularibus verbis, et mea virutate atque diligentia perditorum hominum conjurationem patefactam esse decrevistis: deinde quod P. Lentulum, ut se abdicaret praetura, coegistis; tum quod eum et ceteros, de quibus judicatis, in custodiam dandos censuistis, maximeque, quod meo nomine supplicationem decrevistis, qui honos togato habitus ante me est nemini; postremo hesterno die præmia legatis Allobrogum Titoque Volturcio dedistis amplissima.
Quæ sunt omnia ejusmodi, ut ii, qui in custodiam nominatim dati sunt, sine ulla 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. Illa prædicam, quæ sunt consulis. Ego magnum in re publica versari furorem et nova quædam misceri et concitari mala jampridem videbam; sed hanc tantam, tam exitiosam haberì conjurationem a civibus nunquam putavi. Nunc, quidquid est, quocunque vestras mentes inclinant atque sententiam statuendum vobis ante noctem est. Quantum facinus ad vos delatum sit, videatis. Huic si paucos putatis affines esse, vehementer erratis. Latius opinione disseminatum est hoc malum; manavit non solum per Italiam, verum etiam transcendit Alpes et obscure serpens multas jam provincias occupavit. Id optimum sustentando ac prolataando nullo pacto potest. Quacunque ratione placet, celeriter vobis vindicandum est.


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

V. 9. Nunc, Patres conscripti, ego mea video quæ
intersit. Si eritis secuti sententiam C. Cæsaris, quoniam
hanc is in re publica viam, quæ popularis habetur, secutus
est, fortasse minus erunt hoc auctore et cognitore hujusce
sententiae mihi popularares impetus pertimescendi: sin illam
alteram, nescio, an amplius mihi negotii contrahatur. Sed
tamen meorum periculorum rationes utilis in re
tablat. Habemus enim a C. Cæsare, sicut ipsius dignitas
et majorum ejus amplitudo postulabat, sententiam tamquam
obsidem perpetue in rem publicam voluntatis. Intellectum
est, quid intersit inter levitatem concionatorum et
animum vere populi, saluti populi consulentem. 10. Video de
istis, qui se populares haberi volunt, abesse non neminem,
ne de capite videlicet civium Romanorum sententiam ferat.
Is et nudiustertius in custodiam cives Romanos dedit et
supplicationem mihi decrevit et indices hesterno die maximis
præmiis affectit. Jam hoc nemini dubium est, qui reo
custodiam, quæsitori gratulationem, indici præmium decrevit,
quid de tota re et causa judicarit. At vero C. Cæsar intel-
ligit legem Semproniam esse de civibus Romanis constitu-
tam; qui autem rei publicæ sit hostis, eum civem esse
nullo modo posse: denique ipsum latorem Sempronii legis
jussu populi pœnas rei publicæ dependisse. Idem ipsum
largitorem Lentulum et prodigum non putat, quum de
pernicie populi Romani, exitio hujus urbis tam acerbe
tamque crueliter cogitarit, etiam appellari posse popular-
rem. 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
cruciatus et corporis etiam egestas ac mendicitas consequa-
tur.

VI. 11. Quamobrem sive hoc statueritis, dederitis mihi
comitem ad concionem populo carum atque jucundum;
sive Silani sententiam sequi malueritis, facile me atque vos
crudelitatis vituperatione populo Romano exsolvetis atque
obtinebo eam multo leniorem fuisset. Quamquam, Patres conscripti, quae potest esse in tanti sceleris immutitate punienda crudelitas? Ego enim de meo sensu judico. Nam ita mihi salva re publica vobiscum perfui liceat, ut ego, quod in hac causa vehementior sum, non atrocitate animi moveor, (quibus enim est me mitior?) sed singulari quadam humanitate et misericordia. Videor enim mihi videre hanc urbem, hanc orbis terrarum atque arcem omnium gentium, subito uno incendio concidentem; cerno animo sepultam patriam, miseros atque insepultos acervos civium; versatur mihi ante oculos adspectus Cethegi et furor in vestra caede bacchantis. 12. Quum vero mihi proposui regnantem Lentulum, sicut ipse se ex fati sperasse confessus est, purpuratum esse hinc 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 miseranda, idcirco in eos, qui ea perficere voluerunt, me severum vehementemque praebebi. 15 nocentis suum dolorem 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 deflagrati imperii collo- carent, si vehementissimi fuerimus; misericordes habebimus; sin remisses esse voluerimus, summæ nobis crudelitatis in patriæ civiumque pernicie fama subeunda est. 13. Nisi vero cuipiam L. Cæsar, vir fortissimus et amantissimus rei publicae, crudelior nudiustertius visus est, quem sororis suæ, feminæ lectissimæ, virum præsentem et audientem vita privandum esse dixit, quam avum jussu consulis interfecum filiumque ejus impuberem, legatum a patre missum, in carcere necatum esse dixit. Quorum quod simile factum? 14 quod initum delendæ rei publicae consilium? Largitionis voluntas tum in re publica versata est et partium quædam contentio. Atque illo tempore hujus avus Lentuli, clarissimus vir, armatus Gracchum est persecutus: ille etiam grave tum vulnus accepit, ne quid de summa re publica
IN CATILINAM, CAP. VII.

minueretur: hic ad evertenda fundamenta rei publicae Gallos accessit, servitia concitat, Catilinam vocat, attribuit nos trucidandos Cethego, ceteros cives interficiendos Gabi-nio, urbem inflammandam Cassio, totam Italiam vastandum diripiendamque Catilinæ. Vereamini, censeo, ne in hoc 5 scelere tam immani ac nefando nimis severius statuisse videamini. Multo magis est verendum, ne remissione poenæ crudeles in patriam, quam ne severitate animadversionis nimis vehementes in acerbissimos hostes fuisse videamini.

VII. 14. Sed ea, quæ exaudio, Patres conscripti, dissimulare non possum. Jaciuntur enim voces, quæ perveniunt ad aures meas, eorum, qui vereri videntur, ut habeam satis præsidii ad ea, quæ vos statueritis hodiern, transigunda. Omnia et provisa et parata et constituata sunt, 15 Patres conscripti, quum mea summa cura atque diligentia, tum multo etiam majore populi Romani ad summum imperium retinendum et ad communes fortunas conservandas voluntate. Omnes adsunt omnium ordinum homines, omnium 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 preter eos, qui, quum sibi viderent esse pereundum, cum omnibus potius quam soli perire voluerunt. 15. Hosce ego homines excipio et secerno libenter neque in improborum civium, sed in acerbissimorum hostium numero habendos puto. Ceteri vero, dii immortales! qua frequentia, quo studio, qua virtute ad communem salutem dignitatemque consentiunt? Quid ego hic equites Romanos commemorem? qui vobis 30 ita summam ordinis consiliique concedunt, ut vobiscum de amore rei publicæ certent; quos ex multorum annorum dissensione hujus ordinis ad societatem concordiamque revocatos hodie redundies dies vobiscum atque hæc causa conjungit; quam si conjunctionem in consulatu confirmatam meo 35 perpetuam in re publicæ tenuerimus, confirmo vobis nullum posthaec malum civile ac domesticum ad ullam rei publicæ partem esse venturum. Pari studio defendendæ rei publicæ convenisse video tribunos ærarios, fortissimos viros; scribas item universos; quos quam casu hic dies at ærarium frequentasset, video ab exspectatione sortis ad salutem communem esse conversos. 16. Omnis ingenuorum adest multitudo, etiam tenuissimorum. Quis est enim, cui non hæc templa, adspectus urbis, possessio libertatis, lux denique
hæc ipsa et hoc commune patriæ solum quem 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 perhorrescat; qui non haec stare cupiat; qui non quantum audet et quantum potest conferat ad communem salutem voluntatis.

IX. 18. Quæ quum ita sint, Patres conscripti, vobis populi Romani præsidia non desunt: vos ne populo Romano deesse videamini, providete. Habetis consulem ex plurimis periculis et insidiis atque ex media morte non ad vitam suam, sed ad salutem vestræ reservatæm; omnes ordines ad conservandæm rem publicam mente, voluntate, studio, virtute, voce consentient; obsessa facibus et telis impia conjurationis vobis supplex manus tendit patriæ communis; vobis se, vobis vitam omnium civium, vobis arcem et Capitolium, vobis aras Penatium, vobis ignem illum Vestæ sempternum, vobis omnia deorum templæ atque delubra, vobis muros et urbæ tecta commendat. Præterea de vestræ vita, de conjugum vestrarum atque liberorum anima, de fortunis omnium, de sedibus, de foci vestris hodierno die vobis judicandum est. 19. Habetis ducem memorem vestri, oblitum sui, quæ non semper facultas datur; habetis omnes ordines, omnes homines, universum populum Roma-
num, id quod in civili 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 pene delerit. Id ne unquam posthac non modo 5 confici, sed ne cogitari quidem possit a civibus, hodierno die providendum est. Atque haec, non ut vos, qui mihi studio pæne præcurritis, excitarem, locutus sum, sed ut mea vox, quà debet esse in re publica princeps, officio functa consulari videretur.

X. 20. Nunc antequam, [Patres conscripti], ad sententiam redeo, de me paucâ dicam. Ego, quanta manus est conjuratorum, quam videtis esse permagnam, tantam me inimicorum midtituidinem suscepisse, sed eam esse turpem judico, infirmam et abjectam. Quod si aliquando 15 alicujus furore et scelere concitata manus ista plus valuerit quam vestra ac rei publicæ dignitas, me tamen meorum factorum atque consiliorum nunquam, Patres conscripti, penitebit. Ætenim mors, quam mihi illi fortasse mimitantur, omnibus est parata: vitae tantam laudem, quanta vos me 20 vestris decretis honestastis, nemo est assecutus. Ceteris enim bene gestâ, mihi uni conservata re publica gratulationem decrevistis. 21. Sit Scipio clarus ille, cujus consilio atque virtute Hannibal in Africam redire atque Italia dece-dere coactus est; ornetur alter eximia laude Africanus, qui duas urbes huic imperio infestissimas Karthaginem Numantaamque delevit; habeatur vir egregius Paullus ille, cujus currum rex potentissimus quondam et nobilissimus Perses honestavit: sit ætæa gloria Marius, qui bis Italianam obsidione et metu servitutis liberavit; anteponatur omnibus 30 Pompeius, cujus res gestæ atque virtutes iisdem, quibus solis cursus, regionibus ac terminis continentur: erit profecto inter horum laudes aliud loci nostræ gloriae; nisi forte majus est patefacere nobis provincias, quo exire possimus, quam curare, ut etiam illi, qui absunt, habeant, quo victores 35 revertantur. 22. Quamquam est uno loco conditio melior externæ victoriae quam domesticæ, quod hostes alienigenæ aut oppressi serviunt aut recepti beneficio se obligatos putant: qui autem ex numero civium dementia aliqua depravati hostes patriæ semel esse coeperunt, eos, quum a perni- 40 cie rei publicæ reppuleris, nec vi coercere nec beneficio placare possis; quare mihi cum perditis civibus æternum bellum susceptum esse video. Id ego vestro honorumque omnium auxilio memoriaque tantorum periculorum, quàe
non modo in hoc populo, qui servatus est, sed [etiam] in omnium gentium sermonibus ac mentibus semper haeredit, a me atque a meis facile propulsari posse confido. Neque ulla profecto tanta vis reperietur, quae conjunctionem ve-5 stram equitumque Romanorum et tantam conspirationem bonorum omnium confringere et labefactare possibilit.

XI. 23. Qua3 quum ita sint, Patres conscripti, pro imperio, pro exercitu, pro provincia, quam neglexi, pro triumpho ceterisque laudis insignibus, quae sunt a me propter urbis 10 vestraque salutis custodiam repudiata, pro clientelis hosi- tiisque provincialibus, quae 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 memoriam postulo, quae dum erit in vestris fixa mentibus, tutissimo me muro septum esse arbitrabor. Quod si meam spem vis improborum fefellerit atque superaverit, commendo vobis parvum meum filium; cui profecto satris esse præsidii 20 non solum ad salutem, verum etiam ad dignitatem, si ejus, qui hac omnia suo solius periculo conservaverit, illum filium esse memineritis. 24. Quapropter de summa salute vestra populi Romani, Patres conscripti, de vestris conjugibus ac liberis, de aris ac focis, de fanis atque templis, de totius 25 urbis tectis ac sedibus, de imperio ac libertate, de salute Italiae, de universa re publica decernite diligenter, ut insti- tuistis, ac fortiter. Habetis eum consulem, qui et parere vestris decretis non dubitet et ea, quae statueritis, quoad vivet, defendere et per se ipsum præstare possibilit.
ORATIO
DE
IMPERIO CN. POMPEII
SIVE
PRO LEGE MANILIA.

I. 1. QUAMQUAM mihi semper frequens conspectus ve-
ster multo jucundissimus, hic autem locus ad agendum
amplissimus, ad dicendum ornatissimus est visus, Quirites,
tamen hoc aditu laudis, qui semper optimo cuique maxime
patuit, non mea me voluntas adhuc, sed vitae meae ra-
tiones ab ineunte ætate suspetae prohibuerunt. Nam,
quum antea per ætatem nondum hujus auctoritatem loci
attingere auderem statueremque nihil huc nisi perfectum
ingenio, elaboratum industria affert e 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
caste integreque versatus ex vestro judicio fructum est
amplissimum consecutus. Nam quum propter dilationem
comitiorum ter prætor primus centuriis cunctis renuntiatus 15
sum, facile intellexi, Quirites, et quid de me judicaretis et
quid aliis præscriberetis. Nunc quum et auctoritatis in me
tantum sit, quantum vos honoribus mandandis esse voluistis,
et ad agendum facultatis tantum, quantum homini vigilanti
ex forensi usu propre quotidiana dicendi exercitatio potuit 20
afferre; certe et si quid auctoritatis in me est, [ea] apud
eos utar, qui eam 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 lætandum jure esse video, quod 25
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 difficillus est exitum quam principium invenire. Ita mihi non tam copia, quam modus in dicendo quærendus est.

5 II. 4. Atque, ut inde oratio mea proficiscatur, unde hæc omnis causa ducitur, bellum grave et periculosum vestris vectorialibus ac sociis a duobus potentissimis regibus infertur, Mithridate et Tigrane; quorum alter relictus, alter lacesitus, occasionem sibi ad occupandam Asiam oblatam esse arbitrantur. Equitibus Romanis, honestissimis iris, afferuntur ex Asia quotidie literæ, (quorum magnæ res aguntur in vestris vectorialibus exercendi occupatæ; qui ad me pro necessitutine, quæ mihi est cum illo ordine, causam rei publicae periculaque rerum suarum detulerunt):

10 esse arbitruntur. Equitibus Romanis, honestissimis viris, afferuntur ex Asia quotidie literæ, (quorum magnæ res aguntur in vestris vectorialibus exercendi occupatæ; qui ad me pro necessitutine, quæ mihi est cum illo ordine, causam rei publicae periculaque rerum suarum detulerunt):

15 5. Bithyniae, quæ nunc vestra provincia est, vicos exustos esse complures; regnum Ariobarzanis, quod finitimum est vestris vectorialibus, totum esse in hostium potestate; Lucullum magnum rebus gestis ab eo bello discedere; hic qui successerit, non satis esse paratum ad tantum bellum administrandum; unum ab omnibus sociis et civibus ad id bellum imperatore deposci et expeti; eundem hunc unum ab hostibus metui, præterea neminem.

20 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 maximæ vestros animos excitare atque inflammare ad perseverandii studium debet; in quo agitur populi Romani gloria, quæ vobis a majoribus quem magna in omnibus rebus, tum summa in re militari tradita est; agitur salus sociorum atque amicorum, pro qua multa majores vestri magna et gravia bella gesserunt; aguntur certissima populi Romani vectigalia et maxima, quibus amissis et pacis ornamenta et subsidia belli requiretis; aguntur bona multorum civium, quibus est a vobis et ipsorum et rei publicae causa consulendum.

III. 7. Et quoniam semper appetentes gloriae præter ceteras gentes atque avidi laudis fuistis, delenda vobis est illa macula Mithridatico bello superiore concepta: quæ penitus jam insedit ac nimis inveteravit in populi Romani nomine: quod is, qui uno die, tota Asia, tot in civitatibus, uno nuntio atque una significacione literarum cives Romanos necandos trucidandosque denotavit, non modo adhuc poenam nullam suo dignam scelere suscipit, sed ab illo tempore annum jam tertium et vicesimum regnat, et ita regnat, ut
se non Ponto neque Cappadociae latebris occultare velit, 
sed emerger e patrio regno atque in vestris vectigalibus, 
hoc est, in Asia luce versari. 8. Etenim adhuc ita nostri 
ium illo rege contenderunt imperatores, ut ab illo insignia 
victoriae, non victoriam reportarent. Triumphavit L. Sulla, 5 
triumphavit L. Murena de Mithridate, duo fortissimi viri et 
summi imperatores, sed ita triumpharunt, ut ille pulsus 
superatusque regnaret. Verumtamen illis imperatoribus 
laus est tribuenda, quod egerunt, venia danda, quod reli-
quuerunt; propterea quod ab eo bello Sullam in Italiam res 
publica, Murenam Sulla revocavit.

IV. 9. Mithridates autem omne reliquum tempus non 
ab oblivionem veteris belli, sed ad comparationem novi 
contulit: qui posteaquam maximas ædificasset ornassetque 
classes, exercitusque permagnos, quibuscunque ex gentibus 15 
potuisset, comparasset et se Bosporanis, finitimis suis, bel-
sum inferre simularet, usque in Hispanicam legatos ac literas 
mosit ad eos ducés, quibuscum tum bellum geregamus, ut, 
quum duobus in locis disjunctissimis maximeque diversis 
uno consilio a binis hostium copiis bellum terra marique 20 
geretur, vos ancipiti contentione districti de imperio dini-
caretis. 10. Sed tamen alterius partis periculum, Sertorianæ 
atque Hispantensis, quæ multo plus firmamenti ac roboris 
habebat, Cn. Pompeii divino consilio ac singulari virtute 
depulsum est; in altera parte ita res a L. Lucullo, summo 25 
viro, est administrata, ut initia illa rerum gestarum magna 
atque præclara non felicitati ejus, sed virtuti, haec autem 
extra, quae nuper acciderunt, non culpæ, sed fortunæ 
tribuenda esse videantur. Sed de Lucullo dicam alio loco, 
et ita dicam, Quirites, ut neque vera laus ei detracta oratìone 30 
nostra neque falsa affecta esse videatur... 11. De vestri 
imperii dignitate atque gloria, quoniam is est exorsus ora-
tionis maxima, videte, quem vobis animum suspiciendum pu-
tetis.

V. Majores nostri sæpe mercatoribus aut naviculariis 35 
injursiosius tractatis bella gesserunt: vos tot milibus civium 
Romanorum uno nuntio atque uno tempore necatis quo 
tandem animo esse debetis? Legati quod erant appellati 
superbìus, Corinthum patres vestri, totius Græcæ hæmin 
exstinctum esse voluerunt: vos eum regem inulsum esse 40 
patiemini, qui legatum populi Romani consularem vinculis 
ad verberibus atque omni supplicio exerciætum necavit? 
Illi libertatem civium Romanorum imminutam non tulerunt; 
vos vitam ereptam negligetis? Jus legationis verbo viola-
tum illi persecuti sunt; vos legatum omni supplicio interfec tum reliquetis? 12. Videte, ne, ut illis pulcherrimum fuit tantum vobis imperii gloriam tradere, sic vobis turpis simum sit, id, quod accepi tis, tueri et conservare non posse.

Quid, quod salus sociorum summum in periculum ac discrimen vocatur quo tandem animo ferre debetis? Regno est expulsus Ariobarzanes rex, socius populi Romani atque amicus; imminent duo reges toti Asiae non solum vobis inimiciissimi, sed etiam vestris sociis atque amicis; civitates autem omnes cuncta Asia atque Graecia vestrum auxilium exspectare propter periculi magnitudinem coguntur; imperatorem a vobis certum deposcere, quum prorsum vos amicos, neque audent neque se facere sine summo periculo posse.

15 Videte, ne, ufc illis pulcherrimum fuit tantam vobis imperii gloriam tradere, sic vobis turpis sit, id, quod accepi tis, tuei et conservare non posse.

13. Vident et sentiunt idem, quod vos, unum virum esse, in quo summa sint omnia, et eum propter esse, quo etiam carent ægrius: cujus adventu ipso atque nomine, tametsi ille ad maritimum bellum venerit, tamen impetus hostium repressos esse intel ligunt ac retardatos. Hi vos, quoniam libere loqui non licet, tacite rogant, ut se quoque, sicut ceterarum provinciarum socios, dignos existimetis, quorum salutem tali yiro commendetis; atque hoc etiam magis, quod ceteros in provinciam ejusmodi homines cum imperio mittimus, ut, etiamsi ab hoste defendant, tamen ipsorum adventus in urbes sociorum non multum ab hostili expugnatione differant. Hunc audiebant antea, nunc praesentem vident tanta tempertantia, tanta mansuetudine, tanta humanitate, ut ii beatissimi esse videantur, apud quos ille diutissime commoratur.

30 VI. 14. Quare, si propter socios nulla ipsi injuria cessiti, majores nostri cum Antiocho, cum Philippo, cum Ætolis, cum Pœnis bella gesserunt, quanto vos studio convenit injuriis provocatos sociorum salutem una cum imperii vestri dignitate defendere? praesertim quum de maximis vestris vectigalibus agatur.

Nam ceterarum provinciarum vectigalia, Quirites, tanta sunt, ut iiis ad ipsas provincias tutandas vix contenti esse possimus; Asia vero tam opima est ac fertilis, ut et ubertate agrorum et varietate fructuum et magnitudine pastionis et multitudine earum rerum, que exportantur, facile omnibus terris antecellat. Itaque hæc vobis provincia, Quirites, si et bellis utilitatem et pacis dignitatem retinere vultis, non modo a calamitate, sed etiam a metu calamitatis est defenda. 15. Nam in ceteris rebus, quum venit calamitas,
tum detrimentum accipitur; at in vectigalibus non solum adventus mali, sed etiam metus ipse affert calamitatem. Nam quum hostium copiae non longe absunt, etiam si irruptio nulla facta est, tamen pecuia relinquentur, agri cultura deseritur, mercatorum navigatio conquiscecit. Ita neque ex portu neque ex decumis neque ex scriptura vectigal conservari potest; quare saepe totus anni fructus uno rumore periculi atque uno belli 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 propter adsint? quum ima excursio equitatus per brevi tempore totius anni vectigal auferre possit? quum publicani familias maximas, quas in salinis habeant, quas in agris, quas in portibus atque custodiis, magno periculo se habere arbitrent? Putatisneillosisrebusfruipossent, nisi eos, qui vobis fructui sunt, conservatis, non solum (ut ante dixi) calamitate, sed etiam calamitatis formidine hberatos?

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 pertinet; quorum vobis pro vestra sapientia, Quirites, habenda est ratio diligenter. Nam et publicani, homines honestissimi atque ornatissimi, suas rationes et copias in illam provinciam contulerunt; quorum ipsorum per se res et fortuna vobis curae esse debent. Etenim si vectigalia nervos esse rei publicae semper duximus, cum certe ordinem, qui exercet illa, firmamentum ceterorum ordinum recte esse dicemus. 18. Deinde ex ceteris ordinibus homines navi atque industri partim ipsi in Asia negotiantur, quibus vos absentibus consulere debetis, partim eorum in ea provincia pecunias magnas collocatas habent. Est igitur humanitatis vestrae magnae numero eorum civium calamitate prohibere, sapientiae, videre multorum civium calamitatem a re publica sejunctam esse non posse. Etenim primum illud parvi referat, nos publicanis amissis vectigalia postea victoria recuperare: neque enim isdem redimendi facultas erit propter calamitatem, neque aliis voluntas propter timorem. 19. Deinde quod nos eadem Asia atque idem iste Mithridates initio belli Asiatici docuit, certe id quidem calamitate docti memoria retinere debemus: nam tum, quum in Asia res magnas permulti amiserant, scimus, Romae solutione impedita fidem concidisse. Non enim possunt una in civitate multi rem atque fortunas amittere, ut non plures secum
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 cohaeret; ruere illa non possunt, ut hæc non eodem labefacta motu concidant. Quare videte, num dubitandum vobis sit omni studio ad id bellum incumbere, in quo gloria nominis vestri, salus sociorum, vectigalia maxima, fortunæ plurimorum civium eum re publica defenduntur.

10 VIII. 20. Quoniam de genere belli dixi, nunc de magnitudine paucâ dicam. Potest hoc enim dici: belli genus esse ita necessarium, ut sit gerendum; non esse ita magnum, ut sit pertimescendum. In quo maxime hiborandum est, ne forte a vobis, quae diligentissime providenda sunt, con-temnenda esse videantur. Atque ut omnes intelligent me L. Lucullo tantum impertire laudis, quantum forti viro et sapienti homini et magno imperatori debatur, dico, ejus adventu maximas Mithridatis copias omnibus rebus ornatas atque instructas fuisse, urbemque Asiacum clarissimum nobisque amicissimam Cyzicensorum obsessam esse ab ipso rege maxima multitutine et oppugnatam vehementissime, quam L. Lucullus virtute assiduitate consilio summis obsidionis periculis liberavit; 21. ab eodem imperatore classe magnum et ornatam, quæ ducibus Sertorianis ad Italiam studio atque odio inflammatæ raperetur, superatam esse atque depressam; magnas hostium præterea copias multis præliis esse deletas patefactumque nostriis legionibus esse Pontum, qui ante populo Romano ex omni aditu clausus fuisset; Sinopen atque Amisum, quibus in oppidis erant domicilia regis, omnibus rebus ornatas atque refertas ectorasque urbès Ponti et Cappadociae permultas uno aditu adventuque esse captas; regem spoliatum regno patrio atque avito ad alios se reges atque ad alias gentes supplicem contulisse: atque hæc omnia salvis populi Romani sociis atque integris vectigibus esse gesta. Satis opinor hoc esse laudis, atque ita, Quirites, ut hoc vos intelligatis, a nullo istorum, qui huic obtrectant legi atque causæ, L. Lucullum similius ex hoc loco esse laudatum.

IX. 22. Requiretur fortasse nunc, quemadmodum, quum 40 hæc ita sint, reliquam possit magnum esse bellum. Cognoscite, Quirites, non enim hoc sine causa quæri videtur. Primum ex suo regno sic Mithridates profugit, ut ex eodem Ponti Medea illa quondam profugisse dicitur; quam prædicant in fuga fratri sui membra in iis locis, qua se parens
persequeretur, dissipavisse, ut eorum collectio dispersa mæ-rorque patrius celeritatem sequendi retardaret. Sic Mithridates fugiens maximam vim auri atque argenti pulcherrimamque rerum omnium, quas et a majoribus acce-perat, et ipse bello superiore ex toto Asia direptas in suum 5 regnum congerret, in Ponto omnem reliquit. Hæc dum nostri colligunt omnia diligentius, rex ipse e manibus effugit. Ita illum a persequendi studio mæror, hos lætitia tardavit. 23. Hunc in illo timore et fuga Tigranes, rex Armenius, excepto diffidentemque rebus suis confirmavit et afflicto 10 erexit perditumque recreavit: cujus in regnum posteaquam L. Lucullus cum exercitu venit, multæ etiam gentes contra imperatorem nostrum concitatæ sunt. Erat enim metus injectus in illis nationibus, quas nunquam populus Romanus neque lacessendas belli neque tentandas putavit; etiam 15 alia gravis atque vehemens opinio, quæ per animos gentium barbararum pervaserat, fani locupletissimi et religiosissimi diripendi causa in eas oras nostrum esse exercitum addu-ctum. Ita nationes multæ atque magnæ novo quodam terrore ac metu concitabantur. Noster autem exercitus, 20 tametips urbem ex Tigrani regno ceperat et præliis usus erat secundis, tamen nimia longinquitate locorum ac deside-rio 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 quaereretur: 25 Mithridates autem et suam manum jam confirmat et eo-rum, qui se ex ipsius regno collegerant et magnis adventiciis auxiliis multorum regum et nationum juvabatur. Jam hoc fere sic fieri solere accepimus, ut regum afflicte fortunæ facile mul-torum opes alliciant ad misericordiam, 30 maximeque eorum, qui aut reges sunt aut vivunt in regno: ut [iis] nomen regale magnum et sanctum esse videatur. 25. Itaque tantum victus efficere potuit, quantum incolmis nunquam est ausus optare. Nam quum 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, sicut poetæ sol-lent, qui res Romanas scribunt, præterire me nostram calamitatem, quæ tanta fuit, ut eam ad aures imperatoris 40 non ex prælio nuntius, sed ex sermone rumor afferret. 26. Hic in illo ipso malo gravissimique belli offensione L. Lucullus, qui tamen aliqua ex parte iis incommodis mederi fortasse potuisset, vestro jussu coactus, quod imperii diu-

OBATIO turnitati modum statuendum vetere exemplo putavistis, partem militum, qui jam stipendiis confecti erant, dimisit, partem Glabrioni tradidit. Multa praetereo consulta: sed ea vos conjectura perspicite, quantum illud bellum factum putetis, quod conjungant reges potentissimi, renovent agitatae 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 necessario, 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 habereis, ut hocibus deliberatio difficilis esset, quemnam potissimum tantis rebus et tanto bello praeficiendum putaretis. Nunc vero quem sit unus Cn. Pompeius, qui non modo eorum hominum, qui nunc sunt, gloriam, sed etiam antiquitatis memoriam virtute superavit, quas res est, quæ cujusquam animum in hac causa dubium facere possit?

28. Ego enim sic existimo, in summum imperatore qua tuor has res inesse oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem. Quis igitur hoc homine scientior unquam aut fuit aut esse debuit? qui e ludo atque pueritiisque disciplinis bello maximo atque acerrimis hostibus ad patris exercitum atque in militiae disciplinam profectus est; qui extrema pueritia miles in exercitu fuit summi imperatoris, ineunte adolescentia maximi ipse exercitus imperator; qui sæpius cum hoste confliget, quam quisquam eum inimico concertavit; plura bella gessit, quam ceteri legerunt; plures provincias confecit, quam aliis concupiverunt; cujus adolescencia ad scientiam rei militaris non alienis praecipit, sed suis imperiis, non offensionibus belli, sed victoriis, non stipendiis, sed triumphis est erudita. Quod denique genus esse belli potest, in quo illum non exercuerit fortuna rei publicae? 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 viri scientiam fugere possit.

30 XI. 29. Jam vero virtuti Cn. Pompeii quæ potest oratio par inveniri? Quid est, quod quisquam aut illo dignum aut vobis novum aut cuiquam inauditum possit afferre? Neque enim illæ sunt sola virtutes imperatoriae, quæ vulgo existimantur, labor in negotiis, fortitudo in periculis, industria
in agendo, celeritas in conficiendo, consilium in providendo; quae tanta sunt in hoc uno, quanta in omnibus reliquis imperatoribus, quos aut vidimus aut audivimus, non fuerunt. Testis est Italia, quam ille ipse victor, L. Sulla, hujus virtute et subsidio confessus est liberatam. 30. Testis est Sicilia, quam multis undique cinctam periculos non terrore belli, sed consiliis celeritate explicavit. Testis est Africa, quae magnis oppressa hostium copiis eorum ipsorum sanguine redundavit. Testis est Gallia, per quam legionibus nostris in Hispanicam iter Gallorum interneceo patefactum est. Testis est Hispania, quae sæpissime plurimos hostes ab hoc superatos prostratosque conspexit. Testis est iterum et sæpius Italia, quae, quum servili bello tetro periculosoque premeretur, ab hoc auxilium absente expetivit: quod bellum exspectatione ejus attenuatum atque imminutum est, adventu sublatum ac sepultum. 31. Testes nunc vero jam omnes orae atque omnes exterae gentes ac nationes, denique maria omnia, quum universa, tum in singulis oris omnes sinus atque portus. Quis enim toto mari locum per hos annos aut tam firmum habuit præsidium, ut tutus esset? aut tam fuit abditus, ut lateret? Quis navigavit, qui non se aut mortis aut servitutis periculo committeret, quum aut hieme aut referto prædonum mari navigaret? Hoc tantum bellum, tam turpe, tam vetus, tam late divisum atque dispersum, quis unquam arbitraretur aut ab omnibus imperatoribus uno anno, aut omnibus annis ab uno imperatore confici posse? 32. Quam provinciam tenuistis a prædonibus liberam per hosce annos? quod vectigal vobis tutum fuit? quem socium defendistis? cui præsidio classibus vestris fuistis? quam multas existimatis insulas esse desertas? quam multas aut metu relictas aut a prædonibus captas urbes esse sociorum?

XII. Sed quid ego longinquam commemoror? Fuit hoc quondam, fuit proprium populi Romani, longe a domo bellare et propugnaeulis imperii sociorum fortunas, non sua tecta defendere. Sociis ego nostris mare per hos annos clausum fuisset dicam, quem exercitus nostri nunquam a Brundisio nisi hiee summa transmiserint? Qui ad vos ab exteri nationibus venirent, captos querar, quem legati populi Romani redempti sint? Mercatoribus tutum mare non fuisset dicam, quem duodecim secures in prædonum potestatem pervenerint? 33. Cnidum aut Colophonem aut Samum, nobilissimas urbes, innumerablesque alias captas esse commemoror, quam vestros portus, atque eos
56

ORATIO

portus quibus vitam et spiritum ducitis, in prædonum fuisses potestate sciatis? An vero ignorantis portum Caietæ celebríssimum 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 incommodum atque illum labem atque ignominiam rei publicæ querar, quam prope inspectantibus vobis classis ea, cui consul populi Romani præpositus esset, a prædonibus capta atque oppressa est? Pro dii immortales! tantamne mius hominis incredibilis ac divina virtus tam brevi tempore lucem affere rei publicæ, ut vos, qui modo ante ostium Tiberinum classem hostium videbatis, nunc nullam intra Oceanì ostium prædonum navem esse audītis? 34.

15 Atque haec qua celèritate gesta sint, quamquam videtis, tamen a me in dicendo præterœunda non sunt. Quis enim unquam aut obeundi negotii aut consequendi quæstus studio tam brevi tempore tota terræ adire, tantos cursus conficere potuit, quam celèriter Cn. Pompeio duce tanti belli impetus navigavit? qui nondum tempestivo ad navigandum mari Siciliam adiit, Africam exploravit, inde Sardiniam cum classe venit atque haec tria frumentaria subsidia rei publicæ firmissimis præsidiiis classibusque munivit. 35. Inde quæse se in Italiam recepisset, duabus Hispaniis et Gallia [Transalpina] præsidiiis ac navibus confirmata, missis item in oram Illyrici maris et in Achaiam omneque Græci navibus Italiæ duo maria maximis classibus firmissimisque præsidiiis adornavit; ipse autem, ut Brundisio professus est, undequina- geso die totam ad imperium populi Romani Ciliciam adjunxit: omnes, qui ubique prædones fuerant, partim capti interféctique sunt, partim unius hujus se imperio ac potestati dediderunt, Idem Cretensibus, quod ad eum usque in Pamphyliam legatos deprecatosque misissent, spem deditiis non admitt obsidesque imperavit. Ita tantum bellum, tam diuturnum, tam longe lateque dispersum, quo bello omnes gentes ac nationes premebantur, Cn. Pompeius extrema hiemé apparavit, ineunte vere suscepit, media aestate concepit.

XIII. 36. Est haec divina atque incredibilis virtus imperatori. Quid ceteræ, quas paulo ante commemorare cooperam, quantæ atque quam multæ sunt? Non enim bel- landi virtus solum in summo ac perfecto imperatore quaerenda est, sed multæ 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 brevis; qualia sint in Cn. Pompeio, consideremus. Summa enim omnia sunt, Quirites, sed ea magis ex aliorum contentione quam ipsa per se cognosci atque intelligi possunt. 

37. Quem enim imperatorem possimus ullo in numero putare, cujus in exercitu centuratus veneant atque venierint? quid hunc hominem magnum aut amplum de re publica cogitare, qui pecuniam ex aerario depromptam ad bellum administrandum aut propter cupiditatem provinciæ magistratibus diviserit aut propter avaritiam Romæ in quæstu reliquerit? Vestra admururatio facit, Quirites, ut agnoscre videamini, qui hæc fecerint: ego autem nomino neminem; quare irasci mihi nemo poterit, nisi qui ante de se voluerit confiteri. 

38. Itaque propter hanc avaritiam imperatorum quantas calamitates, quocunque ventum sit, nostri exercitus ferant, quis ignorat? Itinera, quæ per hosce annos in Italia per agros atque oppida civium Romanorum nostri imperatores fecerint, recordamini; tum facilius statuetis, quid apud exteræ nationes fieri existimetis. Utrum plures arbitrâmini per hosce annos mili-tum vestrorum armis hostium urbes, an hibernis sociorum civitates esse deletas? Neque enim potest exercitum is continere imperator, qui se ipse non continet, neque severus esse in judicando, qui alios in se severos esse judices non vult. 

39. Hic miramur hunc hominem tandem excellere ceteris, cujus legiones sic in Asiam pervenerint, ut non modo manus tanti exercitus, sed ne vestigium quidem cui-quam pacato nocuisse dicatur? Jam vero, quemadmodum milites hibernent, quotidie sermones ac literæ perferuntur; non modo, ut sumptum faciat in militem, nemit vis affertur, sed ne cupienti quidem cuquam permittitur. Hiemis enim, non avaritiae perfugium majores nostri in sociorum atque amicorum tectis esse voluerunt. 

XIV. 40. Age vero, ceteris in rebus qua sit temperantia, considerate. Unde illam tantam celeritatem et tam incredibilem cursum inventum putatis? Non enim illum eximiam vis remigum aut ars inaudita quædam gubernandi aut venti aliqui novi tam celeriter in ultimas terras pertulerunt, sed æ res, quæ ceteros remorari solent, non retardarunt; non avaritia ab instituto cursu ad prædam aliquam devocavit, 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 Græcorum
oppidorum, quæ ceteri tollenda esse arbitrantur, ea sibi ille re visenda quidem existimavit. 41. Itaque omnes nunc in iis locis Cn. Pompeium sicut aliquem non ex hac urbe missum, sed de cælo delapsum intuentur; nunc denique iniciunt credere, fuisse homines Romanos hac quondam continentia, quod jam nationibus exteris incredibile ac false memoriae proditum videbatur. Nunc imperii vestri splendor illis gentibus lucet; nunc intelligunt non sine causa majores suos tum, quam ea temperantia magistratus habeamus, servire populo Romano quam imperare alis maluisse. Jam vero ita facile aditus ad eum privatorum, ita liberæ querimoniæ de aliorum injuriis esse dicuntur, ut is, qui dignitatem principibus excellit, faciliter insinibus par esse videatur. Jam vero ita facile aditus ad eum privatorum, ita liberæ querimoniæ de aliorum injuriis esse dicuntur, ut is, qui dignitatem principibus excellit, faciliter insinibus par esse videatur. 42. Jam quantum consilio, quantum dicendi gravitate et copia valeat, in quo ipso inest quædam dignitas imperatoria, vos, Quirites, hoc ipso ex loco sepe cognovistis. Fidem vero ejus quantum inter socios existimari putatis, quam hostes omnes omnium generum sanctissimam judicaret? 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 tantum bellum transmittendum sit, qui ad omnia nostræ memoriae bella conficienda divino quodam consilio natus esse videat?

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 ignorant, quam sciamus homines in tantis rebus, ut aut contemnunt aut metuant aut oderint aut ament, opinione non minus et fama quam aliqua ratione certa commoveri? Quod igitur nomen unquam in orbe terrarum clarius fuit? cujus res gestæ pares? de quo homine vos, id quod maxime facit auctoritatem, tanta et tam praecella judicia facitis?

44. An vero illam usquam esse oram tam desertam putatis, quo non illius diei famâ pervaserit, quam universus populus Romanus referto foro completisque 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 efficere potuisset. 45. Jam, accepta in Ponto calamitate ex eo praelio, de quo vos paulo ante invitus admonuit, quam socii pertimuissest, hostium opes animique crevissent, satis firmum praesidium provincia non haberet, amisissetis Asiam, Quirites, nisi ad ipsum discrimen ejus temporis divinitus Cn. Pompeium ad eas regiones fortuna populi Romani attulisset. Hujus adventus et Mithridatem insolita inflammatum victoria continuit 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 defenderit?

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 noster 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 eundem Cn. Pompeium legatum usque ad Hispanicam misit eum, quem Pompeius legatum semper judicavit, ii, quibus erat semper molestum ad eum potissimum esse missum, speculatorem quam legatum judicari maluerunt. Potestis igitur jam constituere, Quirites, hanc auctoritatem multis postea rebus gestis magnisque vestris judiciis amplificatam quantum apud illos reges, quantum apud externas nationes valituram esse existimatis.

47. Reliquum est, ut de felicitate, quam præstare de se ipso nemo potest, meminisse et commemorare de altero possimus, sicut æquum est homines de potestate deorum, timide et paucâ dicamus. Ego enim sic existimo: Maximo, Marcello, Scipioni, Mario et ceteris magnis imperatoribus non solum propter virtutem, sed etiam propter fortunam sepius imperia mandata atque exercitus esse commissos. Fuit enim profecto quibusdam summis viris quædam ad amplitudinem et ad gloriam et ad res magnas bene gerendas divinitus adjuncta fortuna. De hujus autem hominis felicitate, de quo nunc agimus, hae utar moderatione dicendi, non ut in illius potestate fortunam positam esse dicam, sed ut præterita meminisse, reliqua sperare videamur, ne aut invisa diis immortalibus oratio nostra aut ingrata esse vi-
deatur. 48. Itaque non sum prædicatus, quantas ille res domi militæ, terra marisque quantaque felicitate gesserit; ut ejus semper voluntatibus non modo cives assenserint, socii obtemperarent, hostes obedierint, sed etiam venti temp•

Itaque non sum praedicatus, quantas ille res domi militae, terra marisque quantaque felicitate gesserit; ut ejus semper voluntatibus non modo cives assenserint, socii obtemperarent, hostes obedierint, sed etiam venti temperatura, hostes obedierint, sed etiam venti tempere.

5 pestesque obscurarint: hoc brevissime dicam, neminem unquam tam impudentem fuisset, qui ab diis immortales tot et tantas res tacitus auderet optare, quot et quantas dii immortales ad Cn. Pompeium detulerunt: quod ut illi præprium ac perpetuum sit, Quirites, quum communis salutis atque imperius, tum ipsius hominis causa, sicuti facitis, velle et optare debitis.

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

XVII. 50. Quod si Romæ Cn. Pompeius privatus esset hoc tempore, tamen ad tantum bellum is erat deligendus atque mittendus. Nunc, quum ad ceteras summas utilitates haec quoque opportunitas adjungatur, ut in ipsis locis adsit, ut habeat exercitum, ut ab iis qui habent, accipere statim possit, quid expectamus? aut cur non ducibus diis immortalis eidem, 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 summis ornamentiis honoris fortunae, virtutis ingenii praeditus, Q. Hortensius, ab hac ratione dissentient: quorum ego auctoritate apud vos multir locis plurimum valuisse et valere oportere confiteor; sed in hac causa, tametsi cognoscetis auctoritates contrarias virorum fortissimorum et clarissimorum, tamen omissis auctoritatibus ipsa re ac ratione exquirere possumus veritatem: atque hoc facilius, quod ea omnia, quæ a me adhuc dicta sunt, idem 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 oportere. Obsolevit jam ista oratio, re multo magis quam verbis refutata. Nam tu idem, Q. Hortensi, multa pro tua summa copia ac singuliæ 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 valisset, hodie hanc gloriam atque hoc orbis terrae imperium tenere mus? An tibi tum imperium esse hoc videbatur, quum populi Romani legati, quaestores pretoresque capiebantur? quum ex omnibus provinciis commeatu et privato et publico prohibebamur? quum ita clausa nobis erant maria, ut neque privatam rem transmarinam neque publicam obire possemus?

XVIII. 54. Quae civitas anteunquam fuit, non dico Atheniensium, quae satis late quondam mare tenuisse dicitur; non Karthaginiensium, qui permultum classe ac maritimis 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 suas 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 invictum in navalibus pugnis permanerat, magna ac multo maxima parte non modo utilitatis, sed dignitatis atque imperii caruit. 55. Nos, quorum majores Antiocum regem classe Perseusque superarunt, omnibusque navalibus pugnis Karthaginienses, homines in maritimis rebus exercitassimos paratissimosque, vicerunt, ii nullo in loco jam praedonibus pares esse poteramus. Nos, qui ante non modo Italiam tutam habebamus, sed omnes socios in ultimis oris auctoritatate nostri imperii salvos praestare poteramus, tum, quum insula Delos tam procul a nobis in Ægæo mari posita, quo omnes undique cum mercibus atque oneribus commeabant, referta divitiis, parva, sine muro nihil timebat, iidem non modo provinciis atque oris Italicæ maritimis ac portibus nostris, sed etiam Appia jam viaicarebamus: et his temporeibus non pudebat magistratus populi Romani in hunc ipsum locum ascendere, quum eum nobis majores nostri exuviiis nauticis et classium spoliis ornatum reliquisse-t!
vestræ obtemperare. Itaque una lex, unus vir, unus annus non modo nos illa miseria ac furpitudine liberavit, sed etiam effecit, 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. Utrum ille, qui postulat ad tantum bellum legatum, quem velit, idoneus non est, qui impetret, quam ceteri ad expilandos socios diripiendasque provincias, quos voluerunt, legatos eduxerint; an ipse, cujus lege salus ac dignitas populo Romano atque omnibus gentibus constituta est, expers esse debet ejus gloriae imperatoris atque ejus exercitus, qui consilio ipsius ac periculo est constitutus?

10 58. An C. Falcidius, Q. Metellus, Q. Ceilius Latiniensis, Cn. Lentulus, quos omnes honoris causa nomino, quum tribuni plebi fuissent, anno proximo legati esse potuerunt; in uno Gabinio sunt tam diligentes? qui in hoc bello, quod lege Gabinia geritur, in hoc imperatore atque exercitu, quem per vos ipse constituit, etiam præcipuo jure esse deberet? De quo legando consules spero ad senatum relaturos. Qui si dubitabunt aut gravabuntur, ego me profiteor relaturum; neque me impediet cujuscumque 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 suscipiendum vestris suffragiis detulit, alter delatum susceptumque confecit.

XX. 59. Reliquum est, ut de Q. Catuli auctoritate et sententia dicendum esse videatur. Qui quem ex vobis quaueret, si in uno Cn. Pompeio omnia poneretis, si quid 35 eo factum esset, in quo spem essetis habuiti, 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 tueri 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.—60. At enim ne quid novi fiat contra exempla atque instituta majorum.—Non
dicam hoc loco majores nostros semper in pace consuetudinii, in bello utilitati paruisse; semper ad novos casus temporum novorum consiliorum rationes accommodasse; non dicam duo bella maxima, Punicum atque Hispaniense, ab uno imperatore esse confecta; duasque urbes potentissimas, quae huic imperio maxime minitabantur, Karthaginem atque Numantiam, ab eodem Scipione esse deletas: non comme morabo 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 constituti nihil vult Q. Catulus, quam multa sint nova summa Q. Catuli voluntate constituata, recordamini.

XXII. Quare videant, ne sit periniquum et non ferendum illorum auctoritatem de Cn. Pompeii dignitate a vobis communicatus semper esse, vestrum ab illis de eodem homine judicium populique Romani auctoritatem improvari; præsertim quum jam suo jure populus Romanus in hoc homine suam auctoritatem vel contra omnes, qui dissentiant, possit defendere; propterea quod, iisdem istis reclamationibus, vos unum illum ex omnibus delegistis, quem bello praedonum praeponeretis. 64. Hoc si vos temere fecistis et rei publicae parum consulistis, i-sae isti studia suis consiliis regere conantui*; sin autem vos plus tum in re publica vidistis, vos his rege imperii, salutem orbis terrarum attuleritis; aliquando isti principes et sibi et ceteris populis Romani universalis auctoritati parendum esse fateantur! [Atque in hoc bello Asiatico et regio non solum militaris illa virtus, quæ est in Cn. Pompeio singularis, sed alioque virtutes animi magnæ et multæ requiruntur. Difficile est in Asia, Cilicia, Syria regni,que interiorum nationum ita versari nostrum imperatorem, ut nihil aliud nisi de hoste ac de laude cogitet. Deinde etiam si qui sunt pudore ac temperantia moderatores, tamen eos esse tales, propter multitudoim cupidorum hominum nemo arbitratur. 65. Difficile est dictu, Quirites, quanto in odio simus apud exterinas nationes propter eorum, 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 clausum ac munitum suisse? Urbes jam locupletes ac copiosæ requiruntur, quibus causa bellum propter diripendi cupiditatem inferatur. 66. Libenter haec coram cum 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 contra socios atque amicos? quæ civitas est in Asia, quæ non modo imperatoris aut legati, sed unius tribuni militum animos ac spiritus capere possit?

XXIII. Quare, etiam si quem habetis, qui collatis signis exercitus regios superare posse videatur, tamen, nisi erit idem, qui se a pecuniis sociorum, qui ab eorum conjugibus ac liberis, qui ab ornamentis fanorum atque oppidorum, qui ab auro gazaque regia manus oculos animum cohibere possit, non erit idoneus, qui ad bellum Asiaticum regiumque mittatur. 67. Ecquam putatis civitatem pacatam suisse,
quae locuples sit? ecquam esse locupletem, quae istis pacata esse videatur? Ora maritima, Quirites, Cn. Pompeium non solum propter rei militaris gloriam, sed etiam propter animi continentiam requisivit. Videbat enim prætores locupletari quotannis pecunia publica, præter paucos; neque eos quidquam aliud assequi classium nomine, nisi ut detrimentis accipiendis majore affici turpitudine videamur. Nunc qua cupiditate homines in provincias, quibus jacturis, quibus conditionibus profiscantur, ignorant velicet isti, qui ad unum deferenda omnia esse non arbitrantur: quasi vero Cn. Pompeium non quum suis virtutibus, tum etiam alienis vitius magnum esse videamus.

68. Quare nolite dubitare, quin huic unis credatis omnia, qui inter tot annos unus inventus sit, quem socii in urbes suas cum exercitu venisse gaudeant.] Quod si auctoritatibus Cn. hanc causam, Quirites, confirmandam putatis, est vobis auctor vir bellorum omnium maximarumque rerum peritis P. Servilius, cujus tantae res gestae terra marique exstiterunt, ut, quum de bello deliberetis, auctor vobis gravior nemo esse debat; est C. Curio summis vestris beneficis maximisque rebus gestis, summo ingenio et prudentia praeditus; est Cn. Lentulus, in quo omnes pro amplissimis vestris honoribus summum consilium, summam gravitatem esse cognovistis; est C. Cassius, integritate virtute constantia singulari. Quare videte, ut horum auctoritatibus illorum orationi, qui dissentiunt, respondere posse videamur.

XXIV. 69. Quæ quum ita sint, C. Manili, primum istam tuam et legem et voluntatem et sententiam laudo vehementissimeque comprobo: deinde te hortor, ut auctore populo Romano maneas in sententia neve cujusquam vim aut minas pertimescas. Primum in te satís esse animi perseverantiaque arbitrari; deinde quum tantam multitudo nem cum tanto studio adesse videamus, quantum nunc iterum in eodem homine praebendo videamus, quid est, quod aut de re aut de perficiendi facultate dubitemus? 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 pollicior ac defero: testorque omnes deos, et eos maxime, qui hoc loco temploque praebent, qui omnium mentes eorum, qui ad rem publicam adeunt, maxime perspiciunt, me hoc neque rogatu facere cujusquam neque quo Cn. Pompeii gratiam mihi per hanc causam conciliari putem.
neque quo mihi ex eujusquam amplitudine aut præsidia periculis aut adjuncta honoribus quaeram; propterea quod pericula facile, ut hominem præstare oportet, innocentia tecti repellemus; honorem autem neque ab uno neque ex hoc loco, sed eadem illa nostra laboriosissima ratione vitae, si vestra voluntas feret, consequemur. 71. Quamobrem, quidquid in hac causa mihi suscepsum est, Quirites, id ego omnem me rei publicae causa suscepisse confirmo; tantumque abest, ut aliquam mihi bonam gratiam quæsisse videar, ut multas me etiam simultates partim obscuras, partim apertas intelligam mihi non necessarias, vobis non inutiles suscepisse. Sed ego me hoc honore praeditum, tantis vestris beneficiis affectum statui, Quirites, vestram voluntatem et rei publicae dignitatem et salutem provinciarum atque sociorum meis omnibus commodis et rationibus præferre oportere.
I. 1. Diurni silentii, Patres conscripti, quo eram his temporibus usus, non timore aliquo, sed partim dolore, partim verecundia, finem hodiernas dies attulit, idemque initium, quae vellem quaeque sentirem meo pristino more dicendi. Tantam enim mansuetudinem, tam inusitatam et inauditamque clementiam, tantum in summa potestate omnium rerum modum, tam denique incredibilem sapientiam ac prae divinam tacitus præterire nullo modo possum. 2. M. enim Marcello vobis, Patres conscripti, reique publicæ redito, non illius solum, sed etiam meam vocem et auctoritatem et vobis et rei publicæ conservatam ac restitutam puto. Dolebam enim, Patres conscripti, et vehementer angebar, quum viderem, virum talen, qui in eadem causa esset, in qua ego fussem, non in eadem esse fortuna: nec mihi persuadere poteram nec fas esse ducebam, versari me in nostro vetere curriculo, illo sæmulo atque imitatore studiorum ac laborum meorum quasi quodam socio a me et comite distracto. Ergo et mihi meæ pristinæ vitæ consuetudinem, C. Cæsar, interclusam 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 publicæ concessisti, commemoratis præsertim offensionibus, te auctoritatem hujus ordinis dignitatemque rei publicæ tuis vel doloribus vel suspicitionibus anteferre. Ille quidem fructum omnis ante actæ vitæ hodierno die maximum cepit, quum summo consenso senatus tum præterea judicio tuo gravissimo et maximo. Ex quo profecto intelligis, quanta in dato beneficio sit laus, quum in accepto sit tanta gloria. Est vero fortunatus ille, cujus
ex salute non minor pæne ad omnes, quam ad illum ventura sit, letitia pervenerit: 4. quod quidem ei merito atque optimo jure contigit. Quis enim est illo aut nobilitate aut probitate aut optimarum artium studio aut innocentia autullo 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, quam hodierno die consecutus es.

Quas quidem ego nisi tam magna esse fatear, 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 propriæ sint imperatorum. Et certe in armis militum virtus, locorum opportunitas, auxilia sociorum, classes, commeatus multum juvant, maximam vero partem quasi suo jure fortuna sibi vindicat et quidquid prospere gestum est, id pæne omne ducit suum.

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 gloriar se non offert, tibi cedit, tuam se esse totam et propriam fatetur. Nunquam enim temeritas cum sapientia commiscetur neque ad consilium casus admittitur.

III. 8. Domuisti gentes inmanitate barbaras, multitudine innumerabiles, locis infinitas, omni copiarum genere abundantes: sed tamen ea vicisti, quæ et naturam et conditionem, utvinci possent, habeant. Nulla est enim tanta vis, quæ non ferro et viribus debilitari frangique possit. Animum vincere, iracundiam cohibere, victoriam temperare, adversarium nobilitate, ingenio, virtute præstantem nonmodo extollere jacentem, sed etiam amplificare ejus pristi-
V. 13. Atque hoc C. Cæsaris judicium, Patres conscripti, quam lice patet attendite: omnes enim, qui ad illa arma fato sumus nescio quo rei publicæ misero funestoque compulsi, etsi aliqua culpa tenemur erroris humani, a scelero certe liberati sumus. Nam quum M. Marcellum deprecantibus vobis rei publicæ conservavit: memet nihii et item rei publicæ nullo deprecente reliquis amplissimos viros et sibi ipsos et patriæ reddidit: quorum et frequentiam et dignitatem hoc ipso in consesso videtis. Non ille hostes induxit in curiam, sed judicavit a plerisque ignoranceone potius et falso atque inani metu, quam cupiditate aut crudelitate bellum esse susceptum. 14. Quo quidem in bello semper de pace audientium putavi semperque dolui non modo pacem, sed etiam orationem civium pacem flagitium repudiari. Neque enim ego illa nec ullæ unquam secutus sum arma civilia semperque mea consilia pacis et togæ sociæ, non belli atque armorum fuerunt. Hominem sum secutus privato consilio, non publico: tantumque apud me grati animi fidelis memoriavaluit, ut nulla non modo 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 integra re multa de pace dixi et in ipso bello eadem etiam cum capitis mei periculo sensi. Ex quo nemo jam erit tam injustus existimator rerum qui dubitet, quæ Cæsar is de bello voluntas fuerit, quam pacis auctores conservandos statim censuerit, ceteris fuerit iratior. Atque id minus fortasse mirum tum, quam esset incertus exitus et aniceps fortuna belli: qui vero victor pacis auctores diligit, is profecto 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, quam insolentiam certorum hominum tum etiam ipsius victoriaræ fericitatem extimescentem! Quo gratior tua liberalitas, C. Cæsar, nobis, qui illa vidimus, debet esse. Non enim jam cause sunt inter se, sed victoriæ comparandæ. 17. Vidimus tuam victoriam proeliorum exitu terminatam: gladium vagina vacuum in urbe non vidimus. Quos amissum cives, eos Martis vis perculit, non ira victoriæ, ut dubitare debeat nemo quin multos si fieri posset, C. Cæsar ab inferis excitaret, quoniam ex eadem acie conservat, quos potest. Alterius vero partis nihil amplius dicam quam id, quod omnes verebamur; nimis ira-
cundam futuram fuisses 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 dmi immortales, etiam si pœnas a populo Romano ob aliquod delictum expetive-5 runt, qui civile bellum tantum et tam luctuosum excitave- runt, vel placati jam vel satiati aliquando omnem spem salutis ad elementum victoris et sapientiam contulisse.

19. Quare gaudé tuo isto tam excellenti bono: et fruere quum fortuna et gloria tum etiam natura et moribus tuis: 10 ex quo quidem maximus est fructus jucunditasque sapienti. Cetera quum tua recordabere, etsi persæpe virtuti, tamen plerumque felicitati tuæ gratulabere: de nobis, quos in re publica tecum simul salvos esse voluisti, quoties cogitabis, toties de maximis tuis beneficiis, toties de incredibili libe-15 ralitate, toties de singulari sapientia tua cogitabis: quæ non modo summa bona, sed nimimum audebo vel sola dicere. Tantus est enim splendor in laude vera, tanta in magnitudine animi et consilii dignitas, ut hæc a virtute douata, cetera a fortuna commodata esse videantur. 20. Noli 20 igitur in conservandis bonis viris defatigari, non cupiditate præsertim aliqua aut pravitate lapis, sed opinione officii stulta fortasse, certe non improba, et specie quadam rei publicæ; non enim tua ulla culpa est, si te aliiqum timuerunt, contraque summa laus, quod minime timendum fuisset 25 senserunt.

VII. 21. Nunc venio ad gravissimam querelam et atro-20 cissam suspicacionem tuam; quæ non tibi ipsi magis quam quum omnibus civibus tum maxime nobis, qui a te conservati sumus, providenda est: quum etsi spero falsam esse, 30 tamen nunquam extenuabo verbis. Tua enim cautio nostra cautio est, ut si in alterutro peccandum sit, malim videri nimis timidus, quam parum prudens. Sed quisnam est iste tam demens? De tuisne?—tametsi qui magis sunt tui, quam quibus tu salutem insperantibus reddidisti? an ex hoc 35 numero, qui una tecum fuerunt? Non est credibilis tatus in ullo furor, ut quo duce omnia summa sit adeptus, hujus vitam non anteponat suæ. An si nihil tui cogitant sceleris, cavendum est ne quid inimici? Qui? omnes enim, qui fuerunt, aut sua pertinacia vitam amiserunt aut tua miser-40 cordia retinuerunt, ut aut nulli supersint de inimicis aut qui superfuerunt sint amicissimi. 22. Sed tamen quum in animis hominum tantè latebræ sint et tanti recessus, augem-45 mus sane suspicitionem tuam: simul enim augebimus dili-
gentiam. Nam quis est omnium tam ignoras 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 naturae communis fragilitatem extimesco, doleoque, quam res publica immortalis esse debeat, eam in unius mortalibus 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. Cæsar, uni, quæ jacere sentis, belli ipsius impetus, quod necesse fuit, prostrata atque perculsa; constituenda judicia, revocanda fides, comprimendæ libidines, propaganda suboles, omnia, quæ delapsa jam defluxerunt, severis legibus vincienda sunt. Non fuit recusandum in tanto civilibus bello, tanto animorum ardore et armorum, quin quassata res publica, quiunque belli eventus fuisset, multa perderet et ornamenta dignitatis et praebendarum, qui quidem tibi nunc omnia belli vulnera sananda sunt, quibus præter te nemo mederi potest. Itaque illam tuam præclarissimam et sapientissimam vocem invitus audivi: "Satis diu vel naturæ vixi vel gloriae." Satis, si ita vis, fortasse naturæ, addo etiam, si placet, gloriae: at quod maximum est, patriæ certe parum. Quare omitte istam, quæ quidem belli eventus fuisset, multa perderet et ornamenta salutem civium funeremque rem publicam res tuae ostendebat complexam sint, tantum abes a perfectione maximorum operum, ut fundamenta nondum, quæ cogitas, jeceres. Hic tu modum vitae tuæ, non salutem rei publicæ, sed æquitate animi deines? Quid? si istud ne gloriae tuae quidem satis est? cujus te esse avidissimum, quamvis sis sapiens, non negabis. Parumne igitur, inquies, gloriae magnam relinquemus? Immo vero aliis quamvis multis satis, tibi uni parum. Quidquid est enim quamvis amplum sit, est certe parum tunc, quam est aliquid amplius. Quod si rerum tuarum immortalium, C. Cæsar, hic exitus futurus fuit, ut devictis adversariis rem publicam in eo statu relin-
queres, in quo nunc est: vide, quæso, ne tua divina virtus admirationis plus sit habitura quam gloriam: siquidem gloria est illustris ac pervagata magnum vel in suos cives vel in patriam vel in omne genus hominum fama meritum. IX. 27. Hæc igitur tibi reliqua pars est: hic restat actus, in hoc elaborandum est, ut rem publicam constituas eaque tu in primitis summa tranquillitate et otio perfruare: tum te, si vales, quum patriæ, quod debes, solveris, et naturam ipsam expleveris satietate vivendi, sitis diu vixisse dicit. Quid enim est omnino hoc ipsum diu, in quo est aliquid extremum? quod quum venit, omnis voluptas praeterita pro nihil o 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, quæ corpore et spiritu continetur. Illa, inquam, illa vita est tua, quæ vigebit memoria seculorum omnium, quam posteritas alet, quam ipsa æternitas semper tuebitur. Huic tu inservias, huic te ostentes oportet, quæ quidem, quæ miretur, jampridem multa habet, nunc etiam quæ laudet exspectat. Obstupescent posteri certe imperia, provincias, Rhenum, Oceanum, Nilum, pugnas innumerabiles, incredibiles victorias, monumenta, munera, triumphos audientes et legentes tuos. 29. Sed nisi hæc urbs stabilita tuis consiliis et institutis erit, vagabitur modo nomen tuum longe atque late: sedem stabilum et domicilium certum non habebit. Erit inter eos etiam, qui nascentur, sicut inter nos fuit, magna dissensio, quum alii laudibus ad cœlum res tuas gestas efférent, alii fortasse aliquid requirent, idque vel maximum, nisi belli civilis incendium salute patriæ restinseris: ut illud fati fuisses videatur, hoc consilii. Servi igitur iis etiam judicibus, qui multis 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 sententiae. 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 deceret, nonnulli etiam quid liceret. 31. Perfuncta res
publica est hoc misero fataliique bello: vicit is, qui non
fortuna inflammaret odium suum, sed bonitate leniret: nec
qui omnes, quibus iratum esset, eosdem etiam exsilium aut
morte dignos judicaret. Arma ab aliis posita, ab aliis
crepta 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 pro-
fudit. Quae enim pertinacia quibusdam, eadem aliis con-
stantia videri potest. 32. Sed jam omnis fracta dissensio
est armis, extincta æquitate 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
hæc salva esse volumus, et hortamur et obsecramus, ut vitæ
tuæ et salutis consulas, 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-
20 cemur.

XI. 33. Sed ut unde est orsa, in eodem terminetur
oratio: maximas tibi omnes gratias agimus, C. Cæsar,
majores etiam habemus. Nam omnes idem sentiunt, quod
ex omnium precibus et lacrimis sentire potuisti: sed quia
non est omnibus stantibus necesse dicere, a me certe dici
volunt, cui necesse est quodammodo, et quod fieri decet M.
Marcello a te huic ordini populoque Romano et rei publicæ
reddito, fieri id intelligo. Nam lætari omnes non de unius
solum, sed de communi salute sentio. 34. Quod autem
summae benevolentiae est, quæ mea erga illum omnibus
semper nota fuit, ut vix C. Marcello, optimo et amantissimo
fratri, præter eum quidem cedernem nemini, quum id sollici-
tudine, cura, labore tamdiu præstiterim, quandiu est de
illius salute dubitatum, certe hoc tempore, magnis curis,
molestiis, doloribus liberatus, præstare debeo. Itaque, C.
Cæsar, sic 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 arbi-
trabar, 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 enim veneram, quem tu id neque per te soires neque audire aliunde potuisses, ut ignorantiam tua ad hominis miseri salutem abuterer. Sed quoniam diligentia inimici investigatum est, quod latebat, confitendum est, ut opinor; præsertim quem meus necessarius Pansa fecerit, ut id integrum jam non esset: omissaque controversia, omnis oratio ad misericordiam tuam conferenda est, qua plurimi sunt conservati, quam a te non liberationem culpæ, sed errati veniam impetravissent. 2. Habes igitur, Tubero, quod est accusatoris maxime optandum, confitentem reum: sed tamen hoc 15 confitentem, se in ea parte fuisse, qua te, qua virum omni laude dignum, patrem tuum. Itaque prins de vestro delicto confiteamini necesse est, quam Ligarii ullam culpam reprehendatis.

Q. enim Ligarius, quem esset nulla belli suspicio, legatus 20 in Africam cum C. Considio profectus est; qua in legatione et civibus et sociis ita se probavit, ut decedens Considius provincia satisfacere hominibus non posset, si quemquam alium provincie praecessisset. Itaque Ligarius, quem 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 æco quodam timore, primo salutis, post etiam studii sui quærebant ali-
ORATIO

quem ducem; quem 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 medici cupiditate arripuit imperium, si illud imperium esse potuit, quod ad privatum clamore multitudinis imperitae, nullo publico consilio deferebatur. 4. Itaque Ligarius, qui omnem tale negotium cuperet effugere, paulum adventu Vari conquirevit.

II. Adhuc, C. Caesar, Q. Ligarius omni culpa vacat. Domo est egressus non modo nullum ad bellum, sed ne ad minimam quidem suspensionem belli: legatus in pace professus, in provincia pacatissima ita se gessit, ut ei pacem esse expediret. Profectio certe animum tuum non debet offendere: numigitur remansio? Multo minus; nam profectio voluntare habuit non turpem, remansio necessitatem etiam honestam. Ergo hsec duo tempora carent crimine: unum, quum est legatus professus; alterum, quum efflagitatum a provincia, praepositus Africæ est. 5. Tertium tempus est, quo post adventum Vari in Africa resituit: quod si est criminosem, necessitatis crimem est, non voluntatis. An ille, si potuisset ullo modo evadere, Utice quam Romæ, cum P. Atio quam cum concordissimis fratribus, cum alienis esse quam cum suis maluisse? Quum ipsa legatio plena desiderii ac sollicitudinis fuisset propter incredibilem quendam fratum amorem, hic æquo animo esse potuit belli discidio distractus a fratribus? 6. Nullum igitur habes, Caesar, adhuc in Q. Ligario signum alienæ a te voluntatis. Cujus ego causam, animadverte, queso, qua fide defendam:

prodo meam. O clementiam admirabilem atque omnium laude, praedicatione, literis monumentisque decorandum! M. Cicero apud te defendit alium in ea voluntate non fuisse, in qua se ipsum confitetur fuisse, 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 tuae mihi apud te diciendi obioriatur! Quantum potero, voce contendam, ut hoc populus Romanus exaudiat. 7. Suscepto bello, Caesar, 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 apudseum, qui, quum hoc sciret, tamen me, antequam vidit, rei publicæ reddidit: qui ad me ex Ægypto literas misit, ut essem idem, qui fuisset: qui
me, quum ipse imperator in toto imperio populi Romani unus esset, esse alterum passus est: a quo, hoc ipso C. Pansa mihi hunc nuntium perferente, concessos fasces laur-reatos tenui, quoad tenendos putavi: qui mihi tum denique se salutem putavit reddere, si eam nullis spoliatam orna-

IV. 10. Quod autem alius egimus, Tubero, nisi ut, quod hic potest, nos possemus? Quorum igitur impunitas, Cæsar, tuæ clementiae laus est, eorum ipsorum ad crudelitatem te acuet oratio? Atque in hac causa nonnihil equidem, Tu-25 bero, etiam tuam, sed multo magis patris tui prudentiam desidero; quod homo quem ingenio, tum etiam doctrina excellens genus hoc causæ quod esset, non viderit: nam, si vidisset, quovis profecto quam isto modo a te agi maluisset. Arguis fatentem; non est satis: accusas eum, qui causam 30 habet aut, ut ego dico, meliorem quam tu: aut, ut tu vis, parem. 11. Hæc admirabilia: sed prodigii simile est, quod dicam. Non habet eam vim ista accusatio, ut Q. Ligarius condemnetur, sed ut necetur. Hoc egit civis Romanus ante te nemo. Externi isti mores usque ad san-
modo. Ipse jubebat occidi, nullo postulante; præmiis etiam invitatbat; quæ tamen crudelitas ab hoc eodem aliquid 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 fuisset, vel quidnam 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 quaeritur, fatalis quædam calamitas 10 incidisse videtur et improvidas hominum mentes occupāvisse; ut nemo mirari debeat humana consilia divina necessitate esse superata. 18. Liceat esse miseris; quamquam hoc victore esse non possimus: sed non loquer de nobis; de illis loquer, qui occiderunt. Fuerint cupidi, fuerint pertinaces: sceleris vero crimen, furoris, parricidii liceat Cn. Pompeio mortuo, liceat multis aliis carere. Quam tum hoc quisquam ex te, Cæsar, audīvit? aut tua quid aliud arma voluerunt nisi a te contumeliam propulsāre? quid egit tuus ille invictus exercitus, nisi ut suum 20 jus tueretur et dignitatem tuam? Quid? tu, quem 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, quem tot sceleratos incolumi dignitate esse voluisses? Secessionem tu illam existimavisti, Cæsar, initio, non bellum; neque hostile odium, sed civile dissidium; utrisque cupiditibus rem publicam salvam, sed partim consiliis, partim studiis a communi 30 utilitate 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 meliora ea judicanda est, quam etiam dī adjuverunt. Cognita vero clementia tua, quis non eam victoriam probet, 35 in qua occiderit nemo nisi armatus?


provincia venissetis. Venisti ad Pompeium. Quæ est ergo apud Cæsarem querela, quam 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 fuissetis Cæsari tradituros. Etiam si a Varo et a quibusdam aliis prohibiti estis, ego tamen confitebor culpam esse Ligarii, qui vos tætæ laudis occasione privaverit.

IX. 26. Sed vide, quæso, Cæsar, constantiam ornatissimi viri, L. Tuberonis: quam ego, quamvis ipse probarem, ut probo, tamen non commemorarem, nisi a te cognovissem in primis eam virtutem societatemque meam|requiredum esse. Quæ fuit igitur ullum hominem tanta constantia? constantiam dico? nescio, an mebus patientiam possim dicere. Quotus enim istud quisque fecisset, ut, a quibus in dissensione civilis non esset, esset etiam cum crudelitate rejectus, ad eos ipsos rediret? Magni cujusdam animi atque ejus viri, quem de suscepta causa propositaque sententia nulla constat, nulla vis, nullum periculum possit depellere. 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? quum ista res nihil commovisset ejus animum, ad quem veneratis, languidiore, credo, studio in causa fuistis: tantummodo in præsidiis eratis, animi vero a causa abhorrebat: 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, quum aciem videres, pacem cogitare. Omnes, inquam, vincere volebamus: tu certe præcipue, 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. Hæc ego non dicerem, Tubero, si aut vos constantiae vestrae, aut Cæsarem beneficii sui pœniteret. Nunc quæro, utrum vestras injurias, an rei publicae perseveramini? Si rei publicae: quid de vestra in illa causa perseverantia respondebitis? si vestras, videte, ne erroretis, qui Cæsarem vestris inimicis iratum fore putetis, quam 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, Caesar, egı 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, factum crimen. Dic te, Caesar, de facto Ligarii judicem esse: quibus in præsidii fuerit, quære. Tacceo; ne hæc quidem colligo, quæ fortasse valerent etiam apud judicem; "Legatus ante bellum prefectus, 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, poenitet: ad clementiam tuam confugio, delicti veniam peto; ut ignoscas, oro. Si nemo impetravit, arroganter; si plurimi, tu idem fer opem, qui spem dedisti. 31. An sperandi Ligario causa non sit, quem mihi apud te locus sit etiam pro altero depreaudi? Quamquam neque in hac oratione spes est posita causse nec in eorum studiis, qui a te pro Ligario petunt, tui necessarii.

XI. Vidi enim et cognovi, quid maxime spectares, quum pro alicujus salute multo laborarent: causas apud te rogentium 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 beatiores illi videantur interdum, qui tua liberalitate fruantur, quam tu ipse, qui illis tam multa concedas. Sed video tamen apud te causas, ut dixi, valere plus quam preces, ab isque te moveri maxime, quorum justissimum videos dolorem in petendo. 32. In Q. Ligario conservando multis tu quidem gratum facies necessariis tuis; sed hoc, queso, considera, quod soles. Possum fortissimos viros, Sabinos, tibi probatissimos, totumque agrum Sabinum, florem Italiam, robur rei publicae proponere. Nosti optime homines: animadverte horum omnium mestitiam et dolorem. Hujus T. Brochi, de quo non dubito quid existimes, lacrimas squaloremque ipsius et filii vides. 33. Quid de fratribus dicam? Noli, Caesar, putare, de unius capite nos agere: aut tres tibi Ligarii retinendi in civitate sunt aut tres ex civitate exterminandi. Quodvis exsilium his est optatius, quam patria, quam domus, quam dii penates, uno illo exsulante. Si fraterne, si pie, si cum dolore faciunt, moveant te horum lacrimae, moveat pietas,
moveat germanitas; valeat tua vox illa, quæ vicit. Te enim
dicere audiebamus nos omnes adversarios putare, nisi qui
nobiscum essent: te omnes, qui contra te non essent, tuos.
Videsne igitur hunc splendorem omnium, hanc Brocchorum
domum, hunc L. Marcium, C. Cæsetium, L. Corfidium, 5
hosce omnes equites Romanos, qui adsunt veste mutata,
non solum notos tibi, verum etiam probatos viros? Tecum
fuerunt. Atque his irascebamur, hos requirebamus, his
nonnulli etiam minabantur. Conserva igitur tuis suos: ut,
quemadmodum cetera, quæ dicta sunt a te, sic hoc verissi-10
num reperiat.

XII. 34. Quod si penitus perspicere posses concordiam
Ligariorum, omnes fratres tecum judicares fuisse. An
potest quisquam dubitare, quin, si Q. Ligarius in Italia esse
potuisset, in eadem sententia fuisset futurus, in qua fratres 15
fuerunt? Quis est, qui horum consensum conspirantem et
pæne conflatum in hæc prope æqualitatem fraterna non növe-
rit? qui hoc non sentiat, quidvis prius futurum fuisse, quam
ut hi fratres diversas sententias fortunasque sequerentur?
Voluntate igitur omnes tecum fuerunt: tempestate abreptus 20
est unus; qui si consilio id fecisset, esset eorum similis,
quos tu tamen salvos esse voluisti. 35. Sed ierit ad
dellum, discesserit non a te solum, verum etiam a fratri-
bus, hi te orant tui. Equidem, quam tuis omnibus ne-
gotiis interessem, memoria teneo, qualis tum T. Ligarius 25
quæstor urbanus fuerit erga te et dignitatem tuam. Sed
parum est me hoc meminisse: spero etiam te, qui obli-
visci nihil soles nisi injurias, quoniam hoc est animi, quo-
niam etiam ingenii tui, te aliquid de hujus illo questorio
officio, etiam de aliis quibusdam questoribus reminiscentem 30
recordari. 36. Hic igitur T. Ligarius, qui tum nihil egit
ulud (neque enim hæc divinabat), nisi ut tu eum tui studi-
csum et bonum virum judicares, nunc a te supplex fratris
salutem petit. Quam hujus admonitus officio quum utris-
que his dederis, tres fratres optimos et integerrimos non 35
solum sibi ipsos neque his tot ac talibus viris neque nobis
necessariis, 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 fratribus. Ut concessisti illum 40
senatui, sic da hunc populo, cujus voluntatem carissimam
semer habuisti: et, si ille dies tibi gloriosissimus, populo
Romano gratissimus fuit; noli, obsceso, dubitare, C. Cæsar,
similem illi gloriæ laudem quam sæpissime quærere. 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, quam utilius esse arbitrer te ipsum quam me aut quemquam loqui tecum, finem jam faciam: tantum te admoneo, si illi absenti salutem dederis, præsentibus his omnibus te daturum.
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 me multa perturbant, ut, quantum mea fides studii mihi afferat ad salutem regis Deiotari defendendam, tantum facultatis timor detrahat. Primum dico pro capite fortunisque regis; quod ipsum etsi non iniquum est in tuo dumtaxat periculo, tamen est ita insitatum, regem reum capitis esse, ut ante hoc tempus non sit auditum. 2. Deinde eum regem, quem ornare antea cuncto cum senatu solebam mus pro perpetuis ejus in nostram rem publicam meritis, nunc contra atrocissimum crimen coger defendere. Acce-did, ut accusatorum alterius crudelitate, alterius indignitate conturber. Crudelis Castor, ne dicam sceleratum et impium; qui nepos avum in capitis discrïmen adduxerit ad lescentsiaeque suæ terorem intulerit ei, cujus senectutem tueri et tegere debeat, commendationemque ineuntis ætatis ab impietate et scelere duxerit; avi servum, corruptum præmiis, ad accusandum dominum impulerit, a legatorum pedibus abduxerit. 3. Fugitivi autem dominum accusantis, et dominum absentem et dominum amicissimum nostræ rei publicæ, quem os videbam, quem verba audiebam, non tam afflictam regiam conditionem dolebam, quam de fortunis communibus extimescebam. Nam quum more majorum de servo in dominum ne tormentis quidem quæri liceat, in
qua quæstione dolor elicere veram vocem possit etiam ab invito: exortus est servus, qui quem in equuleo appellare non posset, eum accuset solutus.

II. 4. Pertubat me, C. Cæsar, etiam illud interdum; quod tamen, quem te penitus cognovisti, 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 judex, non sibi se æquiorum quam reo præbeat. Sed tua, Cæsar, praestans singularisque natura hunc mihi metum minuit; non enim tam timeo, quid tu de rege Deiotaro, quam intelligo, quid de te ceteros velis judicare. 5. Moveor etiam loci ipsius insolentia, quod tantam causam, quanta nulla unquam in disceptatione versata est, dico intra domesticos parietes, dico extra conventum et eam frequentiam, in qua 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 impætum dicendi contentionemque leviora. 6. Hanc enim, C. Cæsar, causam si in foro dicerem, eodem audiente et disceptante te, quantam mihi alacritatem populi Romani concursus afferret! Quis enim civis ei regi non favorit, cujus omnem ætatam in populi Romani bellis consumptam esse meminisset? Spectarem curiam, intuerer forum, coelum denique testarer ipsum. Sic, quem et deorum immortaliæ et populi Romani et senatus beneficia in regem Deiotarum recordarer, nullo modo mihi deesse posset oratio. 7. Quæ quoniam angusti- 30 ora parietes faciunt, actioque maximaæ causæ 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. Qui quum videantur nec ingenio nec usu atque exercitacione rerum valere, tamen ad hanc causam non sine aliqua spe et cogitatione venerunt.

III. 8. Iratum te regi Deiotaro fuisses non erant nescii; affectum illum quibusdam incommmodis et detrimentis propter offensionem animi tui meminerant; [teque quam huic iratum, tum sibi amicum esse cognoverant:] quumque apud ipsum te de tuo periculo dicerent, fore putabant, ut in exulcerato animo facile fictum crimen insidieret. Quamobrem hoc nos primum, Cæsar, metu, per fidem et constantiam et per clemen-
tiam tuam, libera, ne residere in te ulla partem iracundiae
suspicemur. Per dexteram istam te oro, quam regi Deio-
taro hospes hospiti porrexisti: istam, inquam, dexteram,
non tam in bellis nec in praelis quam in promissis et fide
firmiorem. Tu illius domum inire, tu vetus hospitium
5 renovare voluisti; te ejus dii penates acceperunt; te amicum
et placatum Deiotari regis arae focique viderunt. 9. Quam
facile [exorari], Caesar, tum semel exorari soles; nemo
unquam te placavit inimicus, qui ullas resedisse in te simul-
tatis reliquias senserit. Quamquam cui sunt inauditae cum
10 Deiotaro querelae tuae? Nunquam tu illum accusavisti
ut hostem, sed ut amicum officio parsum, quod pro-
pensior in Cn. Pompeio vel si etiam filium misisset, ipse
15 aetatis excusatione usus esset. Ita quum maximis eum
rebus liberares, perparvam amicitiae culpam relinquebas.
10. Itaque non solum in eum non animadvertisti, sed
omni metu liberavisti, hospitem agnovisti, regem reliquisti. IV. Neque
enim ille odio tui progressus, sed errore communi lapsus
20 est. Is rex, quem senatus hoc nomine sepe honorificentis-
simis decretis appellavisset, quique quum illum ordinam
ab adolescentia gravissimam sanctissimumque duxisset, isdem
rebus est perturbatus, homo longinquus et alienigena,
quibus nos in media re publica nati semperque versati,
25 11. quum audiret senatus consentientis auctoritate arma
sumpta; consulibus, praetoribus, tribunis plebi, nobis impe-
ratoribus rem publicam defendendam datam, movebatur
animo et vir huic imperio amicissimus de salute populi
Romani extimescebat, in qua etiam suam esse inclusam
30 videbat; in summo tamen timore quiescendum sibi esse
arbitrabatur. Maxime vero perturbatus est, ut audivit,
consules ex Italia profugisse, omnesque consulares (sic enim
ei nunciacabatur), cunctum senatum, totam Italiam esse effu-
sam: talibus enim nuntiis et rumoribus patebat ad Orientem
35 via, nec ulli veri subsequabantur. Nihil ille de conditioni-
bus tuis, nihil de studio concordiae et pacis, nihil de conspi-
racione audiebat certorum hominum contra dignitatem tuam.
Quae quum ita essent, tamen usque eo se tenuit, quoad a
Cn. Pompeio legati ad eum litteraeque venerunt. 12. Ignor-
sce, ignosce, Caesar, si ejus viri auctoritate rex Deiotarus
cessit, quem nos omnes secuti sumus; ad quom quum dii
atque homines omnia ornamenta conessissent, tum tu ipse
plurima et maxima. Neque enim, si tuæ res gestæ cetero-

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 familiaritate 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 consequentem, id est ad periculi, non ad victoriae societatem. Itaque Pharsalico prælio facto a Pompeio discissit; spem infinitam persequi noluit; vel officio, si quid debuerat, vel errori, si quid nescierat, satisfactum esse duxit; domum se contulit atque Alexandrinum bellum gerente te utilitatis bus tuis paruit. 14. Ille exercitum Cn. Domitii amplissimi viri suis tectis et copiis sustentavit; ille Ephesum ad eum, quem tu ex tuis fidelissimum et probatissimum omnibus delegisti, pecuniam misit, ille iterum, ille tertio auctionibus factis pecuniam dedit, qua ad bellum uterere; ille corpus suum periculo objectit, tecumque in acie contra Pharnaceam fuit, tuumque hostem esse duxit suum. Quæ quidem a te in eam partem accepta sunt, Cæsar, ut eum amplissimo honore et regis nomine affeceris. 15. Is igitur, non modo a te periculo liberatus, sed etiam honore amplissimo ornatus, arguitur domi te suae interficere voluisse. Quod tu, nisi eum furiosissimum judices, suspicari profecto non potes. Ut enim omissam, cujus tanti sceleris fuerit, in conspectu deorum penatium necare hospitem; cujus tantæ importunitatis omnium gentium atque omnis memoriae clarissimum lumen exstinguere; cujus tantæ ferocitatis victorem orbis terrarum non extimescere; cujus tam inhumanæ et ingrati animi, a quo rex appellatus esset, in eo tyrannum inveniri: ut hæc omissam, cujus tanti furoris fuit omnes reges, quorum multì erant finitimi, omnes liberos populos, omnès socios, omnès provincias, omnia denique omnium arma contra se unum excitare? Quonam ille modo cum regno, cum domo, cum conjugue, cum carissimo filio distractus esset, tanto scelere non modo perfecto, sed etiam cogitato?
VI. 16. At, credo, hæc homo inconsultus et temerarius non videbat.—Quis consideratior illo? quis tectior? quis prudentior? quamquam hoc loco Deiotarum non tam ingenio et prudentia quam fide et religione vitae defendendum puto. Nota tibi est hominis probitas, C. Cæsar, noti mores, 5 nota constancia. Cui porro, qui modo populi Romani nomen auditas, Deiotari integritatis, gravitas, virtus, fides non audita est? Quod igitur facinus nec in hominem imprudentem cadere posset propert metum presentis exitii, nec in facinorosum, nisi esset idem amentissimus, id vos et a 10 viro optimo et ab homine minime stulto cogitatum esse confingitis. 17. At quam non modo non credibiliter, sed ne suspiciose quidem! Quum, inquit, in castellum Luceium venisses et domum regis, hospitis tui, devertisses, locus erat quidam, in quo erant ea composita, quibus te rex 15 munereare constituerat. Huc te e balneo, prierquam acquirereres, ducere volebat: 15q ibi enim erant armati, qui te interficerent, in eo ipso loco collocati. En crimine, in causa, cur regem fugitivos, dominum servus accuset. Ego me- hercules, Cæsar, initio, quem est ad me ista causa delata, 20 Phidippum medicum, servum regium, qui cum legatis misseret, ab isto adolescente esse corruptum, hæc sum suspiciose percussus: medicum indicem subornavit; ringet videlicet aliquod crimen veneni. 21. Etsi a veritate longe, tamen a consuetudine criminandi non multum res abhorrebat. 18. Quid ait medicus? Nihil de veneno. At id fieri potuit primo occultius in potione, in cibo; deinde etiam impunius fit, quod quum est factum, negari potest. Si palam te interemisset, omnium in se gentium non solum odia, sed etiam arma convertisset; si veneno, Jovis ille 30 quidem hospitalis nomen nunquam celebre potuisset, homines fortasse celasset. Quod igitur et conari occultius et efficere cautius potuit, id tibi, et medicos callido et servo, ut putabat, fidelis, non credit? de armis, de ferro, de insidiis celebres tenebat? 19. At quum festive crimen contextur! 35 Tua te, inquit, eadem, quæ semper, fortuna servavit: negavisti tum te inspicere velle.

VII. Quid postea? an Deiotarum re illo tempore non perfecta continuo dimisit exercitum? nullus erat alius insidiandi locus? At eodem te, quum cenavisses, rereditum 40 dixeram: itaque fecisti. Horam unam aut duas eodem loco armatos, ut collocati fuerant, retenere magnum fuit? Quum in convivio comiter et juvunde fuisses, tum illuc isti, ut dixeramus. Quo in loco Deiotarum talem erga te cognovisti,

VIII. Reliqua pars accusationis duplex fuit: una, regem semper in speculis fuisses, quam a te animo esset alieno; altera, exercitum eum contra te magnum comparasse. De exercitu dicam breviter, ut cetera. Nuncum eas copias 35 rex Deiotarum habuit, quibus inferre bellum populo Romano posset; sed quibus fines suos ab excursionibus et latrociniiis tueretur et imperatoribus nostris auxilia mitteret. Atque antea quidem majores copias alere poterat; nunc exiguius vix tueri potest. 23. At misit ad Cæciilium 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 vincers potius quam necatos. Sed tamen quum ad Cæciilium 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 arbitraser.

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 prefeceras, nulla in re defuit; tibi victori non solum ad hospitium, sed ad periculum etiam atque ad aciem 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 seseque spoliare maluerit quam tibi pecuniam non subministrare. At eo, inquit, tempore ipso Nicæam Ephesumque mittebat, qui rumores Africanos exciperent et celeriter ad se referrent. Itaque quem esset ei nunciatum, Domitium naufragio perisse, te in castello circumsederi, de Domitio dixit versum Græcum eadem sententia, qua etiam nos habemus Latinum:

Pereánt amici, dum una inimici intércidant 25

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 quoaining lelli lege potuisset, regem et se et filium suum constitutos esse meminisset? 26. Quid deinde? furcifer quo progreditur? Ait, hac lætitia Deiotarum elatum vino se obtuisse, 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 præcipue singularis et admiranda frugalitas: etsi hoc verbo scio laudari regem non solere. Frugi hominem dici non multum habet laudis in rege; fortem, justum, severum, gravem, magnanimum, largum, beneficium, liberalem, hæ sunt regis laudedes; illa privata est. Ut volet quisque accipiat; ego tamen frugalitatem, id est, modestiam et temperantiam, virtutem maximum judico. Hæc in illo est ab ineunte ætate quum
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 populii Romani vacabat, cum hominibus nostris consuetudines, amicitias, res rationesque jungebant, ut non solum tetrarches nobilis, sed etiam optimis paterfamilias et diligentissimis agricola et pecuarius habebant. Qui igitur adolescens, 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 debeat quam optimo et clarissimo viro fugitivo ore maledicere. Quod si saltatorem avum habuisses, neque eum virum, unde pudoris pudicitiaeque exempla peterentur tamen hoc maledictum minime in illam aetatem conveniret. Quibus ille studiis ab ineunte tetate se imbuerat, non saltandi, sed bene ut armis, optime ut equis utaret, ea tamen illum cuncta jam exacta aetate defecerant. Itaque Deiotarum quum plures in equum sustulissent, quod hcerere in eo senex posset, admirari solebamus. Hic vero adolescens, qui meus in Cilicia miles, in Græcia commilito fuit, quum in illo nostro exercitu equitaret cum suis delictis equitis, quos una cum eo ad Pompeium pater miserat, quos concursus facere solebat! quam se jacere! quam ostentare! quam nemini in illa causa studi et cupiditate concedere! 29. Quum vero exercitu amissus ego, qui pacis semper auctor, post Pharsalicum præulum suos armarum non deponendorum, sed abjicendorum: hunc ad meam auctoritatem non potui adducere, quod et ipse ardebit studio ipsius belli, et patri satisfaciendum esse arbitrabatur. Felix ista domus, quæ 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, quæ esse non debebant: rex enim Deiotarus vestram familiam abjectam et obscuram e 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 ficto crimine insectari, non expetere vitam, non capitis arcessere. Esto;
concedatur haec quoque acerbitas et odii magnitudo: adeone, ut omnia vitae salutisque communis atque etiam humanitatis jura violentur? Servum sollicitare verbis, specromissisque corrumpere, abducere domum, contra dominum armare, hoc est non uni propinquo, sed omnibus familiis nefarium bellum indicere. Nam ista corruptela servi, si non modo impunita fuerit, sed etiam a tanta auctoritate approbata, nulli parietes nostram salutem, nullae leges, nulla jura custodient. Ubi enim id, quod intus est atque nostrum, impune evolare potest contraque nos pugnare, fit in dominatu servitus, in servitute dominatus.

31. O tempora, 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,prehendi 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 incorruptum audire noluit, tu corrupisti; ille adjutorem servum contra dominum repudiavit, tu etiam accusatorem adhibuisti.

32. At semel iste est corruptus a vobis? Nonne quum esset productus et quum tecum fuisse, refugit ad legatos? nonne etiam ad hunc Cn. Domition venit? nonne audiente hoc Ser. Sulpicio clarissimo viro, qui tum casu apud Domition cœnabat, et hoc T. Torquato, optimo adolescense, se a te corruptum, tuis promissis in fraudem impulsu esse confessus est?

XII. Quae est ista tam impotens, tam crudelis, tam immoderata inhumanitas? idcirco in hanc urbem venisti, ut hujus urbis jura et exempla corrumpere, domesticaque immanitate nostræ civitatis humanitatem inquinare? 33. At quam acute collecta crimina! Blesamius, inquit, (ejus enire nomine, optimi viri nec tibi ignoti, maledicebat tibi,) ad regem scribere soletab te in invidia esse, tyrannum existimari; statua inter reges posita animos hominum vehementer offensos; plaudi tibi non solere. Nonne intelligis, Cæsar, ex urbanis malevolorum sermunculis haec ab ists esse collecta? Blesamius tyrannum Caesarem scribere? Multorum enim capita civium viderat; multos jussu Cæsaris vexatos, verberatos, necatos; multas afflictas et eversas domos; armatis militibus referunt forum. Quæ 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 clementissimum in victoria ducimus, is Blesamio, qui vivit in regno, tyrannus videri potest? Nam de statua quis queritur, una præsertim, quem tam multas videat? Valde enim invidendum est ejus status, cujus tropseis non invidimus. Nam si locus affert invidiam, nullus est ad statuam quidem Rostris clarior. De plausu autem quid respondeam? qui nec desideratus unquam a te est, et nonnunquam, obstupefactis hominibus, ipsa admiratione compressus est, et fortasse eo prætermissus, quia nihil vulgare te dignum videri potest.

XIII. 35. Nihil a me arbitror praetermissum, sed aliquid ad extremam causæ partem reservatum. Id autem aliquid est, te ut plane Deiotaro reconciliet oratio mea: non enim jam metuo, ne illi tu succenseas; illud vereor, ne tibi illum succensere aliquid suspicere. Quod abest longissime, mihi credo, Caesare: quid enim retineat per te, meminit, non quid amiserit; neque se a te multatum arbitratur; sed quominus a se, qui in altera parte fuisset, ea sumeres, non recusavit. 36. Etenim si Antiocbus magnus ille, rex Asise, postea quam a L. Scipione devictus Tauro tenus regnare jussus esset omnemque hanc Asiam, quæ est nunc nostra provincia, amisisset, dicere est sofitus, benigne sibi a populo Romano esse factum, quod nimis magna procuratione liberatus modicis regni terminis uteretur, potest multo facilius se Deiotarum consolari. Ille enim furoris multam sustulerat, hic eritis. Omnia tu Deiotaro, Caesare, tribuisti, quam et ipsi et filio nomen regium concessisti. Hoc nomine retento atque servato nullum beneficium populi Romani, nullum judicium de se senatus inminutum putat; magnum animo et erecto est, nec unquam succumbet inimicis, ne fortunae quidem. 37. Multa se arbitratur et peperisse ante factis et habere in animo atque virtute, quæ nullo modo possit amittere. Quæ enim fortuna aut quis casus aut quæ tanta posit injuria omnium imperatorum de Deiotaro decreta delere? ab omnibus est enim iis ornatus, qui, posteaquam in castris esse potuit per ætatem, in Asia, Cappadocia, Ponto, Cilicia, Syria bella gesserunt. Senatus vero judicia de illo tam multa tamque honorifica, quæ publicis populi Romani literis monumentisque consignata sunt, quæ unquam vetustas obruet aut quæ tanta delebit oblivio? Quid de virtute ejus dicam? de magnitudine animi, gravitate, constantia?
PRO REGE DEIOTARO, CAP. XIV, XV.

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 noctesque cogitans, non modo tibi non succenset, (esset enim non solum ingratus, sed etiam amens), verum omnem—tranquillitatem et quietem senectutis acceptam refert clementia tue.

XIV. Quo quidem animo quum antea fuit, tum non dubito, quin tuis litteris, quorum exemplum legi, quas ad eum Tarracone huic Blesamio dedisti, se magis etiam exerit ab omni sollicitudine abstraxerit. Judes enim bene sperare et bono esse animo: quod scio te non frustra scribere solere; memini enim iisdem fere verbis ad me te scribere meque tuis litteris bene sperare non frustra esse jussum. 39. Laboro equidem regis Deiotari causa, quocum mihi amicitiam res publica conciliavit, hospitium voluntas utriusque conjunxit, familiaritatem consuetudo attulit, sum-\n
mam vero necessitudinem magna ejus officia et in me et in exercitum meum effecerunt; sed quum de illo laboro, tum de multis amplissimis viris, quibus semel ignotum a te esse oportet, nec beneficium tuum in dubium vocari, nec haerere in animis hominum sollicitudinem sempiternam nec accidere, ut quisquam te timere incipiatur, qui sint semel a te liberati timore. 40. Non debeo, C. Cæsar, quod fieri solet in tantis periculis, tentare, ecquonam modo dicendo misericordiam tuam commovere possim. Nihil opus est; occurrere solet ipsa supplicibus et calamitis, nullius oratione evocata. Propone tibi duos reges, et id animo contemplare, quod oculos non potes. Dabis profecto misericordiæ, quod iracundiæ denegavisti. Multa sunt tuæ clementiæ monumenta, sed maxime eorum incoluitates, quibus salutem dedisti. Quæ si in privatis gloriosa sunt, multo magis commemorabuntur 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 regii 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, num-\n
quid ad regem contra dignitatem tuam scripserit. Hieras
quidem causam omnem suscipit et criminibus illis pro rege se supponit reum; memoriām tuam implorat, qua vales plurimum; negat unquam se a te in Deiotari tetrarchia pedem discississe; in primis finibus tibi se præsto fuisse dicit, usque ad ultimos prosecuteum; quum e balneo exisses, tecum se fuisse, quum illa munera inspexisses cænatus, quum in cubiculo recubuisses; eandemque assiduitatem tibi se præbuisse postridie. 43. Quamobrem si quid eorum, quæ 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 incolummem famam cum salute, quorum alterum optare illorum crudelitatis est, alterum conservare elementiae tuae.
PRO

A. LICINIO ARCHIA

POETA

ORATIO.

I. 1. Si quid est in me ingenii, judices, quod sentio quam sit exiguum, aut si qua exercitatio dicendi, in qua me non infitior mediocriter esse versatum, aut si hujusce rei ratio aliqua ab optimarum artium studiis ac disciplina profecta, a qua ego nullum confiteor atatis meæ tempus abhorruisse: earum 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 memaram recordari ultimam, inde usque repetens hunc video mihi principem et ad suscipiendam et ad ingrediendam rationem horum studiorum exstitisse. Quodsi hac vox hujus hortatu praecipientisque conformata nonnullis aliquando saluti fuit; a quo id acceptumus, quo ceteris opitulari et alios servare possemus, huic profecto ipsi, quantum est situm in nobis, et opem et saltem ferre debemus. 2. Ac ne quis a nobis hoc ita dici forte miretur, quod alia quaedam in hoc facultas sit ingenii neque hac dicendi ratio aut disciplina, ne nos quidem huic uni studio penitus unquam dediti fuimus. Etenim omnes artes, quæ ad humanitatem pertinent, habent quoddam commune vinculum et quasi cognitione quadam inter se continentur.

II. 3. Sed ne cui vestrum mirum esse videatur me in quæstione legítima et in judicio publico, quam res agatur apud pretorem populi Romani, rectissimum virum, et apud severissimos judices tanto conventu hominum ac frequentia,
hoc uti genere dicendi, quod non modo a consuetudine judiciorum, verum etiam a forensi sermone abhorrebat: quæso a vobis, ut in hac causa mihi detis hanc veniam, accommodatam huic reo, vobis, quemadmodum spero, non molestam, ut me pro summo poeta atque eruditissimo homo dicentem hoc concursu hominum literatissimorum, hac vestra humanitate, hoc denique praetore exercente judicium, patiamini de studiis humanitatis ac literarum paulo loqui liberius et in ejusmodi persona, qua propter otium ac studium minime in judiciis periculose tractata est, uti prope novo quodam et insitato genere dicendi. 4. Quod si mihi a vobis tribui concediis sentiam, perficiam profecto, ut hunc A. Licinium non modo non segregandum, quum sit civis, a numero civium, verum etiam, si non esset, putetis adsciscendum.

III. Nam ut primum ex pueris excessit Archias atque ab iis artibus, quibus ætas puerilis ad humanitatem informari solet, se ad scribendi studium contulit, primum Antiochiae (nam ibi natus est loco nobili), celebri quondam urbe et co-piosa atque eruditissimis hominibus liberalissimisque studiis affluenti, celeriter antecellere omnibus ingenii gloria contigit. Post in ceteris Asiae partibus cunctaque Graeciae sic ejus adventus celebrabantur, ut famam ingenii exspectatio hominis, expectionem ipsius adventus admiratioque superaret. 5. Erat Italia tunc plena Graecarum artium ac disciplinarum studiisque hac et in Latio vehementius quam nunc iisdem in oppidis, et hic Romæ propter tranquillitatem rei publicæ non negligebantur. Itaque hunc et Tarentini et Rhegini et Neapolitani civitate ceterisque praemius donarunt; et omnes, qui aliquid de ingenii poterant judicare, cognitione atque hospitio dignum existimarent. Hac tanta celebritate famæ quam esset jam absentibus notus, Romam venit Mario consule et Catulo. Nactus est primum consules eos, quorum alter res ad scribendum maximas, alter quem res gestas, tum etiam studium atque aures adhibere posset. Statim Luculli, quem praetextatus etiam tum Archias esset, cum domum suam receperunt. Sed etiam hoc non solum ingenii ac literarum, verum etiam naturæ atque virtutis, ut domus, quæ hujus adolescentiae prima patuit, eadem esset familiarissima senectuti. 6. Erat temporibus illis jucundus Metello illi Numidico et ejus Pio filio; audiebatur a M. Æmilio; vivebat cum Q. Catulo et patre et filio; a L. Crasso colebatur; Lucullos vero et Drusum et Octavios et Catonem et totam Hortensiorum
PRO A. LICINIO ARCHIA, CAP. IV, V. 99

domum devinctam consuetudine quum teneret, afficiebatur summo honore, quod eum non solum colebant, qui aliquid percipere atque audire studebant, verum etiam, si qui forte simulabant.


V. Nam quum Appii tabulæ negligentius asservatæ dicerentur, Gabinii, quamdiu incolmis fuit, levitas, post 40 damnationem calamitas, omnem tabularum fidem resignasset, Metellus, homo sanctissimus modestissimusque omnium, tanta diligentia fuit, ut ad L. Lentulum prætorem et ad judices venerit et unius nominis litura 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 aliis quoque in civistibus fuerit adscriptus? Etenim quum mediocribus multis et aut nulla aut humili aliqua arte præditis gratuito civitatem in Græcia homines impetiebant, Rheginos credo aut Locrenses aut Neapolitanos aut Tarentinos, quod seculcis artificibus largiri solebant, id huic summa ingenii prædito gloria noluisse. Quid? quum ceteri non modo post civistatem datam, sed etiam post legem Papiam aliquo modo in eorum municipiorum tabulas irreperient, hic, qui ne utitur quidem ilhis, in quibus est scriptus, quod semper se Herachensem esse voluit, rejicietur? 11. Censum nostros requiris. Sic: enim obscurum proximis censoribus hunc cum clarissimo imperatore, L. Lucullo, apud exercitum fuisse, superioribus cum eodem quod esse in Asia, primis, Julio et Crasso, nullam populi partem esse censam. Sed, quoniam census non jus civitatis confirmat ac tantummodo indicat eum, 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 æarium delatus est a L. Lucullo proconsule.

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

12. Quaeres a nobis, Grati, cur tantopere hoc homine delectemur. Quia suppeditat nobis, ubi et animus ex hoc forensi strepitu reficiatur et aures convicis defessae conquescant. An tu existimas aut suppétete nobis posse, quod quotidie dicamus, in tanta varietate rerum, nisi animos nostros doctrina excolamus, aut ferre animos tantam posse contentionem, nisi eos doctrina eadem relaxemus? Ego vero fateor me his studiis esse deditum. Ceteros pudeat, si qui se ita literis abdiderunt, ut nihil possint ex iis neque ad communem affrere fructum neque in adspectum lucemque proferre. Me autem quid pudeat, quia tot annos ita vivo, judices, ut a nullius unquam me tempore aut commodo aut otium meum abstraxerit aut voluptas avocarit aut denique somnus retardarit? 13. Quare quis tandem me reprehendat aut quis mihi jure succeseat, si, quantum ceteris ad suas res obeundas, quantum ad festos dies ludorum celebrandos, quantum ad alias voluptates et ad ipsam requiem animi et corporis conceditur temporum; quantum
alii tribuunt tempestivis conviviis, quantum denique alveolo, quantum pilae, tantum mihi egomet ad hæc studia recolenda sumpsero? Atque hoc adeo mihi concedendum est magis, quod ex his studiis hæc quoque crescit oratio et facultas; quæ, quantacunque est in me, nunquam amicorum periculis defuit. Quæ si cui levior videtur, illa quidem certe, quæ summa sunt, ex quo fonte hauriam, sentio. 14. Nam nisi multitum præceptis multisque litteris mihi ab adolescentia suasissem nihil esse in vita magnopere expetendum nisi laudem atque honestatem; in ea autem persequenda omnes cruciatus corporis, omnia pericula mortis atque exsilia parvi esse ducenda, nunquam me pro salute vestra in tot ac tantas dimicationes atque in hos profligatorum hominum quotidians imperus objectissem. Sed pleni sunt omnes libri, plenas sapientium voces, plena exemplorum vetustas; quæ jacerent in tenebris omnia, nisi literarum lumen accederet. Quam multas nobis imagines non solum ad intuentum, verum etiam ad imitandum fortissimorum virorum expressas scriptores et Græci et Latini reliquerunt? Quas ego mihi semper in administranda re publica proponens animum et mentem meam ipsa cogitatione hominum excel lentium conformabam.

VII. 15. Quæret quispiam: Quid? illi ipsi summi viri, quorum virtutes litteris proditæ sunt, istane doctrina, quam tu effers laudibus, eruditi fuerunt? Difficile est hoc de omnibus confirmare; sed tamen est certum, quid respondeam. Ego multos homines excellenti animo ac virtute fuisse et sine doctrina naturæ ipsius habitu prope divino se ipsos et moderatos et graves exstissit fæteor: etiam illud adjungo, sæpius 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 quædam conformatiœque doctrinæ, tum illud nescio quid præclarum ac singulare solere existere; 16. ex hoc esse hunc numero, quem patres nostri viderunt, divinum hominem, Africanum; ex hoc C. Lælium, L. Furium, moderatissimos homines et continentissimos; ex hoc fortissimum virum et illis temporibus doctissimum, Catonom illum senem, qui profecto, si nihil ad perciendam colendumque virtutem litteris adjuvarentur, nunquam se ad earum studium contulissent. Quod si non hic taurus fructus ostenderetur et si ex his studiis delectatio sola peteretur, tamen, ut opinor, hanc animi adversionem humanissimam ac liberalissimam judicaretis. Nam ceteræ neque temporum...
sunt neque ætatum omnium neque locorum; at hæc studia adolescentiam acuunt, senectuæm oblectant, secundas res ornant, adversis perfugium ac solatium præbent; delectant domi, non impedient foris, pernoctant nobiscum, peregri-nantur, rusticantur.

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

VIII. Quis nostrum tam animo agresti ac duro fuit, ut Roscii morte nuper non commoveretur? qui quum esset senex mortuus, tamen propter excellentem artem ac venu-statem videbatur omnio mori non debuisse. Ergo ille corporis motu tantum amorem sibi conciliarat a nobis omnibus: hos animorum incredibles motus celeritatemque ingeniorum negligemus?

18. Quoties ego hunc Archiam vidi, judices, (utar enim vestra benignitate, quoniam me in hoc novo genere dicendi tam diligentiter attenditis,) quoties ego hunc vidi, quam literam scripisset nullam, magnum numerum optimorum versuum de ipsis ipsis rebus, quæ tum agerentur, dicere ex tempore! quoties revocatum eandem rem dicere commutatis verbis atque sententiis! Quæ vero accurate cogitateque scripisset, ea sic vidi probari, ut ad veterum scriptorum laudem pervenirent. Hunc ego non diligam? non admirer? non omni ratione defendendum putem? Atque sic a summis hominibus eruditissimisque acceptimus, ceterarum rerum studia et doctrina et praecptis et arte constare, poetam natura ipsa valere et mentis viribus excitari 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 nos, humanissimos homines, hoc poëae nomen, quod nulla un-quam barbaria violavit. Saxa et solitudines voci respondent; bestiæ sæpe immanes cantu flectuntur atque consi-stunt: nos instituti rebus optimis non poetarum voce moveamur? Homerum Colophonii civem esse dicunt suum, Chii suum vindicant, Salaminii repetunt, Smyrnæi vero suum esse confirmant; itaque etiam delubrum ejus in oppido dedicaverunt: permulti aliī præterea pugnant inter se atque contendunt.

IX. Ergo illi alienum, quia poeta fuit, post mortem etiam expetunt: nos hunc vivum, qui et voluntate et legibus noster est, repudiabimus? præsertim quum omne olim studium atque omne ingeniwm contulerit Archias ad populi

X. Ergo illum, qui haec fecerat, Rudinum hominem, maiores nostri in civitatem receperunt: nos hunc Heraclisensem multis civitatibus expetimus, in hac autem legibus constitutum de nostra civitate ejiciemus?

23. Nam si quis minorem gloriae fructum putat ex Græcis versibus percipi quam ex Latinis, vehementer errat, propterea, quod Græca leguntur in omnibus fere gentibus, Latina suis finibus, exiguissime, continentur. Quare si res eæ, quas gessimus, orbis terræ regionibus definiuntur, cupere debemus, quo manuum nostrarum tela pervenerint, eodem gloriam famamque penetrare; quod quem ipsis
populis, de quorum rebus scribitur, hæc ampla sunt, tum iis certe, qui de vita gloriæ causa dimicant, hoc maximum et periculorum incitamentum est et laborum. 24. Quam multos scriptores rerum suarum magnus ille Alexander 5 secum habuisse dicitur! Atque is tamen, quum in Sigeo ad Achillis tumulum adstitisset, O fortunatae, inquit, ado-
lescens, qui tuæ virtutis Homerum preconem inveneris! Et vere: nam, nisi Illis illa extitisset, idem tumulus, qui corpus ejus contereat, nomen etiam obruisset. Quid? 10 noster hic Magnus, qui cum virtute fortunam adæquavit, nonne Theophanem Mitylenæum, scriptorem rerum suarum, in concione militum civitate donavit; et nostri illi fortes viri, sed rustici ac militæ, dulcedine quadam gloriæ com-
moti, quasi participes ejusdem laudis, magno illud clamore 15 approbaverunt? 25. Itaque, credo, si civis Romanus Ar-
chias legibus non esset, ut ab aliquo imperatore civitate donaretur, perficere non potuit. Sulla, quum Hispanos donaret et Gallos, credo, hunc petentem repudiasset; quem nos in concione vidimus, qui etiam nobis malus poeta de 20 populo subjiciet, quod epigramma in eum fecisset tan-
tummodo alternis versibus longiusculis, statim ex iis rebus, quas tunc vendebat, jubere ei præmium tribui, sed ea con-
ditione, ne quid postea scriberet. Qui sedulitatem mali poëtæ duxerit aliquo tamen præmio dignam, hujus ingenium 25 et virtutem in scribendo et copiam non expetisset? 26. Quid? a Q. Metello Pio, familiarissimo suo, qui civitate multos donavit, neque per se neque per Lucullos impetra-
visset? qui præsertim usque eo de suis rebus scribi cuperet, ut etiam Cordubæ natis poetis pingue quiddam sonantibus 30 atque peregrinum tamen aures suas dederet. XI. Neque enim est hoc dissimulandum, quod obscurgi
non potest, sed præ nobis ferendum: trahimur omnes studio laudis et optimus quisque maxime gloria ducitur. Ipsii illi
philosophi etiam in iis libellis, quos de contemnenda gloria 35 scribunt, nomen suum inscribunt: in eo ipso, in quo prædi-
cationem nobilitatemque despiciunt, prædicari de se ac nominari volunt. 27. Decimus quidem Brutus, summus vir et imperator, Accii,amicissimi sui, carminibus templor-
um ac monumentorum aditus exornavit suorum. Jam vero
40 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 nimis acri fortasse, 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; quibus auditis, quod mihi magna res et iucunda vis est, hunc ad perficiendum adjuvi. Nullam enim virtus aliam mercedem labororum periculorumque desiderat praeter hanc laudis et glorii; qua quidem detracta, judices, quid est, quod in hoc tam exiguio vitae curriculo et tam brevi tantis nos in laboribus exerceramus? 29. Certe, si nihil animus presenta in posterum et, si, quibus regionibus vitae spatium circumscriptum est, eisdem omnes cogitationes terminaret suas nec tantis se laboribus frangeret neque totis de ipsa vita dimicare? Nunc insidet quaedam in optimo quoque virtus, quee noctes ac dies animum gloriae stimulis concitat atque admonet non cum vitae tempore esse dimittendam commemorationem nominis nostri, sed cum omni posteritate adaequandam.

XII. 30. An vero tam parvi animi videamur esse omnes, qui in re publica atque in his vitae periculis laboribusque versamur, ut, quum usque ad extremum spatium nullum tranquillum atque otiosum spiritum duxerimus, nobiscum simul moritura omnia arbitremur? An statuas et imagines, non animorum simulae, sed corporum, studiose multi summi homines reliquerunt, consiliorum relinquere ac virtutum nostrarum effigiem nonne multo malle debussem summis ingenii expressam et politam? Ego vero omnia, quae gerebam, jam tum in gerendo spargere me ac disseminare arbitrabar in orbis terrae memoriam sempiternam. Haeque quum ita sint, petimus a vobis, judices, si qua non modo humana, verum etiam divina in tantis ingenii commendatio debet esse, ut eum, 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 vestræm accipiatis fidem, ut humanitate vestra levatus potius quam acerbitate violatus esse videatur. 32. Quæ de causa pro mea consuetudine breviter simpliciterque dixi, judices, ea confido probata esse omnibus: quæ 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.
ORATIO

PRO T. ANNIO MILONE.

I. 1. Etsi vereor, judices, ne turpe sit, pro fortissimo viro dicere incipientem timere, minimeque debeat, quum T. Annius ipse magis de rei publicae salute quam de sua perturbetur, me ad eujus causam parem animi magnitudinem afferre non posse, tamen haec novi judicij novae forma terret oculos, qui, quocunque inciderunt, consuetudinem fori et pristinum morem judiciorum requirunt. Non enim corona consessus vester cinctus est, ut solebat; 2. non usitata frequentia stipati sumus; nec illa præsidia, que pro templis omnibus cernitis, etsi contra vim collocata sunt, non affe- 10 runt tamen oratoris 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. 15 Sed me recreat et reficit Cn. Pompeii, sapientissimi et justissimi viri, consilium, qui profecto nec justitiae suæ putaret esse, quem reum sententias judicium tradisset, eundem telis militum dedere, nec sapientiae, temeritatem concitatæ multitudinis auctoritate publica armare. 3. Quamobrem 20 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. Re- 25 qua vero multitudo, que quidem est civium, tota nostra est, neque eorum quisquam, quos undique intuentes, unde aliqua 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 de- 30 certari putat.
II. Unum genus est adversum infestumque nobis eorum, quos P. Clodiæ furor rapinis et incendiis et omnibus exitiis publicis pavit; qui hesterna etiam concione incitati sunt, ut vobis voce praerint, quid judicaretis. Quorum clamor, si qui forte fuerit, admonere vos debebit, ut eum civem retineatis, qui semper genus illud hominem clamoresque maximos pro vestra salute neglexit. 4. Quamobrem adeste animis, judices, et timorem, 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 ordinum delectis viris datum est, ut sua studia erga fortesses et bonos cives, quae vultu et verbis sæpe significassent, re et sententiis declararent, hoc profecto tempore eam potestatem omnem vobis habetis, ut statuatis, utrum nos, qui semper vestrae auctoritati dediti fuisse, semper miseris lugeramus, an, divu vexati a perditissimis civibus, ubi quandoque saepius significationes, re et sententiis declararent, hoc profecto tempore eam potestatem omnem vobis habetis, ut statuatis, utrum nos, qui semper vestrae auctoritati dediti fuisse, semper miseris lugeramus, an, diu vexati a perditissimis civibus, ubi quandoque saepius significationes, re et sententiis declararent, hoc profecto tempore eam potestatem omnem vobis habetis, ut statuatis, utrum nos, qui semper vestrae auctoritati dediti fuisse, semper miseris lugeramus, an, diu vexati a 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sublato, rem plane, quæ veniat in judicium, videre possitis. Negant intueri lumem esse fas ei, qui a se hominem occultum 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 comitiis liberatus est, quem sua manu sororem esse interfecerat fateretur. 8. An est quisquam, qui hoc ignoret, quem de homine occiso quæratur, aut negarì solere omnino esse factum, aut recte et jure factum esse defendi? Nisi vero existimatis, dementem P. Afri- 10 canum fuisse, qui, quum a C. Carbone, tribuno plebis, seditions in concionem interrogaretur, quid de Ti. Gracchi morte sentiret, responderit, jure caenum videri. Neque enim posset aut Ahala ille Servilius aut P. Nasica aut L. Opimius aut C. Marius aut, me consule, senatus non nefarius 15 haberì, si sceleratos cives interfici nefas esset. Itaque hoc, judices, non sine causa etiam fictis fabulis doctissimi homines memoriae prodiderunt, eum, qui patris ulciscendi causa matrem necavisset, variatis hominum sententiis, non solum divina, sed etiam sapientissimae deæ sententia liberatum. 20 9. Quod si duodecim tabulæ nocturnum furem quoquo modo, diurnum autem, si se telo defenderet, interfici impune voluerunt, quis est, qui, quoquo modo quis interfactus sit, puniendum putet, quem videat aliquando gladium nobis ad hominem occidendum ab ipsis propīgī legibus? 25

IV. Atqui si tempus est ulla jure hominis necandi, que multa sunt, certe illud est non modo iustum, verum etiam necessarium, quum vi vis illata defenditur. Pudicitiam quum eriperet militi tribunus militaris in exercitu C. Marii, propinquus ejus imperatoris, interfactus ab eo est, cui vim 30 afferebat. Facere enim probus adolescens periculose quam perpeti turbiter maluit. Atque hunc ille summivir, 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 35 nullo facto liceret. Est igitur haec, judices, non scripta, sed nata lex, quam non didicimus, accepimus, legimus, verum ex natura ipsa arripuimus, hausimus, expressimus, ad quam nou docti, sed facti, non instituti, sed imbuti sumus, ut, si vita nostra in aliquas insidias, si in vim et in 40 tela aut latronum aut inimicorum incidisset, omnis honesta ratio esset expediendæ salutis. Silent enim leges inter arma nec se exspectari jubent, quam ei, qui exspectare velit, ante injusta poena huenda 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, quae causa, non telum quæreretur, qui sui defendendi causa telo esset usus, non hominis occidendi causa habuisse telum judicaretur. Quapropter hoc maneat in causa, judices; non enim dubito, quin probaturus sim vobis defensionem meam, si id memineritis, quod oblivisci non potestis, insidiatorem interfici jure posse.

10 V. 12. Sequitur illud, quod a Milonis inimicis sæpissime dicitur, cædem, in qua P. Clodius occisus est, senatum judicasse, contra rem publicam esse factam. Illam vero senatum non sententias suis solum, sed etiam studiis comprobavit. Quoties enim est illa causa a nobis acta in senatu?

15 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 illæ intermortuæ conciones, quibus quotidie meam potentiam

20 invidioso criminafabtur, quum diceret, senatum non quod sentiret, sed quod ego vellem, decernere. Quæ quidem si potentia est appellanda potius quam aut propter magna in rem publicam merita mediocris in bonis causis auctoritas aut propter hos officiosos labores meos nonnulla apud bonos gratia, appelletur ita sane, dummodo ea nos utamur pro salute bonorum contra amentiam perditorum. 13. Hanc vero questionem, etsi non est iniqua, nunquam tamen senatum constitueam putavit. Erant enim leges, erant questiones, vel de cæde vel de vi; nec tantum mæorem ac

25 luctum senati mors P. Clodii afferebat, ut nova questio constitueretur. Cujus enim de illo incepto stupro judicium decernendi senati potestas esset erepta, de ejus interitu, quis potest credere, senatum judicium novum constitueendum putasse? Cur igitur incendium curiae, oppugnationem

30 aedidum M. Lepidi, cædem hanc ipsam contra rem publicam senatus factam esse decrevit? Quia nulla vis unquam est in libera civitate suscepta inter cives non contra rem publicam. 14. Non enim est illa defensio contra vim unquam optanda, sed nonnunquam est necessaria. Nisi vero aut

35 ille dies, quo Ti. Gracchus est cæsus, aut ille, quo Caius, aut arma Saturnini non, etiamsi e re publica oppressa sunt, rem publicam tamen vulnerarunt.

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


VII. Domi suæ nobilissimus vir, senatus propugnator atque illis quidem temporibus pæne patronus, avunculus hujus judicis nostri, fortissimi viri, M. Catonis, tribunus plebis M. Drusus occisus est. Nihil de ejus morte populus consultus, nulla quæstio decreta a senatu est. Quantum luctum in hac urbeuisse a nostris patribus accepimus, 30 quem P. Africano, domi suæ quiescenti, illa nocturna vis esset illata? quis tum non gemuit? quis non arsit dolore, quem immortalem, si fieri posset, omnes esse euperent, ejus ne necessariam quidem exspectatam esse mortem? Non igitur ulla quæstio de Africani morte lata est? Certe 35 nulla. 17. Quid ita? Quia non alio facinore clari homines, alio obscuri necantur. Intersit inter vitæ dignitatem summorum atque infimorum; mors quidem illata per scelus iisdem et pœnís 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 interfectus. Hoc enim ab istis sæpe dicitur; proinde quasi Appius ille Cæcus viam muniverit, non qua populus uteretur, sed ubi impune
sui posteri latrocinarentur. 18. Itaque in eadem ista Appia
via quam ornatussum equitem Romanum P. Clodius M.
Papirium occidisset, non fuit illud facinus puniendum;
homo enim nobilis in suis monumentis equitem Romanum
occiderat; nunc ejusdem Appiae nomen quantas tragödias
excitavit! Quae oerentata antea eæde 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 Custoris
servus P. Clodi, quem ille ad Cn. Pompeium interficiendum
collocarat; extorta est confitentii sica de manibus; caruit
foro postea Pompeius, caruit senatu, caruit publico; janua
se ac parietibus, non jure legum judiciorumque texit. 19.
Num quæ rogatio lata, num quæ nova quaestio decreta est?
15 Atqui, si res, si vir, si tempus ullum dignum fuit, certe haec
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
haec solum civitas, sed gentes omnes concidissent. Nisi
vero, quia perfecta res non est, non fuit punienda; prouide
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 Clodi telis et ex cruentis ejus manibus effugi? ex quibus
si me non vel mea vel rei publicæ fortuna servasset, quis
tandem de interitu meo quaestionem tulisset?
VIII. Sed stulti sumus, qui Drusum, qui Africanum,
Pompeium, nosmet ipsos cum P. Cludio conferre audemus.
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, agrì 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 praeditus multa vidit; fuisse illum sibi ini-
icum, familiarem Milonem; in communi omnium lactitia si
etiam ipse gaudaret, timuit, ne videretur infirmior fides re-
conciliatæ 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, secrivit in judicibus
legendis amicos meos. Neque enim hoc cogitavit vir justis-
simus, neque in bonis viris legendis id assequi potuisset, etiamsi cupisset. Non enim mea gratia familiaritatibus continentur, 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 con-
junxit cum bonis; ex quibus ille quem optimos viros leg-
ret, idque maxime ad fidem suam pertinere arbitaretur, non
potuit legere non studiosos mei. 22. Quod vero te, L. Domi-
ti, huic quastioni præesse maxime voluit, nihil quæ-
sivit aliud, nisi justitiam, gravitatem, humanitatem, fidem. 10
Tulit, ut consularem necesse esset; credo, quod principum
munus esse ducere resistere et levitati multitudinis et per-
ditorum temeritati. Ex consularibus te creavit potissimum.
Dederas enim, quam contemneres populares insanias, jam
ab adolescentia documenta maxima. 15
IX. 23. Quamobrem, judices, ut aliquando ad causam
crimenque veniamus, si neque omnis confessio facti est
inusitata, neque de causa nostra quidquam aliter, ac nos
vellemus, a senatu judicatum est, et lator ipse legis, quum
esset controversia nulla facti, juris tamen discpectionem 20
esse voluit, et electi judices isque praepositus quastioni,
qui haec juste sapienterque discpetet, reliquum est, judices,
ut nihil jam quærere aliud debetatis, nisi, uter utri insidias
fecerit. Quod quo facilius argumentis perspicere possitis,
rem gestam vobis dum breviter expono, queso, diligenter 25
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
civem, et annum integrum ad dilacerandum rem publicam
quereret, subito reliquit annum suum sesseque in proximum
annum transtulit, non, ut fit, religione aliqua, sed ut haberet,
quod ipse dicebat, ad præturam gerendam, hoc est, ad
evertendum rem publicam, plenum annum atque integrum. 35
25. Occurrebat ei, mancam ac debilem præeturam suam
futuram, consule Milone; eum porro summo consensu po-
puli Romani consulem fieri videbat. Contulit se ad ejus
competitores, sed ita, totam ut petitionem ipse solus, etiam
invitis illis, gubernaret; tota ut comitia suis, ut dictitabat, 40
humeris sustineret. Convocabat tribus; se interponebat;
Collinam novam delectu perditissimorum civium conscribe-
bat. Quanto ille plura miscbebat, tanto hic magis in dies
convalescebat. Ubi vidit homo ad omne facinus paratissi-
10*
mus, fortissimum virum, inimicissimum suum, certissimum consulem, idque intellexit non solum sermonibus, sed etiam suffragiis populi Romani sepe esse declaratum, palam agere coepit 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 esse, vitam posse. Significavit hoc sepe in senatu; dixit in concione; quin etiam M. Favonio, fortissirao viro, quserenti ex eo, qua spe fureret, Milone vivo, respondit, tii duo illum aut summum quatriduo esse periturum; quam vocem ejus ad bunc M. Catonem statim Favonius detulit.

X. 27. Interim, quam seiret Clodius (neque enim erat difficile seire), 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, quæ illo ipso die habita est, relinqueret, quam, nisi obire facinoris locum et tempusque voluisset, nunquam 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 uxor, quod nunquam fere, quum hic insidiator, qui iter illud ad cædem faciendum apparasset, cum uxor evehetur in rheda, pænulator, magnio et impedito et muliebri ac delicato ancilarum 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 interf ectum putarent, cædere incipient ejus servos, qui post erant, ex quibus qui animo fidelè in dominum et præsen ti fuerunt, partim occisi sunt, partim, quum ad rhedam pugnari viderent, domino succurrere prohibentur, Milonem
occisum ex ipso Cludio audirent et re vera putarent, fecerunt id servi Milonis (dicam enim aperte non derivandi criminis causa, sed ut factum est), nec imperante nec sciente nec praesente domino, quod suos quisque servos in tali re facere voluisset.

XI. 30. Hae, sicut exposui, ita gesta sunt, judices; insidiator superatus est; vi victa vis vel potius oppressa virtute audacia est. Nihil dico, quid res publica consequa sit, nihil, quid vos, nihil, quid omnes boni. Nihil sane id prostat 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 belluis natura ipsa præscriptis, ut omnes semper vim, quacunque ope possent, a corpore, a capite, a vita sua propulsarent, non potestis hoc facinus improbum judicare, quin simul judicetis, omnibus, qui in latrones inciderint, aut illores telis aut vestris sententiis esse pereundum. 31. Quod si ita putasset, certe optabilius Miloni fuit dare jugulum P. Clodio, 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, occidusne sit, quod fatemur, sed jure an injuria, quod multis in causis sæpe quæsitum est. Insidias 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 quæreretur. Ita et senatus rem, non hominem, notavit, et Pompeius de jure, non de facto, quæstionem tuli.

XII. Numquid igitur alius in judicium venit, nisi, uter 30 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 fecisse Clodium? Satis est in illa quidem tam audaci, tam nefaria bellia docere, magnam ei causam, magnam spem in Milonis morte propositam, magnas utilitates fuisse. Itaque illud Cassianum, cui bono fuerit, in his personis valeat; etsi boni nullo emolumento impelluntur in fraudem, improbi sæpe parvo. Atqui, Milone interfecto, Clodius hoc assequatur, non modo ut pretor esset non eo consule, quo 40 sceleris facere nihil possit, sed etiam, ut 3is consulibus pretor esset, quibus si non adjuvantibus, at conniventibus certe, speraret, se posse eludere in illis suis cogitatis furoris; 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 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? Exhībe, quæso, Sexte Clodi, exhībe librarium illud legum vestrarum, quod te aitun eripuisse e domo et ex mediis armis turbaque nocturna tamquam Palladium extuhsse, ut præclarum videhçt munus etque instrumentum tribunatus ad aquam, si nactus esses, qui tuo arbitrio tribunatum gereret, deferre posses. Atque per **. An hujus ille 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 periculoæ etiam reprehensio est. Et adspexit me illis quidem oculis, quibus tum solebat, quum 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 meæ postulare? Tu P. Clodiæ cruentum cadaver ejecisti domo, tu in publicum abjecisti, tu spoliatus imaginibus, exsequiis, pompa, laudatione, infelicissimus signis semustilatum, nocturnis canibus dilaniandum reliquisti. Quare et si nefarie fecisti, tamen, quoniam in meo inimico crudelitate exprompsisti tuam, laudare non possum, irasci certe non debeo. 34. [Demonstravi, judices, quantum Clodiæ inter] fuerit occidi Milonem. Convertite animos nunc vicissim ad Milonem. Quid Milonis intererat interici Clodium? Quid erat, cur Milo, non dicam admitteret, sed optaret?—Obstabat 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 meritorum memoria; valebant preces et lacrimæ nostræ, quibus ego tum vos mirifice moveri sentiebam; sed plus multo valebat periculorum impendimentum timor. Quis enim erat civium, qui sibi solutam P. Clodiæ præturam sine maximo rerum novarum metu proponeret? Solutam autem fore videbatis, nisi esset is consul, qui eam auderet possetque constringere. Eum Milonem unum esse quem sentiret universus populus
Romanus, quis dubitaret suffragio suo se metu, periculo rem publicam liberare? At nunc, Clodio remoto, usitatis jam rebus entiendum est Miloni, ut tueatur dignitatem suam; singularis illa et huic uni concessa gloria, quae quotie augebatur frangendis furoribus Clodianis, jam Clodii morte ceceedit. Vos adepti estis, ne quem civem metueritis; hic exercitationem virtutis, suffragationem consulatum, fontem perennem glorise sui perdidit. Itaque Milonis consulatum, qui, vivo Clodio, labefactari non peterat, mortuo denique tentari cecepus est. Non modoigitur nihil prodest, sed obcectetiam Clodii morte. 35. At valuit odium, fecit iratus, fecit inimicus, fuit ultor injuriae, punitor doloris sui. Quid? si hae, non dico, majora fuesunt in Clodio quam in Milone, sed in illo maxima, nulla in hoe? quid vultis amphus? Quid enim odisset Clodium Milo, segetem ac matteriam suae gloriae, praeter hoc civile odium, quo omnes improbos odimus? Ille, erat, ut odisset, primum salvum et deinde vexatorem furoris, domitorem armorum suorum, postremo etiam accusatorem suum. Reus enim Milonis leges Plotiae fuit Clodius, quoad vixit. Quo tandem animo hoc tyrannum illum tulisse? quantum odium illius et in homine injusto quam etiam justum fuisset?

XIV. 36. Reliquum est, ut jam illum natura ipsius consuetudoque defendat, hunc autem hae eadem coarguant. 25 Nihil per vim unquam Clodii, omnia per vim Milo. Quid? ego, judices, quum, mærentibus vobis, urbe cessi, judiciumne timui? non servos, non arma, non vim? Quae fuisset igitur justa causa restituendi mei, nisi fuisset injusta ejiciendi? Diem mihi, credo, dixerat, multam irrogarat, actionem per 30 duellionis intenderat, et mihi videlicet in causa aut mala aut mea, non et praeclarissima et vestra, judicium timendum fuit. Servorum et egentium civium et facinorosorum armis meos cives, meis consiliis periculisque servatos, pro me objici nolui. 37. Vidi enim, vidi, hunc ipsum Q. Hortensium, lumen et ornamentum rei publicae, pæne interfici servorum manu, quum mihi adesset; qua in turba C. Vibienus, senator, vir optimus, cum hoc quum esset una, ita est mulcatus, ut vitam amiserit. Itaque quando illius postea sica illa, quam a Catilina acceperat, conquievit? Hae in 40 tentata nobis est; huic ego vos objici pro me non sum passus; hae insidiata Pompeio est; hae istam Appiam, monumentum sui nominis, nece Papirii cruentavit; hæc, hæc eadem longo intervallo conversa rursus est in me;

XV. 39. At quod erat tempus! Clarissimus et fortissimus consul, inimicus Clodio, P. Lentulus, ultor sceleris illius, propugnator senatus, defensor vestrae voluntatis, patronus publici consensus, restitutor salutis meæ; septem prætores, octo tribuni plebis, illius adversarii, defensores mei; Cn. Pompeius auctor et dux mei reditus, illius hostis, cujus sententiam senatus omnis de salute mea gravissimam et ornatissimam secutus est, qui populum Romanum est cohortatus, qui, quum decretum de me Capuae fecit, ipse cunctæ Italœ cupienti et ejus fidem imploranti signum dedit, ut ad me restituendum Romam concurrerent; omnia tum denique in illum odiæ ardebat desiderio mei; quem qui tum interemisset, non de impunitate ejus, sed de praemiis cogitaretur. 40. Tamen se Milo continuët et P. Clodium in judicium bis, ad vim nunquam vocavit. Quid? privato Milone et reo ad populum, accusante P. Clodium, quum in Cn. Pompeium pro Milone dicentem imputus factus est, quæ tum non modo occasio, sed etiam causa illius opprimendi fuit? Nuper vero quum M. Antonius summam spem salutis bonis omnibus attulisset, gravissimamque adolescentis nobilissimus rei publicæ partem fortissime suscepisset, atque illam bellum, judicii laqueos declinantem, jam irretitam teneret, qui locus, quod tempus illud, dīi immortales, fuit? Quum se ille fugiens in scalarum tenebras abdidisset, magnum Miloni fuit conficere illam pestem nulla sua invidia, Antonii vero maxima gloria. 41. Quid? comitiis in campo quoties potestas fuit, quum ille in septa irrupisset, gladios destringendos, lapides jacientes curavisset, dein subito, vultu Milonis perterritus, fugeret ad
Tiberim, vos et omnes boni vota faceritis, 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 loco, alieno tempore, periculo capitis non dubitavit occi-
dere? 

42. præsertim, judices, quam honoris amplissimi contentio et dies comitiorum subisset; quo quidem tempore (scio eum, quam timida sit ambitio quantaque et quam sollicita sit cupiditas consulatus), omnia non modo, quæ reprehendi palam, sed etiam quæ obscure cogitari possunt, timemus, rumorem, fabulum factam, 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 impro-
bitati irascuntur candidatorum, sed etiam in recte factis sape fastidiunt. 43. Hunc igitur diem campi speratum atque exoptatum sibi proponens Milo, cruentis manibus, scelus et facinus priße se ferens et confitens ad illa augusta centuriarum auspicia veniebat? Quam hoc non credibile in hoc! quam idem in Cladio non dubitandum, qui se inter-
fecit Milone regnaturum putaret! Quid? quod caput est [audacæ], judices, quis ignorant, maximam illecebram esse peccandi impunitatis spem? In utro igitur hæc fuit? in Milone, qui etiam nunc reus est facti aut præclari aut certe necessari, an in Cladio, qui ita judicia pœnamque contem-

XVII. 45. Quemadmodum igitur eum dies non fefellit? Dixi equidem modo. Dictatoris Lanuvii sta ta sacrificia nosse negotii nihil erat. Vidit, necesse esse Miloni, pro-
icisci Lanuvium illo ipso, quo est prefectus, die. Itaque antevertit. At quo die? Quo, ut ante dixi, fuit insanissima concio, ab ipsius mercenario tribuno plebis concitata; quem diem ille, quam concionem, quos clamores, nisi ad cogitatum facinus approperaret, nunquam reliquisset. Ergo illi ne causa quidem itineris, etiam causa manendi; Miloni ma-
nendi nulla facultas, exeundi non causa solum, sed etiam necessitas fuit. Quid? si, ut ille scivit, Milonem fore eo die in via, sic Clodium Milo ne suspicari quidem potuit? 46. Primum quaero, qui scire potuerit? quod vos idem in 5 Clodio quaerere non potestis. Ut enim neminem alium nisi T. Patinam, familiarissimum suum, rogasset, scire potuit, illo ipso die Lanuvii a dictatore Milone prodi flaminem necesse esse. Sed erant permulti alii, ex quibus id facillime scire posset [; omnes scilicet Lanuvini]. Milo de Clodii 10 reeditu unde quaevisit? Quaesierit sane. Videte, quid vobis largiar. Servum etiam, ut Q. Arrius, meus amicus, dixit, corruperit. Legite testimonia testium vestrorum. 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 Albano mansurum fuisse, sed subito esse ei nuntiatum, Cyrum architectum esse mortuum; itaque repente Romam constituisse proficisci. Dixit hoc, comes item P. Clodii, C. Clodius. 20 XVIII. 47. Videte, judices, quantae res his testimoniis sint confectæ. Primum certe liberatur Milo, non eo consilio profectus esse, ut insidiaretur in via Clodio; quippe; si ille obvius ei futurus omnino non erat. Deinde (non enim video, cur non meum quoque agam negotium) scitis, judices, 25 fuisse, qui in hac rogatione suadenda dicerent, Milonis manu cædem esse factam, consilio vero majoris alicujus. Me videlicet latronem ac sicarium abjecti homines et perditæ describebant. Jacent suis testibus [hi], qui Clodium negant eo die Romam, nisi de Cyro audisset, fuisse rediturum. 30 Respiravi; liberatus sum; non vereor, ne, quod ne suspicari quidem potuerim, videor id cogitasse. 48. Nunc persequar cetera. Nam occurrit illud: Igitur ne Clodium quidem de insidiis cogitavit, quoniam fuit in Albano mansurus. Si quidem exiturus ad cædem e villa non fuisset. Video 35 enim, illum, qui dicatur de Cyri morte nutiasses, non id nutiasses, sed Milonem appropinquare. Nam quid de Cyro nuntiaret, quem Clodius Roma proficiscens reliquerat morientem? Una fui; testamentum simul obsignavi cum Clodio; testamentum autem palam fecerat, et illum heredem 40 et me scripserat. Quem pridie hora tertia animam efflantem reliquistes, eum mortuum postridie hora decima denique eui 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 posset, amitteret autem, si postridie Romam mane venisset? Atque ut illi nocturnus ad urbem adventus vitandus potius quam expe-
tendus fuit, sic Miloni, quum insidiator esset, si illum ad urbem noctu accessurum sciebat, subsidendum atque ex-
spectandum fuit. 50. Noctu, insidioso et pleno latronum
in loco occidisset; nemo ei neganti non credidisset, quem
esse omnes salvum etiam confitentem voluit. Sustinuisset 10
hoc crimen primum ipse ille latronum occul- tator et receptor
locus; tum neque muta solitudo indicasset, neque ceca
nox ostendisset Milonem; deinde ibi multi ab illo violati,
spoliati, bonis expulsí, multi hæc etiam timentes in suspi-
cionem caderent; tota denique rea citaretur Ætrúria. 51. 15
Atque illo die certe Aricia rediens devértit Clodius ad se in
Albanum. Quod ut sciret Milo, illum Ariciæ fuisset, suspi-
cari tamen debuit, eum, etiamsi Romam illo die reverti
vellet, ad villam suam, quæ viam tangeret, deversurum.
Cur neque ante occurrí, ne ille in villa resideret, nec eo in 20
loco subsedít, quo ille noctu venturus esset?

Video constare adhuc, judices, omnia: Miloni etiam utile
fuisset Clodium vivere, illi ad ea quæ concupíerat, optatíssí-
mum interitus Milonis; odium fuisset illius in hunc acer-
bissimum, nullum hujus in illum; consuetudinem illius 25
perpetuam in vi inferenda, hujus tantum in repellenda; 52.
mortem ab illo denuntiatam Miloni et praedictam palam,
nihil unquam auditum ex Milone; profectionis hujus diem
illi notum, reditus illius huic ignotum fuisset; hujus iter
necessarium, illius etiam potius alienum; hunc praecellus 30
lisse, illo se die Roma exiturum, illum eo die se dissimulasse
rediturum; hunc nullius rei mutasse consilium, illum cau-
sam mutandi consilii finxisse; huic, si insidiaretur, noctem
prope urbem exspectandum, illi, etiamsi hunc non timeret,
tamen accessum ad urbem nocturnum fuisset metuendo. 35

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


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 40 perterritum, nulla conscientia examinatum Romam revertisse, recordamini, per deos inmortales! qua fuerit celeritas reditus ejus, qui ingressus in forum, ardente curia, quæ magnitudo animi, qui vultus, quæ oratio. Neque vero se
populo solum, sed etiam senatus commisit, neque senatus modo, sed etiam publicis præsidiiis 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 hic profecto tradidisset, nisi causa suae consideret, præsertim omnia audienti, magna metuenti, multa suspicanti,nonnulla credenti. Magna vis est conscientiæ, judices, et magna in utramque partem, ut neque timeant, qui nihil commiserint, et poenam semper ante oculos versari putent, qui peccarint. 62. Neque vero sine ratione certa causa Milonis semper a senatu probata est. Videbant enim sapientissimi homines facti rationem, præsentiam animi, defensionis constantiam. An vei-o obliti estis, judices, cuncta res præsentis, non modo inimicorum Milonis sermones et opiniones, sed nullorum etiam imperatorum? Negabant eum Romam esse reditum. 63. Sive enim illud animo irato ac percito fecisset, ut incensus odio trucidaret inimicum, arbitrabantur, eum tanti mortem P. Clodii putasse, ut sequo animo patria caieret, quum suo periculo salutem rei publicae attulisset, cederet æquo animo legibus, secum auferret gloriam sempiternam, nobis hæc fruenda relinqueret, quæ ipse servasset. Multi etiam Catilinam atque illa portebant: “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 exstissent, si Milo admississet aliquid, quod non posset honeste vereque defendere. XXIV. Quid? quæ postea sunt in eum congesta, quæ quemvis etiam medioicrium delictorum conscientia perculissent, ut sustinuit! dīi immortales! sustinuit! immo vero ut contempsit ac pro nihil putavit! quæ neque maximum animo nocens, neque innocens, nisi fortissimus vir, negligere potuisset. Scutorum, gladiorum, † frenorum pilorumque etiam multitudo reprehendi posse indicabatur; nullum in urbe vicum, nullum angiportum esse dicebant, in quo non Miloni conducta esset domus; arma in villam Oriculumam 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, quam 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 audiendo popa Licinius nescio qui de circō 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 nuntiavit. Accessor in primis. De amicorum sententia rem defert ad senatum. Non poteram in illius mei patriæque custodis tanta suspicione non metu examinari, sed mirabar tamen, credi popae, confessionem servorum audiri, vulnus in latere, quod acu punctum videretur, pro ictu gladiatoriis probari. 66. Verum, ut intelligo, cavebat magis Pompeius, quam timebat, non ea solm, qua timenda erant, sed omnia, ne vos aliquid timeretis. Oppugnata domus C. Cæsaris, clarissimi et fortissimi viri, per multas noctis horas nuntiabatur. Nemo audierat tam celebrī loco, nemo senserat; tamen audiebatur. Non poteram Cn. Pompeium, præstantissima virtute virum, timidum suspicari; diligentiam, tota re publica suscepta, 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 fidem non faciebat, ut, eo tacente, res ipsa loqueretur.

XXV. 67. Omnia falsa atque insidiose fīcta comperta sunt; quum 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, suspiciones perhorrescimus. Si Milonem times, si hunc de tua vita nefarie aut nunc cogitare aut molitum aliquando aliquid putas, si Italīae delectus, ut nonnulli conquisitores tuī dictarunt, si hæc arma, si Capitolinæ cohortes, si excubiae, si vigiliæ, 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 publicae partes ãegras et labantes, ut eas his armis sanares et confirmares, esse commissas? Quod si locus Miloni datus esset, probasset propecto tibi ipsi, neminem unquam hominem homini cariorem fuisse quam te sibi; nullum se unquam periculum pro tua dignitate fugisse;
cum illa ipsa tetricissa peste se sēpissime pro tua gloria contendisset; tribunatum suum ad salutem meam, quae tibi carissima fuisset, consiliis tuis gubernatum; se a te postea defensum in periculo capitis, adjutum in petitione praeturae;
5 duos se habere semper amicissimos sperasse, te tuo beneficio, me suo. Quae si non probaret, si tibi ita penitus inhaesisset ista suspicio, nullo ut evelli modo posset, si denique Italia a defectu, urbs ab armis sine Milonis clade nunquam esset conquietura, nēe haud dubitans cessisset patria, is, qui ita natus est et ita consuevit; te, Magne, tamen antestaretur, quod nunc etiam facit.

XXVI. 69. Vide, quam sit varia vitae commutabilisque ratio, quam vaga volubilisque fortuna, quantae infidelitates in amicitii, quam ad tempus aptae simulationes, quantae in periculis fugae proximorum, quantae timiditates. Erit, erit illud proecto tempus et illucesceret ille aliquando 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
10 hominis fidem et unius post homines natos fortissimi viri magnitudinem animi desideres. 70. Quamquam quis hoc credat, Cn. Pompeium, quiis publici, moris majorum, rei denique publicae peritissimum, quem senatus ei commiserit, 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, judicium exspectaturum fuisset in ejus consiliis vindicandis, qui vi judicia ipsa tolleret? Satis judicatum est a Pompeio, satis, fals ab ista conferri in Milonem, qui legem tulit, qua,
25 ut ego sentio, Milonem absolvit a vobis oporteret, ut omnes confitentur, liceret. 71. Quod vero in illo loco atque illis publicorum præsidiorum copiis circumfusus sedet, satis declarat, se non terorem infferre 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, libere judicare.

XXVII. 72. Nec vero me, judices, Clodianum crimen movet, nec tam sum demens tamque vestri sensus ignarus atque express, ut nesciam, quid de morte Clodii sentiatis. De qua, si jam nollem ita diluere crimen, ut dilui, tamen impune Miloni clamare ac mentiri gloriose liceret:

"Occidi, occidi, non Sp. Maelium, qui annona levanda jacturusque rei familiaris, quia nimis amplecti plebem videbatur,
in suspicitionem incidit regni appetendi, non Ti. Gracchum, qui collegae magistratum per seditionem abrogavit, quorum interfectores impleverunt orbem terrarum nominis sui gloria, sed eum (auderet enim dicere, quam patriam periculo suo liberasset), cujus nefandum adulterium in pulvinarisbus sanctissimis nobilissimae feminae comprehenderunt; 73. eum, cujus supplicio senatus sollemnes religiones expiandas scepe censuit; eum, quem cum sorore germana nefariorum stuperisse fecisse, L. Lucullus juratus se, quosestionibus habitis, dixit comperisse; eum, qui cum rex populos Romanus, quem omnes gentes urbis ac vitae civium conservatorem judicarant, servorum armis exterminavit; eum, qui regna dedit, ademit, orbem terrarum, quibus est voluit, partitus est; eum, qui plurimos cedibus in foro factis, singularis virtute et gloria civem domum vi et armis compulit; 15 eum, cui nihil unquam nefas fuit nec in facinore nec in libidine; eum, qui adem 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 liitum, non injustis vindiciis ac sacramentis alienos fundos, sed castris, exercitu, signis inferendis petebat; qui non solum Etruscos (eos enim penitus contemptaverat), sed hunc P. Varium, fortissimum atque optimum civem, judicem nostrum, pellere possessionibus armis castrisque conatus est; qui cum architectis et decempedibus villas multorum hortosque peragrabat; qui Janiculo et Alpibus sper possessionum terminabat suarum; qui, quum ab equite Romano splendido et fortu, M. Paconio, non impetrasset, ut sibi insulam in lacu Prilio venderet, repente lintribus in eam insulam materiem, calcem, cæmenta, arma convexit, dominoque trans ripam inspectante non dubitavit ædificium extruere in alieno; 75. qui huic T. Furfanio, cui viro? dii immortales! (quid enim ego de muliercula Scantia, quid de adolescente P. Apinio dicas? quorum utrique mortem est minitatus, nisi sibi hortorum possessione cessissent); sed ausus est Furfanio dicere, si sibi pecuniam, quantum posposerat, 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 deject; qui parietem sic per vestibulum sororis instituit ducere, sic agere fundamenta, ut sororem non modo vestibulo privatet, sed omni aditu et limine."

XXVIII. 76. Quamquam hæc quidem jam tolerabilia.
videbantur, etsi æquabiliter in rem publicam, in privatos, in longinquos, in propinquos, in alienos, in suos irruebat; sed nescio quomodo jam usus obdurerat et percalluerat civitatis incredibilis patientia. Quæ vero aderant jam et impende-

bant, quonam modo ea aut depellere potuissetis aut ferre? Imperium ille si nactus esset, omittit socios, exteras nationes, reges, tetrarchas; vota enim faceretis, ut in eos se potius immitteret quam in vestras possessiones, vestra secta, vestras pecunias; pecunias dico? a liberis, mediis fidius. et a conjugibus vestris nunquam ille effrenatas suas libidines cohibuisset. Fingi haec putatis, quse patent, quae nota sunt omnibus, quae tenentur? servorum exercitus illum in urbe conscripturum fuisse, per quos totam rem publicam resque privatas omnium possideret? 77. Quamobrem, si erant

gladium tenens clamaret T. Annius: "Adeste, quæso, atque audite, cives; P. Clodium interfeci; ejus furores, quos nullis jam legibus, nullis judiciis frenare poteramus, hoc ferro et hac dextera a cervicibus vestris reppuli, per me ut unum jus, æquitas, leges, libertas, pudor, pudicitia in civi-
tate 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 publicæ profuisse, maxima lætitia populum Romanum, cunctam Italiam, nationes omnes affe-
cisse et dicat et sentiat? Non quo, vetera illa populi Romani gaudia quanta fuerint, judicare. Multas tamen jam summorum imperatorum clarissimas ætas nostra vidit, quarum nulla neque tam diuturnam attulit lætitiam nec tantam. 78. Mandate hoc memoræ, judices. Spero multa vos liberoseque vestros in re publica bona esse visuros; in iis singulis ita semper existimabitis, vivo P. Clodio nihil eorum vos visuros fuisset. In spem maximam et, quemad-
módum confido, verissimam sumus adducti, hunc ipsum annum, hoc ipsó summó viro consule, compressa hominum licentia, cupiditatibus fractis, legibus et judiciis constitutis, salutarem civitati fore. Num quis est igitur tam demens, qui hoc, P. Clodio vivo, contingere potuisse arbitretur? Quid? ea, quæ tenetis, privata atque vestra, dominante homine furioso, quod jus perpetuae possessionis habere po-

tuissent?

XXIX. Non timeo, judices, ne odio meorum inimicitarum inflammatus libentius hæc in illum evomere videar quam verius. Etenim etsi praecipuum esse debebat, tamen ita communis erat omnium ille hostis, ut in communi odio pæne
æqualiter versaretur odium meum. Non potest dici satis, ne cogitari quidem, quantum in illo sceleris, quantum exitii fuerit. 79. Quin sic attendite, judices. Nempe haec est quæstio de interitu P. Clodii. Fingite animis (liberæ sunt enim nostræ cogitationes et, quæ volunt, sic intuentur, ut ea 5 cernimus, quæ videmus), fingite igitur cogitatione imaginem hujus conditionis meæ, si possim efficere, ut Milonem absolvasis, sed ita, si P. Clodius revixerit. Quid vultu extimusis? Quonam modo ille vos vivus afficeret, quos mortuus inani cogitatione percussit? Quid? si ipse Cn. Pom-10 peius, qui ea virtute ac fortuna est, ut ea potuerit semper, quae nemo praeter illum, si is, inquam, potuisset aut questionem de morte P. Clodii ferre aut ipsum ab inferis excitare, utrum putatis potius facturum fuisset? Etiamsi propter amicitiam vellet illum ab inferis evocare, propter rem publicam non fecisset. Ejus igitur mortis sedetis uliores, cujus vitam si putetis per vos restitui posse, nolitis, et de ejus neate lata quæstio est, qui si eadem lege reviviscere posset, lata lex nunquam esset. Hujus ergo interfactor si esset, in confitendo ab iisne poenam timeret, quos liberavisset? 20 Græci homines deorum honores tribuunt iis viris, qui tyrannos necaverunt. Quæ ego vidi Athenis? quæ aliis in urbisbus Græciæ? quas res divinas talibus institutas viris? quos cantus? quæ carmina? Prope ad immortalitatis et religionem et memoriam consecrantur. Vos tanti conservateorem populi, tanti sceleris ultorem non modo honoribus nullis afficietis, sed etiam ad supplicium rapi patiemi? Confiteretur, confiteretur, inquam, si fecisset, et magno animo et libente, fecisse se libertatis omnium causa, quod esset ei non confitendum modo, verum etiam prædicandum. 25 XXX. 81. Etenim, si id non negat, ex quo nihil petit, nisi ut ignoscatur, dubitaret id fateri, ex quo etiam præmia laudis essent petenda? nisi vero gratius putat esse vobis, sui se capitis quam vestrum defensorem fuisse; quum præsentim in ea confessione, si grati esse velletis, honores assequetur amplissimos; si factum vobis non probaretur (quamquam qui poterat salus sua cuiquam non probari?), sed tamen si minus fortissimi viri virtus civibus grata cecidisset, magno animo constantique cederet ex ingrata civitate. Nam quid esset ingratius, quam lætarí ceteros, lugere eum solum, propter quem ceteri lætarentur? 82. Quamquam hoc animo semper omnes fuimus in patriæ proditoriibus opprimendis, ut, quoniam nostra futura esset gloria, periculum quoque et invidiam nostram putaremus. Nam
ORATIO

quæ mili ipsi tribuenda laus esset, quum tantum in consu-
latu meo pro vobis ac liberis vestris ausus essem, si id,
quum conabar, sine maximis dimijcationibus meis me esse
ausurum arbitrarer? Quæ mulier sceleratum ac pernicio-
sum civem occidere non auderet, si peccati non timebet?
Proposita invidia, morte, pœna, quæ nihilum sequi rem
publicam defendit, is vir vere putatur est. Populi grati
est, præmiis afficere bene meritos de re publica cives,
fortis, ne suppliciis quidem moveri, ut fortiter fecisset pœ-
nireat. 83. Quamobrem uteretur eadem confessione T.
Annius, qua Ahala, qua Nasica, qua Opimius, qua Marius,
qua nosmet ipsi, et, si grata res publica esset, lataretur, si
ingrata, tamen in gravi fortuna conscientia sua nitireat.
Sed hujus beneficii gratiam, judices, fortuna populi Ro-
mani et vestra felicitas et dii immortales sibi deberint
putant. 84. Est, est profecto illa vis, neque in his cor-
poribus atque in hac imbecillitate nostra inest quiddam,
quod vigeat et sentiat, et non inest in hoc tanto naturæ
tam præclaro motu. Nisi forte idcirco non putant, quia
non apparat nec cernit; prono quasi nostram ipsam
mentem, qua sapimus, qua providemus, quæ haec ipsa agi-
mus ac dicimus, videre aut plane, qualis aut ubi sit, sentire
possimus. Ea vis igitur ipsa, quæ sœpe incredibiles huic
urbi felicitates atque opes attulit, illum perniciem exstinxit
ac sustulit, cui primum mentem injecit, ut vire irritare ferro-
que lacessere fortissimum virum auderet vincereturque ab
eio, quem si vicissent, habiturus esset impunitatem et licen-
tiam sempiternam. 85. Non est humano consilio, ne me-
dioci quidem, judices, deorum immortalium cura res illa
perfecta. Religiones mehercule ipsæ, quæ illum bellum
cadere viderunt, commovisse se videntur et jus in illo suum
retinuuisse. Vos enim jam, Albani tumuli atque luci, vos,
inquam, imploro atque testor, vosque Albanorum obturæ
aræ, sacrorum populi Romani sociæ et æqualis, quas ille,
præceps amentia, cæsis prostratisque sanctissimis lucis,
substructionum insanis molibus oppresserat; vestræ tum,
[aræ,] vestræ religiones viguerunt, vestra vis valuit, quam
ille omni scelere polluerat, tuque ex tuo edito monte, Latia-
ris sancte Juppiter, cujus ille lacus, nemèra finesque sepe
omni nefario stupro et scelere macularat, aliquando ad eum
puniendum oculos aperuisti; vobis illæ, vobis vestro in
conspectu seræ, sed justæ tamen et debitæ pœnæ solutæ 5
sunt. 86. Nisi forte hoc etiam casu factum esse dicemus,
ut ante ipsum sacrarium Bonæ Deæ, quod est in fundo T.
Sestii Galli, in primis honesti et ornati adolescentis, ante
ipsam, inquam, Bonam Deam, quum proelium commisisset,
primum illud vulnus acciperet, quo teterrimam mortem 10
obiret, ut non absolutus judicio illo nefario videretur, sed
ad hanc insignem pœnam reservatus.

XXXII. Nec vero non eadem ira deorum hanc ejus sa-
tellitibus inject amentiam, ut sine imaginibus, sine cantu
atque lusis, sine sequiis, sine lamentis, sine laudationibus, 15
sine funere, obitus cruore et luto, spoliatus illius suprema
dei celebritate, cui cedere etiam inimici solent, ambureretur
abjectus. Non fuisse credo fas, clarissimorum vir-onim
formas illi teterrimo parricidse aliquid decoris affere, neque
ullo in loco potius mortem ejus lacerari, quam in quo esset 20
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 perfrægerat, pecunia 25
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, conjugen meam vexarat, Cn.
Pompeio nefarium bellum indixerat, magistratum privato- 30
rumque cædes effecerat, domum mei fratris incenderat,
vastarat Etruriam, multos sedibus ac fortunis ejecerat;
instabat, urgebatur; capere ejus amentiam civitas, Italia,
provinciæ, regna non poterant; incidebatur jam domi
leges, quæ nos servis nostris addicerent; nihil erat cujus- 35
quam, quod quidem ille adamasset, quod non hoc anno
suum fore putaret. 88. Obstant ab ejus cogitationibus nemo
praeter Milonem. Illum ipsum, qui poterat obstare, novo
reditu in gratiam quasi devinctum arbitrabatur; Cæsaris
potentiam suam esse dicebat; bonorum animos in meo casu 40
contemptserat; Milo unus urgebatur.

XXXIII. Hic dìi 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 quum solebat quidem id facere, in privato eodem hoc aliud profecerat. 89. An consules in prætore coercendo fortis essent, per quem tribunum virtutem consularem cru-delissime vexatam esse meminisset? Oppressisset omnia, possideret, teneret; lege nova, quæ est inventa apud eum cum reliquis legibus Clodianis, servos nostros libertos suos 10 fecisset. Postremo, nisi eum dīi immortales in eam mentem impulissent, ut homo effeminatus fortissimum virum cona-retur occidere, hodie rem publicam nullam haberetis 90. An ille prætor, ille vero consul, si modo hæc templæ atque ipsa mcenia stare ex vivo tamdiu et consulatum ejus exspectare potuissent, ille denique vivus mali nihil fecisset, qui mortuus, uno ex suis satellitibus [Sex. Clodia] duce, curiam incenderit? Quo quid miserius, quid acerbius, quid luctu-osius vidimus? Templum sanctitatis, amplitudinis, mentis, consili publici, capit 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 usto pro mortuo, quid signifer pro vivo non esset ausus? In curiam potissimum abjicit, 25 ut eam mortuus incenderet, quam vivus everterat. 91. Et sunt, qui de via Appia querantur, taceant de curia? et qui ab eo spirante forum putent potuisse defendi, cujus non restiterit cadaveri curia? Excitate, excitate ipsum, si potestis, a mortuis. Frangetis impetum vivi, cujus vix sustinetis furias insepulti? Nisi vero sustinuistis eos, qui cum facibus ad curiam concurrent, cum falcibus ad Castoris, cum gladiis toto foro volitarunt. Cædi vidistis populum Romanum, concionem gladiis disturbari, quum audiretur si-lentio M. Ceilius, tribunus plebis, vir et in re publica for-tissimus et in suscepta causa firmissimus et bonorum voluntatii 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 forasse multa. Quid restat, nisi ut orem 40 obtesterque vos, judices, ut eam misericordiam tribuatis fortissimo viro, quam ipse non implorat, ego, etiam repugnante hoc, et imploro et exposco? Nolite, si in nostro omnium fletu nullam lacrimam adspezistes Milonis, si vul-tum semper eundem, si vocem, si orationem stabilem ac
non mutatam videtis, hoc minus ei parcere. Haud scio, an multo etiam sit adjuvans magis. Etenim si in gladiatoris pugnis et in infimi generis hominum conditione atque fortuna timidos atque supplices et, ut vivere liceat, obsecrantes etiam odisse solemus, fortes et animosos et se acriter ipsos morti offerentes servare cupimus, eorumque nos magis miseret, qui nostram misericordiam non requirunt, quam qui illum efflagitant, quanto hoc magis in fortissimis civibus facere debemus? 93. Me quidem, judices, examinant et interimunt haec voces Milonis, quas audio assidue et quibus 10 intersum quotidie. "Valeant, inquit, valeant cives mei; sint incolumes, sint florentes, sint beati; stet haec urbs præclara mihique patria carissima, quoquo modo erit merita de me; tranquilla re publica mei cives (quoniam mihi cum illis non licet) sine me ipsi, sed per me tamen, perfruantur; 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 suscepti labores! o spea fallaces! o cogitationes inanes meae! Ego, quum tribunus plebis, re 20 publica oppressa, me senatui dedissem, quem extinctum acceperam, equitibus Romanis, quorum vires erant debiles, bonis viris, quorum omnem auctoritatem Clodianis armis abjecerant, mihi unquam honorum præsidium defuturum putarem? ego, quum te (me cum enim sæpissime loquitur) 25 patriæ reddidisset, mihi putarem in patria non futurum locum? Ubi nunc senatus est, quem secuti sumus? ubi equeles Romani illi, illi, inquit, tu? ubi studia municipiorum? ubi Italae voces? ubi denique tua illa, M. Tulli, quæ plurimis fuit auxilio, vox atque defensio? mhine 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 eodem loquitur vultu, quo videtis. Negat enim se, negat, ingratis civibus fecisse, quæ fecerit; timidis et omnia pericula circumspectibus, non negat. Plebem et infimam 35 multitudinem, quæ P. Clodio ducem fortunis vestris imminebat, eam, quo tutior esset vestra vita, se fecisse commemorat, ut non modo virtute flecteret, sed etiam tribus suis patrimoniiis deleniret; nec timent, ne, quum plebem munerebus placarat, vos non conciliat meritis in rem publicam singularibus. Senatus erga se benevolentiam temporibus his ipsis sæpe esse perspectam, vestras vero et vestrorum ordinum occurationes, studia, sermones, quemcunque cursum fortuna dederit, secum se ablaturum esse dicit. 96. Me-
minit etiam, vocem sibi præconis modo defuisses, quam minime desideravit, populi vero cunctis suffragiis, quod unum cupierit, se consulem declaratum; nunc denique, si hæc contra se sintutura, sibi facinoris suspicione non 5 facti crimen obstare. Addit hæc, quæ certe vera sunt, fortes et sapientes viros non tam præmia sequi solere recte factorum quam ipsa recta facta; se nihil in vita nisi pra- clarissime fecisse, si quidem nihil sit praestabilitius viro, quam periculis patriam liberare; beatos esse, quibus ea res 10 honoris fuerit a suis civibus, 97. nec tamen eos miserōs, qui beneficio cives suos vicerint; sed tamen ex omnibus præniis virtutis, si esset habenda ratio præmiorum, amplissimum esse præmium gloriam; esse hanc unam, quæ bre- vitatem vitae posteritatis memoria consolationur, quæ effice- ret, ut absentés adessemus, mortui vivere mus; hanc denique esse, cujus gradibus etiam in coelum homines viderentur ascendere. 98. “De me, inquit, semper populus Romanus, semper omnes gentes loquentur; nulla unquam obmutesceat vetustas. Quin hoc tempore ipso, quum omnes a meis 20 inimiciis faces invidiæ meæ subjiciantur, tamen omni in hominum coetu gratiis agendis et gratulationibus habendis et omni sermone celebramur. Omitto Etruriae festos et actos et institutos dies; centesima lux est hæc ab interitu P. Clodii et, opinor, altera; qua fines imperii populi Ro- mani 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. Hæc tu mecum sœpe, his absentibus; 30 sed iisdem audientibus hæc ego tecum, Milo: te quidem, quam istor animo es, satis laudare non possim; sed, quo est ista magis divina virtus, eo majore a te dolore divellor. Nec vero, si mihi eriperis, reliqua est illa tamen ad conso- landum 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 meriti, sed sem- per optime. Nullum mihi unquam, judices, tantum dolorem inuretis (etsi quis potest esse tantus ?), sed ne hunc quidem ipsum, ut obliviscar, quanti me semper feceritis. Quæ si 40 vos cepit oblivio, aut si in me aliquid offendistis, cur non id meo capite potius luitur quam Milonis? Praeclare enim vixero, si quid mihi acciderit prius, quam hoc tantum mali videro. 100. Nunc me una consolation sustentat, quod tibi, T. Anni, nullum a me amoris, nullum studii, nullum pietatis
officium defuit. Ego inimicitias potentium pro te appetivi, ego meum saepe 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, deposeo. Quid jam restat? quid habeo, quod faciam pro tuis in me meritis, nisi ut eam fortunam, quae cunque erit tua, ducam meam? Non abnuo, non reumo, vosque obsceco, judices, ut vestra beneficia, quae in me contulistis, aut in hujus salute augeatis 10 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 pœnam. Sed hic ea mente, qua natus est; quid vos, judices? quo tandem animo eritis? Memoriam Milonis retinebitis, ipsum ejicietis? et erit dignior locus 15 illus in terris, qui hanc virtutem excipiat, quam hic, qui procreavit? Vos, vos appelló, fortissimi viri, qui multum pro re publica sanguinem effudistis; vos in viri et in civis invicti periculo appelló, centuriones, vosque, milites; vobis non modo inspectantibus, sed etiam armátis et huic judicio presidentibus, haec tanta virtus ex hac urbe expelletur, exterminabitur, projicietur? 102. O me miserum, o me infelicem! Revoçare tu me in patriam, Milo, potuisti per hos, ego te in 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 non potuisse? quae est grata ** gentibus non potuisse? iis, qui maxime P. Clodii morte acquierunt; quo deprecante? me. 103. Quodnam ego concepi tantum scelus, aut quod in me tantum facinus admisi, judices, quum illa indicia communis exitii indagavi, patefecì, protuli, extinxi? 35 Omnes in me mosque redundant ex fonte illo dolores. Quid me reducem esse voluistis? an ut, inspectant me, expellerentur ii, per quos essem restitutas? Nullite, obsceco vos, acerbiorum mihi pati reditum esse, quam fuerit ille ipsa discessus. Nam qui possum putare me restitutum esse, si 40 distrahar ab iis, per quos restitutas sum?

XXXVIII. Utinam dìi immortales fecissent (pace tua, patria, dixerim; metuo enim, ne scelerate dicam in te, quod pro Milone dicam pie), utinam P. Clodius non modo vive-
NOTES.
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. Cæcilius, described as a quiet, inoffensive man, and having seized and tortured the well-known and popular M. Marius Gratidianus, the kinsman and fellow-townsmen of Cicero, cut off his head, and bore it in triumph through the city. Plutarch accuses him in two places (Sull. 32, C. 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 praetor 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 Paetus 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 Spains. 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 Murena, 38; pro Caes. 4, in Catil. i. 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 (b. 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 praetorship (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 quaestorship, 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 Hither Spain, P. Sittius Nucerinus with the army in Mauritania, and at home confidently anticipated the co-operation of C. Antonius, whom he expected to be chosen consul along
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 
towards 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 Fesule, under the superintendence of C. Munlius, an experi-
enced commander, one of the veteran centurions of Sulla (Dion Cass. 
xxxvii. 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 (c.3) 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 countermined 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 infamy 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 depositary of all his secrets. Fulvia, alarmed by the intelli-
gence obtained from her lover, divulged what she had learned to several of her 
aquaintances, 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 cons-
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-

INTRODUCTION. 141
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; or Q. Metellus, the pretor; 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 Læca, 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 Cethogus, 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.
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, Picenum, 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 Saena, the patron of their state, who in his turn acquainted Cicero, and by the instructions of the latter enjoined the ambassadors to affect 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 temple 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. Voluntarius 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, Cæthegus, 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 execrating 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 consternation, 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 sabbath (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 Cæsar and to Cato, a decree was passed, that the last punishment should be inflicted according to ancient usage upon the convicted traitors. Thereupon the consul led away Lentulus to the subterranean prison on the slope of the Capitol, and the others were conducted thither by the pratores. 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. Petreius, 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 this 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. 33), 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 necessities 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
great mental and physical powers, from which even he
could not withhold a tribute of admiration, combined ve-
ularity which he had acquired among the young by his
varied accomplishments, and unwearied zeal in ministe-
ries must have tended to augment his natural self-confi-
dence and to stimulate his ambition. How soon the idea of de-
his country may have entered his thoughts it is impos-
ssible to determine; but it is very likely that his grand aim was to become what the dictator had
vided this end was accomplished, he felt little scruple
employed. And, in truth, when he looked abroad, the
opportunities for the advancement of a man of daring and
controlled by principle. The leading statesmen were
which eyed each other with the bitter jealousy engendered
ions in which they had played an active part some twenty
younger nobility, as a class, were thoroughly demoraliz-
bankrupts in fortune as well as in fame, eager for any
relieve them from their embarrassments, while it held a
restrained license. The rabble were restless and discontented
and hatred against the rich and powerful, ever ready to
of any seditious demagogue. Thus, at home, the do-
senate, and the equites or capitalists alone felt a deep in-
of the government. Moreover, a wide-spread feeling of
over the whole of Italy. Many of the veterans of Sulla,
living and profuse expenditure, had already squandered
looked forward with anxiety to the renewal of those soa
they had found by experience so profitable; while the ma
had been confiscated, whose relations had been proscen-
selves were suffering under civil disabilities in consequence
with those who had thus perished, were eagerly watch-
which might give them a chance of becoming oppressors
in their turn.

Never was the executive weaker. The senate and ma-
their energies in petty disputes, indifferent to the great
monwealth; Pompey, at the head of all the best troops
prosecuting a long-protracted and doubtful war in the
army in Italy, where all was hushed in a treacherous ca
surrounded as he was by a large body of retainers all de-
person and detached from society at large by the crim-
gested or promoted, had succeeded in striking his first
assassin the consuls and the most able of the senate
that the waverers among the higher ranks would have
cause, that the populace would have been intimidated
that thousands of ruined and desperate men would have
ners to his support, enabling him to bid defiance to any fa
been brought to bear upon the city until the return of f
But Pompey might never return, or might not return
events, a long period must elapse, and ample time would
exist or resistance. Such were the probabilities which
ard all upon one great throw;—but the fortune of Rome
was ruined, and the state saved. (Sall. Catilin. ; Dion.
10, 29-42; Liv. Epit. 101, 103; Cic. in Catilin. i. ii.;
Murena, 25, 26, in Pison. 2, pro Flacc. 40, pro Planc.
xii. 21, xvi. 14, ad Fam. i. 9; Sueton. Jul. 14; Plat. Cn.
the other hand, the consciousness of those
in which even his most bitter enemies
which, combined with the extensive pop-
ing the young by his agreeable address,
ed zeal in ministering to their pleasures,
tural self-confidence, to foster his pride,
on the idea of destroying the liberties of
ights it is impossible to discover, but wo-
ula was ever present to his imagination,
at the dictator had been, and that, pro-
elt little scrupulous about the means
oked abroad, the moment seemed most
au of daring and powerful intellect un-
t statesmen were divided into factions
jealousy engendered during the convul-
ve part some twenty years before. The
roughly demoralized, for the most part
me, eager for any change which might
its, while it held out the promise of un-
restless and discontented, filled with envy
ful, ever ready to follow at the bidding
at home, the dominant party in the
alone felt a deep interest in the stability
spread feeling of disaffection extended
veterans of Sulla, accustomed to riotous
already squandered their hands, and
renewal of those scenes of blood which
able; while the multitude whose estates
had been proscribed, and who them-
ilities in consequence of their connection
ere eagerly watching for any movement
becoming oppressors, robbers, and mur-
the senate and magistrates were wasting
herent to the great interests of the con-
all the best troops of the republic, was
ubtful war in the East; there was no
an treacherous calm. If then, Catiline,
of retainers all devotedly attached to his
arge by the crimes which he had sug-
striking his first great blow, had he as-
able of the senators, the chances were,
ranks would have at once espoused his
been intimidated or gained over, and
r men would have rushed from all quar-
defiance to any force which could have
stil the return of Pompey from the East.
might not return victorious, or, at all
ample time would be given for negota-obabilities which led on Catiline to haz-
fortune of Rome prevailed, the gambler
Catilin.; Dion. Cass. xxxvi. 27, xxxvii.
in Catilin. i. ii. iii. iv., pro Sulla, pro
. 40, pro Planc. 37, ad Att. i. 19, ii. 1,
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, whether 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. I.—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 patiemini? See Zumpt, § 287.—Abutere = 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?"—Furor. 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.—Bludet. 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 quousque or quamdiu. So Verr. 5, 29, 75: piratam vivum tenuisti. Quem ad finem? Dum cum imperio fuisti. Of the three interrogatives here used, quousque 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 effret. 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. C. me esse clementem, ch. 2, 4.—Nihilne. For the figure repetitio here used, see Arnold, P. C. 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 ædem Concordiae.—Vigiliae. See Sall. Cat. 30: itenque decrevere, uti—Roma per totam urbem vigilæ habentur, iisque minores magistratus præscent. Under the republic, on special occasions, the triumviri capitales, ædiles 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 infr. 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 indicius) might be called on other days, and were often held in temples, or some other place inaugurated by the augurs for the purpose.—Munitissimus. 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—as 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 meæ adversarii responsum non curo; ubi interrogo nonne—est? opto atque exspecto eum, quem interrogo, mihi assensum. In illo igitur major vis inest." Hand (Turs. iv. p. 309) says, "Is qui per non quaerit, suppouit negationem in alterius, quocum loquitur, sententia, quam alter respondendo, aut pronuntiat, 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 Læca; 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
NOTES.

9 tibi in hoc meus error; ferendus? immo vero etiam adjuvandus. See also Z. § 277 and 823.—In senatum. Catiline had been praetor, 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. Sc. 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. Jamdui machinaris. The present tense in Latin is often used as a present, including past time; especially with jamdui and jamducum = have been—ing. P. C. 413.—Machinari = μηχαναρεια. 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 mihi in mentem duos clarissimos, ingeniosissimos, amantissimos plebi Romanae viros, Ti. et C. Gracchos, plebem in agris publicis constituisse, qui agris a privatis antea possidebantur. Non sum autem ego is Consul, qui, ut plerique, nefas esse arbitrari Gracchos laudare; quorum consiliis, sapientia, legibus multas esse video 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 caedi 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 Macellum, 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, νουτερφιζόντα.


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 consilium. Rei publicae is usually construed as the dative with deest. Benecke, however, regards it as the genitive limiting consilium, 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 punish-
ment, 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 consulunt. 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

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

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

6. 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.—Avo. P. Scipio Africanus Major.


11. Remorata est. As both things and persons are said differri,
Cicero here, instead of saying that their death was put off, speaks of
death (whom he here personifies), putting off, reprieving, as it were,
Saturninus to a more distant day.—Mors ac rei p. pena = mortis
 pena a re p. inficta. See Z. 741.—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. Hebescere aciem . . . auctoritatis. Metaphorically, from
the comparison of the decree to a sword.


1, 4.

16. Vivis: et vivis. See Z. 717.—Ad deponendum . . 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 Lucceii 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 cive me et esse et numerari volo (Fam. 1, 9, 18). After what verb of wishing is C. fud 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 crit 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. Interfectam te; i.e. I will order you to be put to death. Z. 713. [So the Lex Clodia condemned Cicero, "quod cives Romanos indicta 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. Kлотz
and Süpfle defend the common reading *et* = "and indeed" "and moreover."—Below Madvig and Klotz read *opressus* for *obsessus*.

Chi. III.—39. *Voces conjurationis* = *voce.s conjuratorum*. Cf. pro Mil. 94: *Italix voces*.—For *caetus*, Steinmetz and Klotz read *cæptus*.

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


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 *Kalendam Novembrium*. Orelli remarks, "Apud Cic. me non memini genitivum legere; et nostri contra staut."

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


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 se, says, "Hoc est aliud genus ablavitumor absolutis satis similium, causam indicantium, que tempore prior fuerit." Cf. de Amic. 3, 10: amicorum discessu; 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 nostra.

13. Prænesta, 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 Süpfle), 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
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. Ubi sum 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 excito 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 pares; and 4, 2, 4: ad vestrum 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.—Non dum voce vulnero. 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 Læcam = in domo Læcae.

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 "paullulum 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. Sportula, for some account of this usage in the earlier days of Rome, and to what it degenerated under the emperors.


Ch. V.—4. 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 sylo-
gistic form: *Si omnia tua consilia nota sunt, exire debes. Sunt autem nota. Ergo: exire debes.* The relations of the several sentences of this chapter, with reference to the figure asyndeton, are carefully examined in Nägelsbach's *Lat. Stilistik*, p. 404. See also Z. 742.


11. Habenda est.... gratia. *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. Jovi Statori = flight-staying Jupiter. The occasion of the name is given in Livy, 1, 12.

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

15. In uno homine, i.e. Catiline. A similar expression is found in *p. Rosc. Am.* 51, 148: *summa res publica in hujus periculo tentatur.*

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
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 salutem 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 implicatus ad severitatem videbatur. So Or. 1, 25, 113: Animi atque ingenii celeres quidam motus esse debent, qui et ad expugitantandum acuti, et ad explicandum ornandumque sint uberes et ad memoriam firmi atque diuturni. Ib. 2, 49, 200: Nihil mihi ad existimationem turpius, nihil ad dolorem acerbius accidere posse.

32. Jandudum hortor. See P. C. 413.


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 aqae 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 reasonable designs are known to all.

**41. Nota domesticæ 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 e privatis rebus conceptum." M. Madvig, after Muretus, would read *non inhæret in fama*: but (1) *hæbere* with the dat. is found in another passage of Cic. *(Potest hoc homini hvic hæbere peccatum? Pro Rosc. Com. 6, 17, K.)*, and (2) it is a strong rhetorical turn, as Matthiae 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 ac nomini suo 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 adolescentulo, &c.* Cf. 2, 4, 8; and Sall. 14: *sed maxime adolescentium familiaritates appetebat, &c.*

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


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.


9. *Proximis Idibus*. The day on which it was usual to pay the interest of borrowed money. Hor. *Epod. 2, extr. fenerator Alfius Omnem redegit 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. v. c. 688. The Consules designati were P. Autronius Pætus 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. Consulium . . . interficiendorum causa. Is the genitive of the gerund, followed by its object accusativo, 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 Ovat. 56, 186: Numerus autem non doma depromebatur, neque habebat aliquam necessitudinem 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 que post a te commissa sunt, ca neque obscura sunt, neque paucia; satis aperta sunt multa illa, quae post commisisti scelera.” Beier. Steinmetz, Klotz, and Madvig read, *aut non multa comissa 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.

22. Quot . . . tuas petitiones. See Z. 430.—Petitiones. A term of the fencing-school. Cic. Or. 68, 228: Ut enim athletas nec multo securis gladiatores videmus nihil nec vitando facere caute nec petendo vehementer, in quo non motus hic habeat palæstram quandam,—sic oratio nec plagam gravem facit, nisi petitio fuit apta, nec, &c.

24. Ut aiunt, are often added to show the proverbial character of the expression, generally after the first one or two words of the verb. Here *corporre 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 ordinarily stands, *Nihil agis, nihil assequeris, nihil moliris, quod mihi
latere valeat in tempore, neque tanen, &c. In the clause quod . . .
in tempore, for one mark of corruption, see Z. 390, in fin. Madvig
omits altogether the bracketed words, and reads, Nihil assequeris;
neque tanen, &c.

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

27. Excidit casu aliquo. Cf. § 15: fortunam populi Romani
obstitisse.—Et elapsa est, = et itu elapsa est.

28. [Tamen . . . non potes.] These words are omitted by Matthiae
and Madvig. As above, [nihil agis], [nihil maliris] 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, accom-
panied with a vow, that, after the accomplishment of it, he would offer
it up to some god. Thus Justin. 9, 7, 13: Olymphiis gladium, quo
rex percessus est, Apollini sub nomine Myrtales consecravit. Suet.
Cal. 24 (extr.), tres gladios in necem suam preparatos Marti ultri,
addito elogio, consecravit. So Vitell. 10.—Necesse putas esse. Be-
necke remarks that esse is very seldom omitted with necesse. What
are the constructions of necesse est? Z. 608 and 625. With necesse
est in Cicero the infinitive and subjunctive appear to be equally fre-
quently; with oportet the infinitive is much the more common.

Ch. VII.—33. Quæ tibi nulla = “none of which.” Nullus
for non. See Z. 688. It is however more emphatic, meaning “none
at all,” “not a particle.” So “none of my words,” not nullum dic-
torum 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 sa-
lute them, and courteously address them. For an interesting illus-
tration of this mark of Roman politeness, see de Repub. 1, chaps. 9–12.
—Post hominum memoriam, “within the memory of man.”—Si hoc
. . . contigit nemini. Observe that contigit is not confined to desira-
ble occurrences.

36. Voces . . . contumeliam . . . judicio taciturnitatis. On
this arrangement of contrasted words, see P. C. p. 14, § 15, b, and
p. 242, § 5. What is this figure called?

37. Quid. See Z. § 769.

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

42. Servi mehercule mei. 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 precedo 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 relinquendum. 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 . . . . corum. Z. 813; P. C. 30.

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

12. Quæ 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: quem tacent, clamant.


15. Multorum civium neces. Q. Cicero de petit. consul. 2: Hic (Catilina) ne leges quidem (metuit), natus in patris egestate, educatus in sororis stupris, corroboratus in caede civium; cujus primus ad rem publicam aditus in equitibus Romanis occidentis fuit. Nam illis, quos meminimus, Gallis, qui tum Titiniorum ac Nanniorum ac Tanusiorum capita demetebant, Sulla unum Catilinam praefecerat, in quibus ille hominem optimum, Q. Cæcilium, sororis suæ virum, equitem Romanum, nullarum partium, quum semper natura, tum etiam etate 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 ceciderit? &c. Cic. in the Orat. in tog. cand. had mentioned, among those who were killed, Qu. Cæcilius, M. Volumnius, L. Tantatus (Tanusius?). M. See Schmitz, Rome, p. 365.

16. Vexatio direptioque sociorum; 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 praetura Africam provinciam obtinuit. Quam quum graviter vexasset, legati Afri in senatu jam tum absente illo questi sunt . . . . quum redisset ex Africa Torquato et Cotta coss. accusatus est repetundarum a P. Clodio adolescente (qui postea inimicus Ciceroni fuit):—ita tamen, ut Clodio infamis fuerit pravaricatus esse. Ibid. p. 87: "Voc. questiones ad hunc
ipsam repetundarum causam referitur. Cf. Cic. Orat. in tog. cand. Stupris se omnibus ac flagitiis contaminavit; cæde nefuria cruentavit; diripuit socios; leges, quaestiones, judicia violavit. Quid ego, ut involaveris provinciam, prædicem? Nam ut te illic gesseris, non audes dicere, quoniam absolutus es.”

17. Ad negligendas leges. “Negligit leges ac quæstiones, qui earum metu a peccando non continetur; easdem 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.


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


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 responsum; illud contemptius. Schultz.

33. Magno in periculo essem. Compare esse in metu, § 18. In such expressions can the preposition be omitted? See Krebs, 213, (1); and Arnold, Nepos, Dion, 8, 2.

34. Q. Metellum. Q. Caecilius 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-
Page 14

lignis ortus a Marcellis patre et filio per L. Vettium proditus, patefacta Catilinae conjuratione, quasi succisa radice compressus est, et de utroque per Bibulum in Pelignis, per Q. Ciceronem in Bruttii 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 abjecere debere; sin id non sustineat, a patria fugere quam longissime: nec hortatur vero Catilinam, ut moriatur, sed exire iia jubet, ut vel moriendi causam adesse dicit." Madvig (Opusc. I. p. 176: he had before approved the reading si hic morari). Orelli gives a somewhat different explanation: "Sententia igitur hæc est: 'Conscientia scelerum oppressus, æquo animo mortem nec expectare, nec tibi ipse consciscere potes: quin igitur abis cet.'"

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 prosuming 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. Marcellio: 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. Hæc, δικτίκος, i. e. the temples and other buildings of the city.

21. Prosequuntur. 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.
FIRST ORATION AGAINST CATILINE.

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. Recenti 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. subjoines; 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, 9, 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 luntum vituperationem veniret. Pro Cal. 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. Secernre 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
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. Praestolarentur. Z. 413. The prastolans waits for a person
in order to perform services for him, and stands in subordinate relation
to the person waited for. Döderlein.

2. Dicem. On the gender of this word, see Z. 86, Note.—Aquilam
illum argenteam, &c. The allusion is supposed to be to the Eagle,
which Sallust mentions, in speaking of the engagement: Ipse cum
libertis et colonis propter aquilam adsistit, quam bello Cimbrico C.
Marius in exercitu habeisse dicebatur. Ch. 59. On military stan-
dards 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 sceulum to limit sacrarium,
the place where it was kept, because there Catiline preserved the in-
struments 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 aquilæ quædam religio, et in sacello illa reponeban-
tur.” 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. Perfruerre, &c. A climax is here to be noticed.

20. Meditati sunt. Here used passively, as the participle fre-
quently is. Z. 632, and compare § 147.—Qui feruntur = qui ser-
onibus celebrantur, commemorantur. Pro Sull. 23, 66: Eius voces,
21. Ad obsidendum stuprum = "ad tempus stupro opportum observandum." So Verr. 1, 2, extr. tempus obsidere. M. The infinitive clauses, jucere humi, &c., and vigilare, &c., are to be taken as in apposition with labores.

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

24. Hail tuam praeclaram, &c. Sall. Cat. 5: Corpus patiens inedia, vigiliae, algoris, supra quam cuiquam credibile est.

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

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


36. Quid agis. Formula reprehendendi.

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


42. Hunc . . . duci . . . imperablis. 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, forbade the punishment of Catiline.—At persaxe . . . privati. On this use of at, see Z. 349. Cic. 1, 1, instanced Scipio Nasica. Benecke considers the plural and persæpe as rhetorical exaggeration. The first ground of excuse was "Mos majorum." His country answers, "At persæpe," &c.

2. Au 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 Burbatus enacted, that no magistracy 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. Praclaram 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 cognitus sine ulla commendatione majorum est adeptus. M. See Dict. of Antiq., Novi nomines.

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 questorship, the aedileship, the praetorship, and the consulship. Such success as he here alludes to was without precedent in the history of Rome.

13. Invidiae . . . conflagratarum. 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 ceremonias . . . . nec coluisset nec sanxisset, nisi hæreret in eorum mentibus, &c. M.


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.


Ch. XIII.—43. Jamdiu. 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. Residence. 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 Cecl. 13) says: "vetus illa [regula] repeti pra- positionem ubi diversitas verborum sit, falsa est, si hoc debet consequi, non repeti, ubi nulla appareat diversitas." The preposition is always repeated with et . . . et (but sometimes sum 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. Praetoris 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
extinguished during its flight, upon houses and other buildings, in order to set them on fire. *Dict. Antiq. Malleus.*

17. Pollicecor vobis hoc. On this use of *hoc,* see *Z.* 748.—What tense of the infinitive follows *pollicecor?* *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 calum 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 præsenti ope servatam urbem esse, voveo. So M.

27. Statorem. Compare note on p. 12, line 12. It may here be taken as = conservatorem et eum per quem in æternum stabit Roma. Cf. *Sen. de Benef.* 4, 7
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. Tandum aliquando = at last, at length. These words express great joy at the accomplishment, after long delay, of a desired or expected object. Tandum 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.—Quirites = 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
NOTES.


3. Vobis atque huic urbi ferro flammaque munitantem. Klotz reads (with Matthiae) ferrum flammamque. In other passages, he remarks, Cic. uses ferro ignique (or igni ferroque) minitari, e. g. Phil. 11, 14, 37: Huic urbi ferro ignique munitantur; in Phil. 13, 21, 47: patriae igni ferroque [Nobre ignem ferrumque] minitatur; 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: cui quum Lysimachus rex crucem minaretur = „death on the cross,” „crucifixion.” Concinnity 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 Matthiae 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? P. C. p. 326*; Z. 88 and 676.

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 latrocinium.

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 cruentum should be noticed, and also the position of vivis . . . . incolu-mes . . . . stantem, which, as containing the whole force of the expression, come before their substantives. See P. C. p. 238, 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 ensim 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 respect to, is especially used with certain verbs, such as laetori, 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 noticed.

4. Non putarent = did not duly estimate. The bracketed clauses have been regarded as spurious, because the former in one of the MSS.
NOTES.

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.—Sublato. 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.—Pericula. 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 Carviliis, ex equestri ordine Pompilios et Vet-tios sibi amicissimos comparavit.—Mihi. What is this dative called? P. C. 240; 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 everything to hope for from the overthrow of the government.

CH. III.—22. Et Gallicanis legionibus . . . contemnuo. 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 aolorum judicia debere contennere. 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 prætor, was dispatched by the senate into the Picenian territory, to raise an army proportioned to the emergency and danger. Agrum Cameretem, Picenum, Gallicum maxime quasi morbus quidum 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 agrostibus luxuriosis, the abstract for the concrete.

26. Decoctoribus. Decoquere 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 prætor had granted an action, the plaintiff required the defendant to give security for his appearance before the prætor 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 prætor gave to the plaintiff the bonorum possesio. See Dict. Antiq., Actio.

28. Edictum prætoris. In which the prætor'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: pezo capillo, nitidi.—Fulgent 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 milites = as his soldiers.

34. Qui exercitum deseruuerunt. Pro Muren. 37, 79: Quar is a me, quid ego Catilinam metuam. Nihil; et curavi, ne quis metuerct; sed copias illius, quas hic video, dico esse metuendas; nec tam timendus est nunc exercitus L. Catilinae, quam isti, qui illum exer-
citum deseruisset dicuntur; non enim deseruerunt, sed ab illo in
speculis atque insidiis relictī in capite atque in cervicibus nostris
restiterunt.

36. Apulia. Sall. ch. 27: C. Mallium Fæsulas atque in eam
partem Etruria, Septium quendam Camereturm in agrum Picenum,
Caiaum Julium in Apuliam dimisit.—Quis habeat. See Z. 134,
Note.

38. Cædis atque incendiorum: Cædis, i.e. Cethegus and oth-
ers; incendiorum, Gabinius and Statilium. See Sull. 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 illi. With what is nē in the best writers usually joined?
Z. 360, Note.

Ch. IV.—43. Vos omnes. Would vestrum omnes be admissible?
Z. 430.

1. Nisi vero. What mood follows these words, and in what
sense are they used? See Z. 526.—Si quis. As quod and quia fol-
low 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 arbitrō, as forming
one notion, may be compared with the compound nogo, 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 viae sunt ad Mutinam, a supero mari Flaminia, ab infero Au-
relia, media Cassia.

6. Si . . . volent . . . consequentur. See Z. 509.—Ad vespé-
ram. In Cicero, with the exception of this passage, where ad vesper-
ram is the reading of all the MSS., ad vesperrum has been restored
from the MSS. Cicero and Cæsar appear to have preferred the second
decension in the accusative, the third in the ablative. Z. 98.

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

8. Catilinae exhaustō. With reference to the metaphor noticed
in the preceding note.
10. Quod non ille conceperit. On the place of non, see P. C. p. 258, 104.

11. Tota Italia. See Arnold’s Nepos, Praef. 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 Sall. 5, 16: quod flagitium Lentulus non cum Autronio concepit? quod sine codem 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 praeterente, in Cat. 1, § 13. M.


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


C. V.—28. Diversa studia in dissimili 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. Cæl. 5, 12, where the orator is speaking of Catiline: neque ego unquamuisse tale monstrum in terris illum puto, tam ex contruiriis diversisque inter se pugnantibus natura studiis cupiditatibusque cumflatum.

30. Intimum Catilinae. For the construction of intimus, 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 . . . . perferendis. Madvig reads frigore et fame; and assuefactus is more commonly construed with the ablative. With this reading some editions place a comma after assuefactus, and, construing it with exercitazione, make what follows = “propterea quod frigus, &c. perferret.”

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 flagitiisoi greges.
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 *abligurient* = have wasted in luxury.

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

1. In vino et alea. 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 *alcaatores* were infamous.

2. Ilii 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 puucis post diebus . . . venit ad me Canintus, 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, nulla, non natio pertimescenda est; inclusum malum, intestinum ac domesticum est.*

16. Ulfius. 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 membri cum aliquod potius, quam totum corpus intereat: 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.
SECOND ORATION AGAINST CATILINE.

Ch. VI.—25. A me. With emphasis, as its position indicates. With this chapter commences the refutation of the calumnies which the enemies of Cicero and the friends of Catiline had circulated.


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 ædes sacræ, deorum.

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

34. 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.—Quaesivi a Cutilina. Does quæro 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. El ratio . . . bellii descripta. For what does the dative stand? Z. 419. Translate "how the plan of the whole war had been marked out by him."

44. Dubitatet proficisci. In what sense of dubito does the infinitive follow it?—Pararet. In oratione recta it would be quid dubitas eo proficisci, quo jam dudum paras?

1. Quum arma, quum secures. Cf. 1 Cat. § 24. Sall. 36: Cum fascibus atque alii imperii insignibus in castra ad Manlium
Page 180

NOTES.

23 contendit. Appian, B. C. 2, 3: δ μὲν δὴ βάσδες τε καὶ πελέκεας, δὲς τις
ἀνθυπάτους, κοῦφος μάλα ἀνθεκα μὴ ἓκατόν καὶ ἐς τὸν Μάλλιον ἑξήρει στρατολογῶν.

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

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

Cf. 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
capitis periculis; and 3 Cat. 1, 1. The asyndeton between these
nouns, and between the several clauses of the protasis, should be no-
ticed; as also the force which the position of non gives, and its repeti-
tion 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 converterit. 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. 468, 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 ple-
risque consularibus, praetera optumo cuique litteras mittit; se falsis
 criminibus circumventum, quoniam factioni inimicorum resistere ne-
quiverit, fortuna cedere: Massiliam in exsilium proficisci, non quo
sibi tanti sceleris conscius esset, sed uti respublica quieta foret, neve
ex sua contentione seditio oriretur.

31. Quam verentur. 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 pretend-
ed to be distressed at the fate of Catiline.

Cf. 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 Lael. p. 186, remarks that a succession of words commen-
cing with q was rather agreeable to the Roman ear. From Cicero he
there quotes, quoniam quibusnam quisquam, Acad. 1, 2, 6; and qui
quia qua, Famil. 12, 2, 2.

24 2. Si ullo 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 prædiis illis; but not without allusion to the phrase, as alienum dissolvere. Compare p. Sull. 20, 59: Illud erat genus hominum horribile et pertimescendum, qui tanto amore suas possessiones amplexi tenebant, ut ab ipsis membra divelli citius ac distrahi posse diceres. This was uttered after the suppression of the conspiracy.

12. Tu agris, tu ædificiis, . . . 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. Tabulae novae . . . 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 novae, 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 novæ (i. e. insolitæ), as being a proceeding quite unex-
pected by the debtors. Cicero, de Off. 2, 24, 84, refers to this time.

Numquam vehementius actum est quam me consule, ne solveretur . . .
numquam nec majus es alienum fuit, nec melius nec facilius disso-
lutum est. Fraudandi enim spe sublata, solvendi necessitas conse-
cuta est. M.—Meo beneficio. Z. 465, Note.

21. 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 sell-
ing part to set the rest free]: the interest they had to pay frequently
exceeded their entire income.—Id quod. P. C. 36*.

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

23. Puto pertimescendos. What is omitted with pertimescen-
dos, also with facturi . . . laturi, 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.

Ch. IX.—28. Dominationem . . . exspectant. Compare below
consules se aut dictatores, aut etiam reges sperant futuros.—Rerum
potiri. Z. 466.

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

32. Quod conantur. Z. 546.

33. Primum omniim, me ipsum vigilare . . . deinde . . .
denique. See Z. 727.—These infinitive clauses are to be referred to
præciipiendum, or some suitable verbum dicendi or sentiendi implied
in it.

35. Maximam multituidinem. Matthiæ observes that the con-
struction is as if it were magnos esse animos virorum bonorum . . . .
maximam (orum) multituidinem.

38. Præsentes auxilium esse laturos. The force which lies
in præsentes 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.

42. 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 Roman people, to whom the name king was
offensive.

43. 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. *Ætate . . . . affectum = provectum, ut vires debilitae qui-

dem sint, sed non exhaustæ.

3. *Quas Fæsulis, &c. Catilinam (in consulatus petitione) sti-

patum choro juvenutatis, vallatum indicibus atque sicariis . . . . cir-

cumfluuentem colonorum Arretinorum et Fæsulanorum exercitu. Pro

Muren. § 49. Klotz reads *quas Fasulas; 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

repentinas pecunias adepti 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: *perimémpen ες των Συλλειων των τα κέρδη της

totis bias análoktas και δραγομένους ἐργων δροιων. M.

7. Lecticis, &c. The *lecticæ were a mark of opulence, requiring

many lecticarii, &c. They answered to a splendid equipage in our
days. See Dict. Antiq., Lectica.

13. Sed eos hoc moneo. Z. 440. With a substantive, moneo

in Cicero regularly takes *de.

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.

Ch. X.—18. *Quartum genus . . . qui, &c. Cf. ad Quint. fratr.

1, 1, 12: Deinde ex eo genere civium, qui nos summa necessitudine

attingunt. So Agr. 2, 14, 37: *Quum ex eo numero qui per eos an-
nos consules fuerunt multi mortui sint. Z. 366, in fin.

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


22. Vadimoniiis, judiciis, 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 credi-
tor was put in possession; thirdly, if the creditor remained in posses-
sion thirty days, the property was prescribed. Muret.

23. *Et ex urbe et ex agris. For the repetition of the preposi-
tion, see note on page 18, line 5.

24. *Initiatores lentos. Lentus is a slow payer. *Initiatores

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 nullo incommode e ruina ipsum 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 δὲ γεννωμένων, τὰ τοῦ καυμφόποιον, οὐδεὶς οἱ γείτονες σφόδρα τοι αἰτωθόντων, Alcib. I, p. 121, and Plutarch (Phocion, c. 30), ἵμοι μὲν τὴν σὴν μπέρα γαμοῦντος οὐδέν γείτων ἤσθεν.

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

32. Neque . . . possunt et pereunt. 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 Catinus'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 oblii.

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

39. Velis 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. exiguaeque toge simulet textore Catonem. So, of course, an ample flowing toga belonged to luxurious, effeminate lives. Tunc procul absitis, quisquis colit arte capillos, Effluuit effuso cui toga laxa sinu. M.

40. Cœnæ antelucanaæ were banquets carried on all through the night till the day broke: this was called cœnare in lucem.


43. Neque cantare et psallere. Supply solum from the preceding. Cantare properly of vocal music; psallere of instrumental music, particularly on stringed instruments, accompanied by the voice. Some editions give cantare et saltare, others psallere et saltare.

1. Scitote. Z. 164.
2. Semiarium Catilinarium, "a Catilinarian nursery;" i.e. for bringing up young Catilines; men resembling Catiline in principles and morals. Cf. seminaria pomarium, &c. Madvig reads Catilinarum.


7. Idecirco . . . quod. Idecirco 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 = cinoedi; those just before called impuri impudicique. Cohors praetoria was the name applied to the body of men which was particularly appointed to attend on 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 urbibus errat.

16. Urbes coloniarum ac municipiorum = urbes, scilicet coloniae ac municipia; i.e. urbes denotes the genus, and coloniae and municipia the species. Cf. Or. 11, 15, 63: Causa vel casus vel sapientia vel temeritatis; where casus, sapientia, temeritas, are the species of the genus causa. M. Z. 425.—Respondebunt = pares erunt ad resistendum; resistent, opponentur; "will be a match for." Cf. pro Flacco, 40, 100: Septimio et Calio testibus P. Servilius et Q. Metellus . . . repugnabunt. Asiaticæ jurisdictioni urbana jurisdictio 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. Tumulus 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 ambuscades, and dare not give battle in the open plain. So Liv. 27, 20: tumulus erat silvestris, quem Hannibal insidiis quam castris aptiorum esse crediderat. Schütz.

18. Ornamenta = all the necessary equipments, the whole ap-
paratus belli.—Cum illius latronis inopia atque egestate. Compare Sall. Cat. ch. 56: Sed ex omni copia circiter pars quarta erat militaribus armis instructa, &c., and ch. 59: latrones inernes.


22. Exteris natioribus. Exterus 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 situate without; externae nationes, a political expression for foreign nations. Dod. — Compare ab externo hoste, p. 27, line 38.


29. Εὐκῶς, &c. Heumann remarks, that the four primary or cardinal virtues are alluded to, according to the practice of Platonists and Stoics: δίκαιοσύνη, εὐφροσύνη, ἀνδρια, φιλονεισ. Cf. C. de Offic. 1, 5.


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


CH. XII.—38. Quemadmodum jam anteā. After anteā 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 adjutores haberet.

44. Meliore animo sunt, i. e. potentiores et fortiores. So Matthiae 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.

27 1. Continebuntur, by being distributed about the country at Capua and other municipal towns. Sall. 30.
7. Atque .... contra, &c. Atque adeo here = vel potius. Page 27
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.: Hæc ipsa, quæ nunc ad me delegare vis, ea semper in te extima et præstantia fuerunt. Inv. 1, 31, 52: Factum est, ut etiam illud, quod dubium videbatur, si quis separatim quereret, id pro certo propter rationem rogandi concederetur.—On monitos .... volo, see Z. 611.

11. Adhuc .... solution. Would it be proper to connect adhuc with solution 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 εἵνεκεν ἀξία (Isocr. Pan. 79), or ἐνήχειν δῶον (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 pacorumque pæna, &c. Observe neque ... que. A negative sentence with neque (nece) 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 intemperantium propter se esse fugiendam temperantiam expetendam.


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 prætors, 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.)

4. He in conclusion exhorts the people to celebrate the festival which is to be instituted in honor of the gods, and commends himself to the protection and grateful remembrance of his fellow-citizens, promising to labor, even after the termination of his consulship, for the welfare of the state. (Ch. 9, § 22-end.)

Page

28

Ch. I.—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 ad-imere, nobis mortuis, bona fortunasque poterit? on which Pseudo-Asconius remarks: Bona in ipsis possessioibus, fortunae in fructibus earum.—Observe the asyndeton (Z. 825) in some of the clauses of this period, and the variation in the use of the conjunctious, et, atque, que. Z. 333.


4. Hodierno die. This oration was delivered on the 3d of December.

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

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

12. Famaque. De Nat. Deor. 2, 24: Susceptit autem vita hominum consuetudoque communis, ut beneficiis excellentes viros in ca-
lum fama ac voluntate tollerent. Off. 3, 5:  
Herculem illum, quem hominum fama beneficiorum menor, in concilio celestium colloquitur.  
Late Greek writers use φήμη in the same way. Plut. Rom. T. 1, 63, B.:  
'Ρωμαῖον μὲν οὖν θεόν παίει ἵμνον φήμις. Cf. Tusc. 1, 12, 28.

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 sunt per me, "i. e. mea opera atque industria, 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 fuisse occultum: comperta, certis indiciis cognita et deprehensa. Gravissimum ex his esse comperta, vel ex eo apparat, quod hoc verbo utentem Ciceronem irridebant 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. Intus honore, Caes primus omnium instituit, ut tam Senatus quam populi diurna acta conferrent, et publicarentur. Jul. Caes. 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.

Ch. II.—1. Quum . . . ejiciebam, "whilst I was endeavoring to drive Catiline out." Cf. 2 Cat. § 14, and exterminari volubam 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.
3. Sed tum. This is the sed of resumption = inquam, I say. Z. 739.

6. Atque is here a particle of transition. "When then I saw," or (better) "and so when I saw." "Usurpatur atque in adjiciendo eo, quod id, de quo antea sermo erat, sive ex ratione causa, sive temporis consequitur; ideoque in iis locum habet, quae necessitate quadam continuationis vel consequessionis arcte coharent. 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 vero, 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 quae sunt oculis commissa fidelibus. Hor. ep. ad Pis. 180.


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: Quod est enim aliud tumultus, nisi perturbation tanta, ut major timor oriatur? unde etiam nomen ductum est tumultus. Itaque majores nostri tumultum Italicum, quod erat domesticus; tumultum Gallicum quod erat Italicus. finitus; preterea nullum tumultum nominabant.

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

Vulturciun quendam Crotoniensem, Sallust, 44. Tirom tivd Krotonidan. 

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


23. Fortissimos atque amantissimos. By these epithets Cicero 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 subjunctive; and the noun or pronoun to which it refers usually precedes. P. C. 481; Z. 564. So Tusc. Disp. 1, 11, 24: quid de Dicaearcho dicam, qui nihil omnino animum dicat esse? = qui dicit et quum dicat. Pro Arch. 10, 25: qui sedulitatem mali poetae duxerit aliquo tamen præmo dignam, hujus ing., &c. M.

27. Sine ulla mora. See Z. 709.

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


32. Ex praefectura Reatina. Cicero was the patronus of the Reatini (Reate, now Riete), and therefore summoned their aid. Ego nuper, quum Reatini, qui essent in fide mea, &c., pro Scauro, 27. Praefecturae were towns, the highest magistrate of which was a praefectus 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 publicae 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. **Mago comitatu = cum m. com.** Cf. pro Mil. 10, 28: *quum hic insidiator . . . cum uxorre veheretur in rheda, paenulatus, magno . . . ancillarum puerorumque comitatu.* M. See Z. 472.


Ch. III.—39. **Interventum Pompinii.** See page 11, note 12.

41. **Integris signis.** 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. Gabinius Capito,** ex equestri ordine. Cf. Sall. 17, and below, § 14. See also Sall. chaps. 40 and 55.

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3. **In literis his dandis.** So Orelli, Klotz, and others. Madvig omits *his*; and Steinmetz omits *dandis.* The common text is *literis dandis,* which Wunder, *ad Præc. 6, 15,* defends as = *quum literas daret.* Compare Z. 643, Hand, iii. p. 286, and Halm, *in Vatini.* 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. Cic.* p. 93.—*Præter consuetudinem.* Lentulus being notoriously indolent; *οἱ λίγοι ἡκιστὰ δραστήριον ἔν ...* 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 narrationi de re non minimi momenti. Z. 348, Note.


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

10. Rem integram. 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 apparat atque exstat, &c. 41, 185: Nam si esset ista cognitio juris magna ac difficilis, tamen utilisias magnitudo debet homines ad suscipiendum discendi laborem impellere. Muretus.


13. Senatum . . . . coegl. 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. Sulpiciun. Plut. Cic. c. 19: Τάδος ὃδε Σουλπίκιος, εἷς τῶν στρατηγῶν (= praetorum), ἐπὶ τὴν οἰκίαν περιβάλλων τοῦ Κεδήγου, πολλὰ μὲν ἐν αὐτῇ βλέπῃ καὶ ὀπλα, πλεῖστα δὲ ξύφω καὶ μαχαίρας εὑρε, νεωθήκοις ἀπάσας. 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 Romae relinqueres, quos tecum educeres.


Ch. IV.—18. Fidem . . . . publicam (= ἀδείαν, 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 præsidio uteretur. Cf. § 12, and Sallust, 44: *ad hoc mandata verbis dat, quam 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, *Mitt.* 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).


37. Post Virginum (sc. 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 umium id longum videretur. Compare *Sall.* 43.

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, agnosce.—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 Fum. 16, 11: Nobis inter has turbas senatus tamen frequens flagitavit triumphum (i. e. quamquam habe 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 Ca. Domitius, a. v. c. 592.

27. Dicendi exercitatio. He gives a very different opinion, Brut. 66: Neque modo securus P. Lentulus, cujus et excogitandi et loquendi tarditatem tegebát formæ dignitus, 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 cogites, in qua calamitate sis, et memineris te virum esse: consideres quid tuæ rationes postulent: auxilium petus ab omnibus, etiam ab infinis. Mattthiae 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 taciturnitas. 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 diligere, &c. So Nat. D. 1, 44, 122: qui nulla re egentes et inter se diligunt. Læl. 22, 82: neque solum colent inter se ac diligent. Z. 300.

6. Sine ulla varietate. "Pro Sext. 34, 74: quum fieret sine ulla varietate discussio, i.e. quum in eamdem omnes omnino sententiam discederent." M.

14. A suis et rei publicæ consiliis. Consilia rei publicæ = consilia de republica; as deorum opinio = opilio de diis. Nat. D. 1, 12, in. 2, 5, in. 3, 7, in. Tusc. 1, 13, 30; quaéstio animorum, Tusc. 1, 11, 23 = qu. de animis. Ætnesium oratio, Verr. 3, 44, 106 = or. de Ætnensibus. M. Benecke prefers, measures or plans which the state had adopted for the suppression of the conspiracy.

16. In custodiam. Eis ἄδειαν 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, Cethagus Q. Cornificio, Statilius C. Casari, Gabinius M. Crasso, Caparius (nam is paulo ante ex fuga retractus) Cn. Terentio senatori traduntur. M.

19. Ad sollicitandos pastores. Caparius Tarraciniensis, qui in Apuliam ad concitanda servitia proficisci parabat .... cognito indicio ex urbe profugaret. Sall. 46. M.


24. Perductos. Sall. 40, uses the same word. M.

27. Novem hominum perditissorum pena. Only five were seized. Cf. Cic. pro Sulla, 11, 33: Meis consiliis, meis laboribus, mei capitis periculis, sine tumultu, sine delectu, sine armis, sine exercitu, quinque hominibus comprehensis atque confossis, incensione urbe, internezione cives, vastitate Italiam, interitu remp. liberavi. M.


31. Quod mihi primum .... contigit. Phil. 2, 6, init. L. Cotia, vir summo ingenio summaque prudentia, rebus iis gestis, quas tu reprehendis, supplicationem decrevit verbis amplissimis
THIRD ORATION AGAINST CATILINE.

Page 32

eique illi ipsi, quos modo nominavi, consulares senatusque cunctus assensus est, qui honos post conditum hunc urbem 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 consiliis, meis laboribus, mei capitis periculis ... incensione urbem, internecione cives, vastitate Italiam, interitu rem publicam liberavi.

32. Quod urbem, &c. So Fam. 5, 2: qui curiam cæde, urbem incenditis, Italiæm bello liberassit. Observe the chiastic 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. "Ern. monet, modestius hoc esse, quam Grævii interest. τὸ δὲ ὁμοφυλοῦ ἂν. 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 modis contemptus, spreptus? 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.

4 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. aliquid.—Quæ religio . . . . non fuerat, quo minus. Religio est = a scruple or doubt hinders or deters, is constrained with quo minus and the subjunctive, according to P. C. 94; Z. 543. Translate, That from the scruple which had not deterred Marius from putting to death, &c.


Cu. VII.—1. Captos . . . . tenetis. Cf. constrictam . . . . teneri, 33

1 Cat. § 1.

3. Opes = auxilia, praesidia, posita in multitudine sociorum.
NOTES.

4. Quum ... pellebam ... providebam. Cf. § 3: quum ... ejiciebam ... putabam. Klotz and Madvig read depellebam.

6. Lentuli somnum. Somnus here = somnolentia: so 2 Cat. 5, 10, dormiens 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. Cussii adipes = obesitatem et, quae inde oriri solent, inertiam atque ignaviam. Ascon., on the Or. in Toga Candida, says: "Cassium, qui ines ac stolidus tum magis quam improbus videretur, post paucos menses in conjuratione Catilinae esse apparuit, ac cruentissimarn sententiarum inquilinae auctorem."

7. Cethegi furiosam temeritatem. Sall. 43: Cethegus semper querebatur de ignavia sociorum; ... se ... si pauci adjuvarent, languentibus aliis, impetus in curiam facturum. Natura ferox, vehement, manu promptus, maximum bonum in celeritate putabant. M.

8. Dum mœnibus ... continebatur. See 1 Cat. 5, 10; 2 Cat. 8, 17.—On dum = quamdiu, see Z. 507, a.


11. Ad facinus aptum. Is ad or the dative more common with aptus? When is the dative necessary? Z. 409.—Lingua = ars persuasendi; manus = agendi facultas.

12. Jam = deinde, porro. See note on page 21, line 18.—Certos homines, i. e. spectatae fidei, reliable, trustworthy.

13. Quum ... mandaverat. Z. 579. Quum, with the pluperfect indicative of repeated actions, is more common in the older writers, Cicero, Cæsar, 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 febris corpore, alia, repellitur, quod apparinquant et instat, pellitur, omnino quidquid loco movetur; pellitur hostis in acie stans, repellitur irruens, depellitur praedium 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 diem. On the gender, see Z. 86, Note.

29. Dimicandum. cum illo fuisset. Though (scripturus)
fuit, (scribendum) fuit, &c., are the usual forms, the subj. is also found; e.g. thus C. Fam. 2, 8, 21: etiam si obtemerasset auspiciis, idem eventurum fuisset; and Krüger remarks that even concinnity with neque . . . . liberassenuus requires it here. See Z. 519, a.


Cf. VIII.—33. Quamquam is corrective. 1 Cat. 9, 22. As if he had before spoken too strongly, Cicero now adds that he was only the instrument; the gods were the real deliverers; and then by enumerating the various prodigies by which they had given warning of the threatening dangers, he endeavors to work upon the minds of the superstitious people.

35. Quum . . . . possumus . . . . tum vero. Z. 723.


37. Praesentes. 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,—

Quae magnum ad columnam flammato ardore volabat,
Præcipientes cali partes obitusque petisset?

Diocassius, 37, 25, says, 'eran oii te ev aldría pollai epeos, kai I γι
loχυρως ισχίσαν. ειδωλα τα πολλαχθώταν ανθρώπων εφαντάσθη, και λαμπαδες ξενεκάς
I τον οδρανον ἀπο των ουσιων ἀνέδραμον.' Jul. Obseq. c. 122: trabs ardens
ab occasu ad caelum extenta. M.—Ut . . . . jactus, ut . . . . motus
ceteraque. Supply omittam.

41. Ceteraque. Que (= ut in unum contraham), "and in short." (Görenz.) M.

44. Neque praetermittendum neque relinquendum est. The former of an unintentional, the latter of an intentional omission. Off. 3, 2, 9: Negant, eum locum a Panatio prætermissum, sed consulto relictum.

Cf. Orat. 2, 29, 126; Tusc. 1, 49, 119. M.

και ἀγάλματα ἄλλα τε καὶ Δως ἐπὶ κίονος ἱρμιενον, εἰκόν τε τῆς λουκαινης
σῶν τε τῷ Υἱῷ καὶ σῶν τῷ 'Ρωμαίων ἱδρυμενή ἑπεξε. τα τα γράμματα τῶν στηλών,
I καὶ τη νόμοι τα ἔγγραφον, συνεχόθη καὶ ἀνύφα 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 Tyrhenae gentis haruspex,
Omnia fixa tuus glomerans determinat annus.
Nam pater altitonans, stellanti nixus Olympo,
Ipse suos quondam tumulos ac templa petivit,
Et Capitolinis injicit sedibus ignes.
Tum species ex are vetus generosaque Nattæ,
Concidit, elapsæque vetusto numine leges;
Et Divum simulacra peremit fulminis arduo,
Hic silvestris erat, Romani nominis altrix,
Martia, qua parvos Mavortis semine natos
Uberibus gravidis vitali rore rigabat:
Quæ tum cum pueris flammato fulminis ictu
Concidit, atque avulsa pedum vestigia liquit.
Tum quis non, artis scripta ac monumenta volutans,
Voces tristicas chartis promebat Etruscis?
Omnes civili generosa stirpe profectam
Vitare ingentem cladem et pestemque monebant;
Vel legum exitium constanti voce ferebant;
Templa Deumque adeo flamnis urbesque jubebant
Eripere, et stragem horribilem cademque vereri:
Atque hac fixa gravi fato ac fundata teneri;
Ni post, excelsum ad columnam formata locore,
Sancta Jovis species claros spectaret in ortus:
Tum fore, ut occultos populos 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 fixa ac signati temporis hora
Juppiter excelsa clarabat sceptra columna;
Et clades patriæ, flamma ferroque parata,
Vocibus Allobrogum patribus populeque patebat.

2. In Capitolio. 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.

6. Quem inauratum. Liv. 10, 23, de æ. c. 458, Cn. et Qu. Ogulnii ædiles curules—ad ficum Ruminulem (quæ erat in comitio prope curiam) simulacra infantium conditorem urbis sub uberibus lupœ posuerunt. M.

7. Fuisse meministis. So above, memoria tenetis ... percussas. With what tense of the infinitive is memini joined? Z. 589.
15. Idemque jusserunt. Dio Cass. l. c. tā te ovā αλλα ἐξεδόντο τοις μάνταις πιθομένοι, καὶ τὸν Δίκτυ αγάμα μείζων πρὸς τὸς ἀνατόλας καὶ πρὸς τὴν ἀγορὰν βλέπον, ὅπως αἱ συνωσίαι, ὧν ἐνταῦθα, ἐκφανέν, ἱδρυθῆναι ἐφησαντο. M. See the lines quoted above, from Tum quis to videre. Is jusserunt . . . facere the regular construction? Z. 617.—Simulacrum Jovis. De Divin. 2, 20: Eo ipso tempore quo fieret indicium conjurationis in Senatu, signum Jovis biennio post, quin erat locatum, in Capitolio collocabatur. Böttiger, according to Orelli, has proved that this was a piece of Cicero's clever contrivance to strike the people with religious awe.
21. Collocandum . . . locaverunt. Contracted to have it so placed. See Z. 653.
34. Ut, quum hodierno die. “Debebat cohaerere cum illud nonne ita praeens est, quod, quum hoc. d. sed, quando factum est, accidit, &c. precedit, semper fere ad hoc refertur ut. ad Fam. 5, 2, addam illud etiam, quod jam ego curare non debui, sed tamen fieri non moleste tuli, atque etiam, ut ita fieret, pro mea parte adjuci, ut senatus consulto meus inimicus, quia tuus frater erat, sublevaretur. Verr. 2, 65, 158: de quo homine hoc auditum est unquam, quod tibi accidit, ut ejus in provincia statue dejiceretur? Cf. pro l. Man. § 25. Dio Cass. 37, 34, p. 133, ubi Lentulum prætura se abdicare coactum et cum reliquis in custodiam traditum narravit: καὶ ταῦτα, ἵνα, καὶ τῷ ὁμοίῳ ὑμοίῳ ἤρετε. καὶ μάλιστα ἐπείδη, τοῦ Κικήρουν ὁμηγηροῦντος τι περὶ αὐτῶν, τὸ αὔρωλα τὸ τοῦ Δίου ἐστὶ τὸ τοῦ Καπιτῶλον παρ᾽ αὐτὸν τοῦ καιρῷ τῆς Ἐκκλησίας ἀνέρθηκε καὶ κατὰ τὴν ὑφῆς τῶν μάντων πρὸς τὸς ἀνατόλας καὶ πρὸς τὴν ἀγορὰν βλέπον ἀνετέθη ἐπείδη γὰρ ἱκεῖσθαι συνωσίαιν τινα ἑξελεχθέναι ἐκ τῆς τοῦ ἀγώλματος πτωτῶς εἰρήκειαν καὶ ἥ αὐτάκειαν αὐτοῦ τοῖς φοράθεται συνεβαίνε τὸ τὸ θεόν ἑμεγάλυνον καὶ τοῖς τοῖς αἰτίων λαβόντας δι᾽ ὀργῆς μᾶλλον ἐποιήτο. M. Cf. the vv. above, from haec tardata diu to the end.
35. Per forum. According to Matthiae, Cicero then occupied the house which he bought of Crassus; so that the forum lay between it and the Temple of Concord. Middleton describes it thus:—“About the time of this trial [pro Sulla, which, however, was after his consulship], Cicero bought a house of M. Crassus, on the Palatine hill, adjoining to that in which he had always lived with his father, and
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 be-
fore 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 fo-
rum and the rostra; and what made it the more splendid, was its be-
ing 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 for-
merly lived, whose house was demolished by public authority for his
seditions practices with C. Gracchus."—Middleton.

43. Si me . . . . dicam . . . . sumam. P. C. 445.
44. Ille, ille Juppiter. 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 Allob. sollicitatio a Lentulo tam temere suscepta nun-
quam fuisset, nec tanta res tam dementer credita et ignotis et bar-
baris, &c., but the occurrence of tanta res, which embraces the solli-
citatio and all its attendant circumstances, leads him to use one pred-
icate (the nunquam credita esset) of both.—It is better, I think, to
stop the passage thus (with Klotz): Jam vero illa Allobrogum solli-
citatio 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 at-
tempt 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 ignoti et barbari. In voc. sic videtur sub-
esse participium hac orationis forma: suscepta a P. Lent.—tam de-
menter, tanta, &c. Madvig.

ille meorum laborum, periculorum, consiliorum socius, C. Pomptinus,
fortissimus vir, ortum repente bellum Allobrogum atque hac scele-
rata conjuratione excitatum, praelitis fugit eosque domuit, qui laces-
sierant; et ea victoria contentus, re publica metu liberata quiwent.
Liv. Epit. 103: C. Pomptinus prator Allobrogum, qui rebellaverant,
ad Solonem (Torre di Sole) domuit, s. u. c. 693. O.

14. Præsertim qui = præsertim quam illi.
15. Superare potuerunt. [125.] "Ex nostra consuetudine scri-
bendum esset potuisse, sed hoc interest inter nostram et Latinorum
consuetudinem, quod nos conditionem aliquam suppressam cogitare
solemnis, Latini non solent. Itaque semper sere dicunt: multos com-
memorare possim, nou possim, ut De Nat. D. 1, 36; 101, quae vel sine
magistro facere potuerunt. Orat. 9, § 32 (cf. Or. 2, 32, 139), non
potuissent. Quae consuetudo quum semel invaluisset, etiam ubi si cum
conj. sequabatur, indicativum verbi posse ponebant, ut pro Quint. 13,
43, at, si id velles, jam pridem actum esse poterat. Cf. Verr. 3, 31,
73. Sic Verr. 3, 49, 71, multo enim pluris fructus annui Siciliae
venire potuissent, si id te senatus aut pop. Rom. facere voluisset.
Cf. ad Fam. 13, 29, 14; pro Flacc. 5, 12, etenim potest esse infinita
(oratio), si mihi libeat. Cf. ad Manil. c. 17. Recte igitur hanc lec-
tionem contra Ern., qui superaret recept, tuetur Goerenz . . . ceterum
in eo falsus, quod post qui, quando pro quia is ponatur, indicativum
etiam sequi contendit. Imo ubi Latini causam plane et diserte exprimi
volunt, semper conjunctivo post qui utuntur: sed non semper necesse
est causam diserte exprimi, ut Phil. 3, 6, 14. Si ille consul, fustu-
arium meruerunt legiones qui consulem reliquerunt; sceleratus Cæ-
sar, Brutus nefarius, qui contra consulem privato consilio exercitus
comparaverunt; membra, quæ a qui incipient, causam continuare
apparet, cur illi scelerati ac nefarii appellentur, sed non necesse putavit
Cic. h. i. 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 o, 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 permis-
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.—Quum audistis. The early
contests between the patricians and plebeians, and the disturbances
occasioned by the Gracchi and Saturninus are meant.
25. L. Sulla P. Sulpicium oppressit. [A. u. c. 666.] Quum
P. Sulpicius tribunus plebis, auctore C. Mario, perniciosas leges

26. Ex urbe eject. 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.


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


NOTES.


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 dijudicata 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 hostium numero ducerentur. Z. 394, Note 3.

7. Tantum civium. See Z. 726.

8. Infinitæ cædi resitisset. "Resistere cædi eodem modo dictur ut resistere dolori; i. e. non succumbere, sed hac conjuncta vi, ut sit fortitudine sua vel alia ratione efficere ne cædæ infinita civium ipse etiam interesse." M.

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

Ch. XI.—12. Premium virtutis ... insigni 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. Eademque diem, &c. This passage is probably corrupt. Matthiæ, after Muretus and Garatoni, makes dies = tempus; and explains it thus: "Eam a se, conjuratione oppressa, propagatum sive productam esse dicit, ut et salus urbis et memoria consulatus sui diu-
tius constaret." Intelligo = video, arbitrator.—Bloch explains it nearly in the same way (both placing a comma after fore), eadem diem, quam [= cujus memoriam], opero aeternam fore, intelligo (= video, arbitrator) propagatam (= productam, effectu suod ad posteros prolatam. Cf. 2 Cat. c. 5: meus consulatus .... multa secula propagarit rei publicae) esse et ad salutem urbis (quod ea hac die servata videtur) et ad memoriam consulatus mei.—Intelligo must be understood 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 Pompeium 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 prædicatum iri, simul] in hac re publica, &c. Op. Academ. p. 192. In his second edition he reads fore, propagatam esse et ad salutem ... + unoque, &c.; then, adding what he supposes omitted, he suggests, omnique tempore (sic codd. aliquot) hoc prædicatum iri, uno tempore.—Klotz for cives reads dies.—My own opinion of the passage is this: As propagare tempus, multa secula, &c., rei publicae, is, to grant it or procure for it an extended duration, &c., so propagare diem (rei publicae) is to extend the period of its duration; and eadem 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, unoque 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.

Ch. XII.—28. Eadem ... quæ. Z. 704.


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.: tuae 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 egisti, ut hominibus ne oblivisci quietem rerum tuarum male gestarum liceret. Liv. 28, 25: suis recte factis gratiam qui exsolvat, non esse. Ad Fam. 10, 8, in. optima
mentis cogitata jampridem, maturo tempore enuntiarc. Pro Cluent. 31, in. qui alterius bene inventis obtemerat.

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 . . . . alius. Z. 433.

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


10. Meminerim . . . . curemque. 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; (e) 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 omnibus æquitas continentur. So pro Mur. § 31: deque eo pauca disseram; neque cuin causa in hoc continentur. 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 alio confugiam, cui non—domus, non epula, non nox ad quietem data naturæ 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.

The Campus Martius was the place of holding the consular elections, at the commencement of which the auspices must be taken. Cf. 1 Cat. 5, 11.—Non curia, &c. Particularly the curia Hostilia, where the sittings of the senate were usually held. Cf. p. Mur. 39, 84: in illo sacrario rei publica, in ipsa, inquam, curia non nemo hostis est.


15. Non lectus, &c. See 1 Cat. 4, 9.


18. In vestro timore = "quum in timore essetis." In is used to express the condition and present state of things, where otherwise the participle of a verb, or the conjunctions quum, dum, si, might be employed. Cf. 2 Cat. 8, 18: magno in aere alieno; 9, 20: in insperatis . . . . pecuniis.


22. Templaque atque delubra. See 3 Cat. 1, 2.

26. Suum nomen. This was Cornelius. See 3 Cat. 4.—Inductus a vatibus = misled by the Haruspices. Inducere is often used in a bad sense of misleading, deceiving, corrupting.

1. Ad salutem rei publicæ. Steinmetz and Klotz read ad sal. populi Romani, and before ad perniciem rei publicâ.


7. Omnes deos, qui . . . . præsident. The tutelary gods of Rome. Every city, according to the prevailing belief, had its tutelary deities, the names of which were often concealed, and their statues chained or otherwise fastened to prevent their being evoked by besieging or assailing enemies. Cf. Liv. 5, 21; Macrob. Sat. 3, 9.—Pro eo mihi, ac mereor. So ad Fam. 4, 5: pro eo ac debui. Z. 340, Note.

8. Relaturos esse gratiam. See note on p. 12, line 11.—Si quid obtigerit. A common euphemism = si ve vis aliquà oppresserit in line 20. Acciderit is more commonly used, as p. Mil. § 36. Here, in declaring his willingness to die for his country, he chooses the more cheerful and emphatic word obtigerit. See P. C. 374, d.

9. Turpis mors. "Ex demum turpis est mors, quam qui oppetit, debilitatur ac frangitur animo, ignaveque et muliebriter se gerit. Inmatura autem mors ea dici solet, quæ interrumpit institutum ad glo-
FORTH FOURTH ORATION AGAINST CATILINE.

abhinc annos prope viginti hoc ipso in templo (Concordiae) negavi
posse mortem immaturam esse consulari, quanto verius nunc negabo
seni? M.

11. Fratris carissimi. Q. Cicero: his wife Terentia; his
dughter Tullia; his little son Marcus (then not quite two years old).

13. Horumque omnium. Erusti understands these words of
the equites and other friends of Cicero, since videtis below refers to
the senators.

15. Quem mihi videtur amplecti res publica tamquam
obsidem. "Qui confirmet, me nihil gesturum in consulatu, nisi quod
saluti sit reip. Nam qui liberos habent, non minus liberorum causa,
Rhet. p. 237, ed. Reiske: e& de tōsou kai εντιότερους ἀνάγκη γίνεσθαι τοῖς
ἀνθρώπως καὶ πιστιότερους δοκεῖν καὶ ἐνυποστέρους περὶ τὰς αὐτῶν πατρίδας ἐν
παντὶ, διὰ τὸ δόαπερ δύμη δεδοκέναι ταῖς πατρίδι τοῖς ἵναινων παιδέας. M.
[Ahrens, Orelli, &c., who attack the genuineness of this oration, say
that Cicero was now Consul, not a vir consularis, i. e. one who had
been Consul. To this Klotz replies, that with respect to his general
position in the state, he was one of those who had reached its highest
honor, the Consulship; that if Cic. had said "to a Consul," he would
both have unnecessarily limited the truth, and made it too immediately
applicable to himself; and that the conniuniy of the sentence requires
rather the adjective consularis than the substantive consul: .... viro
forti .... consulari .... sapienti. He shows too that Cicero, in an-
other place, uses consularis of Consuls, as well as of Consulares, when
he speaks of them as a class; e. g. Philipp. 5, § 12; where, after
mentioning several Consulars, he adds D. Silano L. Murenae, quid tum
erant Consules designati; placuit idem, quod consularibus, M. Ca-
toni, &c., where even Consuls elect are called consulares.]

18. Geuer. C. Calpurnius Piso Frugi; who died before his
father-in-law’s restoration, a. u. c. 697. He was not yet a senator,
but he must supposed standing at the door of the Temple of Concord.
Manut. Cf. Tacitus, Annal. 2, 37: Hortalus—quatuor filii ante
limen curiae adstantibus—ad hunc modum capit; P. C. hos, quorum
numerum et quieritam videtis, non sponte sustuli. Klotz. For ad-
stat Madvig reads stat.—Mover = I am moved. Its position at the
beginning of its clause points it out as the important and emphatic
word in the sentence. See Z. 789, and compare below, line 27, te-
tenetur ii, where a similar contrast of negative and affirmative state-
ments occurs.

19. Sed in eam partem. The pronoun is here used in the re-
strictive sense, which is noticed with regard to ita and tantus in Z.
726.

20. Una rei publicæ peste. Una pestis = pestis quae omnes

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


28. Vestrarm omnium. The genitive *omnia* 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.*

Ch. III.—36. Vos multis jam judiciis judicastis. He skillfully endeavors to give to their decisions the force of judicial determinations. *Res judicatae* formed precedents, which, in default of any written law, were binding on other judges. *Multis jam judiciis judicastis* is more emphatic than *saepe jam judicastis* would have been. So Klotz. *Paulo ante frequens senatus judicavertat eos contra rem publicam fecisse*; and a little before: *Legatis Allobrogum et T. Volturcio comprobato eorum indicio praesidia decernuntur.* Sall. c. 50. O.

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

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


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

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

4. Referre. See note on p. 14, line 44. “But I have determined to bring before you, Conscript 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 furorum. 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 every thing 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 eriperentur ii, qui in custodiam 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. Matthie gives the following examples of both cases: Aff. seeferi, Sull. 25, 70; turpidini, Cluent. 45, extr.; suspicionis, Sull. 5, extr.; rei capitalis, Verr. 2, 38, 94.—Latius opinione. Z. 484.

17. Sustentando = differendo. This use appears to be confined to Cicero. [Freund.] De Pausania Alabandensi sustentes rem, dum Nero veniat, Fam. 13, 64, 1; adificationem Arcani ad tuum adventum sustentari placebo, 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 rogavit, quod eo tempore consul designatus erat. Appian, B. C. 2, 5, p. 180: Σιλανὸς μὲν ὃς πρῶτος ἔλεγεν, ὃς ἐς τὸ μέλλον ἡρτο ἑπιτεύχῃ ὥδε γὰρ Ῥωμαίοις ὁ μέλλων ὑπατεύων πρῶτος ἔσφερε γνώμην, ὡς αὐτὸς, οἷς, πολλὰ τῶν κυριομένων ἐγγραφών, καὶ ὕ τοῦτο εὐθυλότερον τε καὶ εὐλαβέστερον ἐνθυμεῖτον περι ἑκάστου. Μ.

20. Ἡκ, διεκτικῶς; see note on p. 15, line 20.


23. Pro suo 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 naturae, i. e. quam natura affert, id quod alter non potest evenire atque a natura constitutum est. It is used in a different sense, Off. 1, 35: partes corporis ad natura necessitatem datae. M.

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

35. Municipalis = per municipia.

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


41. Digna . . . sancit, &c. Sancire = proposita pæna aliquid cavere et vetare. Madvig reads, with Lambinus and Muretus, circumdat et dignus scehcre hominum perditorum; sancit, ne quis, &c.

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

2. Multos uno dolore animi. This is the reading of the best MSS. Orator tamen ipse scripsisse videtur, ut vidit Gravius: multos uno dolore dolores 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: tribunus plebis injuriae faciendae potestatem . . . . adimere.

6. Voluerunt = statuerunt, contenderunt, affirmarunt. Cf. Tusc. 5, 14, 41: volumus eum, qui beatus sit, tutum esse, inexpugnabilem, &c. M. Cicero’s own belief on this point may be derived from p. Cluent. 61, 171, and Tuscul. 1, 5, 10 seq.

Ch. V.—S. Ego mea video quid intersit. See Z. 449.
10. **Popularis.** _Pro Sest. 45:_ qui ea, quae faciebant quaque dicebant, multitudini jucunda volebant 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 _seditiosus_ and _turbulentus_. The shades of meaning between these extremes will be noticed in this chapter.

11. **Cognitum = 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 Scholiast. 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 intersit.** _Læl._ 25, 95: _Concio, quae ex imperitissimis constat, tamen judicare solet, quid intersit inter popularem, id est, assentiorum et leveo civem, et inter constantem, severum et gra-vem._ M. _Quid interesset_ 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. **Quæsitori, &c.** Cicero had not really been appointed (as _quæsitor_) 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. **Sempronii legis, de capite civium Romanorum, proposed by C. Gracchus, a. 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 Senproonian 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 interfectus 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: darent operam Consules, ne quid res publica detrimenti caperet. Cf. Sall. 29. Madvig: in jussu populi, Buherii et Ernestii conj., quam forsitan aliquis firmet ex Scholiasta, p. 412, Ed. mem: "Lege Sempronia in jussu populi non licebat quæri de capite civis Romani." Orelli.


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, teterrimum periculosissimumque confecerit, Fam. 10, 13. See Z. 511.

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

42 1. Obtaino = 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. Leutulo) Gabiniun. Some read hunc Gabiniun. The picture of Leutulus 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. Praebeto. Madvig retains the present praebeto.  
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. Marciius 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 oratione, qua constantia, qua gravitate sententiam dixit in sororis suae virum, vitricum tuum? M.  
38. Filiumque ejus impuberem. Vell. 2, 7, 2: juvenis, specie
excellens, neendum duodevicesimum transgressus annum, inunmunesque
delitorum paternorum, Fulvii Flacci filius, quem pater legatum de
conditionibus miserat, ad Opinio interemptus est. Quem quem ha-
ruspesx Tuscus, amicus, flentem in custodiam duci vidisset, Quin
tu hoc potius, inquit, facis? protinusque illiso capite in postem la-
pitecum janus carceris effususque cerebro exspiravit. M.

40. Largitionis voluntas, sc. frumentariae, for the purpose of
gaining the favor of the people.

42. Hujus avus Lentuli. [Consul, a. v. c. 592.] Cf. Phil. 8,
4, 14: Num igitur temerarium civem aut crudelum putares .... P.
Lentulum principem Senatus, complures alios summos viros, qui cum
L. Opinio Cos. armati Grocchum in Aventinum persecuti sunt? quo
in praesio Lentulus grave vulner accepit? Cf. 3 Cat. 5, 10.

5. Veremamini, 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 ali-
quid severius, &c. The common text is nimis aliquid severe.

7. Remissione penae = mitigatione, lenitate. [Opposed to se-
16, 15. B.

11. Exaudio. The usual signification of the com-
 pound is to hear from a distance, or ex strengthens the meaning, so
that it = to hear distinctly.

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 qua
res, sicut eo anno sermonibus magis passim hominum jactata, quam
inullo concilio est, ita inscientiss anni Consulibus .... nulla prior
potiorque visa est, de qua ad Senatum referrent.


20. Plenum est. "De hac re Cicero in Philipp. 2, 7: Quis
eques Ro., quis prater te adolescens nobilis, quis ulilus ordinis, qui
se civem meminisset, quem senatus in hoc templo esset, in clivo Capit-
tolino non fuit? quis nomen non dedit? Quamquam nec scribæ
sufficer, nec tabula nomina corum capere potuerunt." Steinmetz.

21. Templi et loci. Not of Jupiter Stator, but of Concord. See
2 Phil. 8, 19, and 46, 119.

24. Cum omnibus .... perire voluerunt. Cf. 2 Cat. § 21.
31. Summam ordinis consiliique, "i. e. locum primum inter ordines et jus de ro publica deliberandi ac decernendi: exquisita Latinitate." Ernesti.—Ita . . . ut = quidem . . . sed. So pro Rosc. § 72: Ita vivunt, dum possunt . . . ut ducere animam de caelo quæant. 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 confined it jointly to the senate, the equites, and the tribuni aëarii.—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-operato 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: tuor, ut possum, illum a me conglutinatam concordiam.

39. Tribunos ærarios. 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 ærarii of an earlier date, in the sense above explained, and the tribuni ærarii of the Lex Aurelia, who are here intended. His language is: Gradum aliquem et distinctionem cívium universorum certa aliqua norma factam, quemadmodum equites cense separabantur, illud nomen tribunorum ærariorum notare debet. His view is that the tribuni ærarii 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 ærarii, 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 conveni unt ad ærium scribae, ut sortientur 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 negat? aut quid ea res ad hanc rem pertinet?* *Est vero honestus, quod corum hominum fidei tabellae publicae periculaque magistratu[m* [the books in which the sentences pronounced were recorded. Cf. Nep. *Epam.* 8] committuntur. 3 Verr. 79, 183.

40. *Quos quum casu hic dies ad œararium 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 *œararium*.—*Frequentare* is here = *frequentes cogere*, or *congregare*; an unusual use of the word. But Klotz 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 frequentans* (Or. 25, 85).

42. *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 percunctatimini, &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).

44 Ch. VIII.—3. *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 *ingenius*. Död.

4. *Fortunam . . . civitatis*, i. e. the right of citizenship. He calls it *fortuna civitatis*, because, though gained by merit, yet *merit* 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 præteritionis, ac tum usurpatur, quum aliquid *non sum* commemoraturus. At quum jam commemoravi aliquid et ad ultimum dicere volo, commemoratione illa me potuisse supersedere, subjungo *quid eos commemoro?* hoc est, cur tam longus sum in is 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, 44
22, 63: quid loquar de nobis?—Madvig, with others, reads Sed quid
ego hosce homines ordinesque commemoro? Klotz, with Orelli, as in
the text.

8. Hujusce ordinis. The libertini. It is strange that Matthiae
should deny the possibility of their having privata fortuna.

11. Qui modo . . . . sit. 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, quae dicis, fuisse tempo-
is. 1, 47, 207: quantam id nobis, Antoni, hominibus id etatis,
oneris ab horum adolescentium studiis imponitur. Offic. 2, 9, extr.: 
quantum volet, habet 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. Lenonem quendam Lentuli. Sall. c. 50: Dum haec in
senatu aguntur et dum legatis Allobrogum et Tito Vulturcio, com-
probato corum indicio, præmia decernuntur, liberti et pauci ex cli-
entibus Lentuli diversis itineribus opifices atque servitia in vicis ad
eum eripieniud solicitabant. Cf. Dio Cass. 37, 35, p. 134; Appian,
B. C. 2, 5, p. 180. M. He uses leno for nuntius or administer, that
he may give a sidebow 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 tu-
multu, 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 taberniis. This occurred, by command of the
magistrates, on the breaking out of public disturbances, and in general
mourning.

Cf. Liv. 2, 1: quidem futurum fuit, si ulla pastorum convenarum-
que plebs—agitari coepta erat tribuniciis procellis?

Cn. IX.—30. Ex plurimis . . . insidias atque ex media morte.
Atque = atque etiam or atque adeo. Cf. 2 Cat. 12, 27.
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 vo-bis omnia deorum templar. Orelli does not notice this variation.


43. Quae... 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 infir-mam et objectam.


19. Mihi is omitted by Klotz and Madvig.


23. Sit Scipio. P. Cornelius Scipio Africanus 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 πρότερον 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. *Emiliius Paullus,* 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. *Paullus ille.* The father of the younger Africanus.


33. Nisi forte, ironically. Z. 526.

35. Ut . . . illi, qui absunt . . . revertantur. Cf. de *Ofic.* 1, 22, 78: *Mihi quidem certe vir abundans bellicos laudibus Cn. Pompeius, multis audientibus hoc tribuit, ut diceret frustra se triumphum tertium deportaturum fuisse, nisi meo in rem publicam ben- neficio ubi triumpharet, 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.—*Unlo loco = una parte,* in one respect.

42. Quare mihi, &c. So pro *Sull.* 9, 28: *Etenim in qua civi- tate res tantas gesserim memini; et in qua urbe verser, intelligo: plenum forum est eorum hominum, quos ego a vestris cervicipus de- puti, judices, a meo non removi.—Quare non sum nescius, quanto periculo vivam in tanta multitudo improborum, quam mihi uni cum omnibus improbis aeterno videam bellum esse susceptum.*

5. Conspirationem = consensus, 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.—*Hospitiisque.* 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.


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 erit.* *Dum* with the futuro = *quamdiu.*


24. *De aris ac focus.* A well-known formula for private dwellings. For *foci* were fireplaces in the *atrium* for sacrifices to the household gods (*lares*), and *aræ* 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 (*Orat. 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 B.C. 669, by the battles of Chæronia 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 signaledly 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, B.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 one should be clothed with extraordinary powers for three years for the purpose of putting
an end to 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 days 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 Cæsar supported it from deep political motives, and M. Tullius Cicero, who had been chosen praetor, 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'. Ämilius Lepidus and L. Volcaius Tullus the bill was carried. The Romans, however, had no occasion to regret the step they took.

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**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 praetor 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 Servile 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. Multa jucundissimius. 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. pleasing 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 America.—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 pleasing causes for nearly twenty, and had held the offices of quaestor and ædile.—Hujus auctoritatem loci = hunc locum, qui auctoritatem tribuit concionantibus ex eo. But Benecke considers the words hic locus ad ag. amplissimus, ad dic. ornatissimus and hujus auct. loci attingere audeam, statuerenque 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.

10. Temporibus = καρποῖς. Cf. § 2: in privatorum periculis, and note on p. 15, line 31. Benecke is displeased with the play upon the words tempus... temporibus.—Transmittendum = tribuendum. Cf. 14, 42: huic hoc tantum bellum transmittendum.

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-ordinate relation with the leading thought, notwithstanding it does not proceed 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 interests. Especially was this the case before his praetorship.—Neque . . . et. Z. 338.—Ab ipsis = talibus; therefore the subjunctive defendei-rent. Z. 556.

12. Causam = id in quo utilitas vestra posita est; interest. So causa rei publicae, § 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 custom 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 receiving fees or gifts from their clients. Caste and integre are elsewhere found together. They both denote purity and integrity of character, but particularly freedom from cupidty and corruption. De Fin. 4, 23, 63: castē et integre vivere; id. 1, 9, 30: incorrupte atque integre judicare; pro Sest. 43, 93: homo castus ac non cupidus.—Judicio, as expressed by acts, in electing him to the office of praetor.

14. Propter dilationem comitiorum. The higher magistrates, consuls, praetors, and censors, could only be chosen at the comitia centuriata. The comitia might be broken off for some informality in taking 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, Roscian, and other laws, and the assembly had been twice adjourned before 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 quaestio de pecuniiis repetundis.—Centuriis. See Bojesen's Roman Antiquities, p. 33, § 10; and p. 49, § 6.

17. Quid aliis prœscriberetis. 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.

22. In dicendo. The common text omits in; and this reading
Matthiae explains as = efficere, quod operae pretium 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, Milt. 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: oν δὲ ἄρεσθαι μου
δοκεῖ ἀπαρον εἶναι, ὃ ἀνδρες ὁμοιασαι, τῆς κατηγορίας, ἀλλὰ παύσασθαι
λέγοντι.
3. Copia = materials for eloquence.—Modus, moderation in the
use of them.
Ch. II.—7. Vectorialbus. Tributaries.—Sociis, particularly Ario-
barzanes, of whom below, ch. 5, rex, socius populi Rom. atque ami-
cus.
8. Alter, Mithridates, relictus, non prorsus debellatus a L. Lucullo.
See § 22.—Alter, Tigranes ab eodem Lucullo lacesitus dumtaxat,
non victus. § 23.
9. Occasionem . . . ad occupandum 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-
sularia 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-

dived large revenues.
10. Arbitrantur. So also Klotz and Madvig. It is defended by
Wuuder, Varr. Lectt. Cod. Erf. p. LXIX. against the common read-
ing arbitrantur, 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 ornamentum civitatis 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 Quinctilis, 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, ..., vicis 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 procurætors.

16. Regnum Ariobarzanius, sc. Cappadocia, of which, on the recall 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. De posci atque expeti = magnopere et instanter posci atque valde ac præ ceteris desiderari. The prepositions strengthen the meaning of the simple verbs.

24. De genere bellic; 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 agitur is indicative, while debat is subjunctive, by Z. 556. Notice also the ἔναδμορά. 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 belli. Below, ch. 7, 17, he calls them nervos rei publicæ.—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 requiret, where Pseudo-Asconius 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 publicæ 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.

Ch. III.—36. Appetentes gloriam. Z. 438.

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, codem 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 significacione literarum. Z. 791.

42. Denovavit. 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.
1. Cappadociae latebris. From its being so far inland. Cf. in
Rull.: In Paphlagoniae tenebris atque in Cappadociae solitudine.
Klotz and Madvig read Ponti neque Cappadociae latebris. Süpfle
defends Ponte.

2. Emergere. Emergere propre dicuntur, qui aqua mersi eluc-
tant et evadunt, unde pulchra nascentur translationes v. c. de eo; qui
ex obscuro loco ad illustriorem adspirat, aut ex infelice fit felix, aut a
vite 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 nobili regno profectus totius Asiæ imperium affectavit.

3. In Asia luce = in maxima celebritate atque in oculis homi-
num in ea provincia. Cf. ad Q. frat. 1, 1, 18: in luce Asiæ, in ocu-
lis clarissimæ provinciæ, &c.

4. Insignia victoriae. These are triumphs, as may be seen from
the following triumphavit. Reportarent then, which is strictly appli-
cable only to victoriam, comes under the figure zeugma. Z. 775.
Manutius considers insignia as = signa et indicia victoriae (ut capti-
vos, aurum, argentum, vestes, &c.).

made peace with Mithridates in 670, and returned to Italy in 671.
He triumphed in 673.

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,
quamvis, 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 reliquere for the sake of
concinnity is likewise so used.

10. In Italiarum res publicæ. His opponents, the Marian fac-
tion, having gained the ascendancy 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.

adopts the conjecture of Benecke, qui postea, quum maximus, &c.—
Ornassetque = instruxisset. On the omission of the English verb "to
order," or "have," see Z. 713.
16. Bosporanis. Accolis Bospori Cimmerii. They had revolted from Mithridates, but he afterwards reduced them to submission and established Muchares, one of his sons, as king of that country.


21. De imperio, i. e. de conservatione vestri imperii vestrisque libertatis.

22. Alterius partis periculum = periculum, quod ab altera parte vobis imminebat.


27. Hac autem extrema. See ch. 9.

Ch. V.—35. Mercatoribus aut naviculariis, &c. Compare Verr. 5, 58, in. Quot bella majores nostros et quanta suscepisse arbitramini, quod cives Romani injuria affecti, quod navicularii retenti, quod mercaletes spoliatu 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, Graeciae 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. Död.

41. Legatum. Manius Aquilius, 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 = ultus sunt. Persequi corresponds to the following relinquentis.

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, præterire.—Videte, ne, = cavete, veremini, &c.

6. Quid, quod. On this familiar formula, see Z. 769.
S. 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." Matthiae. 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 Glabriolem.

16. Summa . . . . omnia. 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.—Quo . . . ægrius = et eo ægrius carent, sc. Pompeio. These words are included in a parenthesis by Klotz and Madvig, and the following cujus brought into immediate connection with eum 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. Benecke explains the text as arising from brevity of expression, for quod ceteri homines, quos in provinciam mittimus, ejusmodi sunt.

24. Cum imperio, sc. militari, quod habent ii, quibus potestas belli gerendi data est. Hoc imperium 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 hostili 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.

Ch. VI.—30. Nulla ipsi injuria lacessiti. Notice the contrast between ipsi and socios.


32. Cum Pannis. 490–512; 536–553; 605–608.

36. Tauta 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.—Uberrate agrorum, &c. Three sources of revenue are referred to: decumae, 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. Belli utilitatem, res eas, quae ad bellum gerendum bellique sumptus sufferendos sunt utiles. Retinere is the reading of the best MSS. Est antem inter sustinere et retinere illud discrimen, ut sustinere dicatur res ea, quae ne labatur ac corruat, provideamus; retinere, 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.

51 4. Facta est . . . pecua. 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 . . . pensitant. The inhabitants of the provinces.

10. Qui exercent atque exigunt. The Roman equites or publicani.

13. Familias maximas = servos.

14. Custodiiis. 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., Salinae.

15. Magnu periculo. Z. 472.
16. Illis rebus, vectigalibus.—Eos, publicanos.—Fructui sunt, i. e. fructum probant; sc. et socii et publicani. Z. 422. Cf. vobis cura esse debent, below.

Cf. 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 anacoluthous. 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, praeter ordinem publicanorum.

30. Negotiavit. 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 eorum, 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 preposition is more commonly expressed.

34. A re publica sejunetam esse non posse. Cf. de Off. 3, 15, 63: Singulorum enim facultates et copiae 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-
In 

51 _nere dehemos_, 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 tabernis arguentarios. The shops of the bankers were in the cloisters round the forum.

5. _Hae_, vectigalia Asiatica.—_Hae_, vectigalia Romana.

9. Defenduntur. Klotz and Madvig read _civium conjuncta cum re publica defendantur_.

Ch. VIII.—14. Ne forte a vobis. Z. 651. Madvig, _ne forte ea vobis_.

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 _Lucullia_.

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 inflamnata_. Madvig omits _atque odio_. Others read _s. a. o._ _inflamnata_.

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 the rarer 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.
36. *A nullo istorum*, i.e. Catulo et Hortensio. Why *nullo*? Page 52

Z. 676.


Cf. IX.—39. *Quam hac ita sint* = *quum tantas res gesserit Lucullus.*

40. *Reliquum bellum* = *reliqua pars belli.* *P. C.* 179; Z. 685.

43. *Medea illa.* Z. 701. In this sense *ille* usually stands after its substantive, or after an adjective connected with the substantive.

41. *Fratris.* Absyrus. *Parens, Æetes.* See *de Nat. D.*, where Cicero has preserved the following lines of an old poet:

\[
\text{postquam pater}
\]

*Appropinquat, jamque, pæne ut comprehendatur parat : Puerum interea obturcat, membraque articulatim dividit, Perque agros passim dispergit corpus; id ea gratia, Ut dum nati dissipatos artus captaret parens, Ipsa interea effugeret, illum ut mæror tardaret sequi, Sibi salutem ut familiari pararet parricidio.*

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 avaritie 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 laecessandas 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. 336.

21. Urbem, sc. Tigranocerta. Plut. Luc. 26 and 29. Cicero here calls it urbem, κατ' Ιξωβιν, from its being the capital and from its opulence.—Tigrani. Z. 61, 1. So p. 52, line 18, some read Mi-thridati.

22. Plura non dicam. For the Romans had suffered a severe defeat, which Cicero (§ 25) ascribes to the misfortune of Lucullus's absence.

27. Ex ipsius regno. Madvig reads ex ejus regno, and includes only the et before eorum in brackets. This accords with the conjecture of Matthie, who omits et and explains suam manum confirmarat eorum as = quæ 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 adjunxerat," ) 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 poëtæ 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. v. c. 630–636. Cf. Liv. 4, 24: maximum libertatis pop. R. custodiam esse, si magna imperia diuturna non essent, et temporis modus imponeretur, quibus juris imponi non posset.

52. Stipendiis confecti erant. Madvig, with others, confessi, i. e. who had served out their time. Confessi = fracti, debilitati. For the infantry exemption was allowed after 20, for the cavalry after 10 years' service.


5. Conjugant = conjunctim gerant.

Ch. 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. v. 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.—Accrinnis hostibus. Compare Z. 645.—Ad patris exercitum. Cn. Pompeius Strabo. It was in his 18th year that Pompey entered upon his military career.


26. **Imperator,** in the 23rd 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. Död. Observe also the choice of verbs, *concertare* and *configere.* With the former Manutius supplies *verbis,* and compares *ad Att.* 3, 12: nunc quan accidit, ut cum eo verbo uno concertarem.


32. **Non stipendiiis,** contrasted with *triumphis,* and = inactive campaigns, the time merely of service as measured by the soldiers' pay.

34. **Civilis.** Between Sulla and the Marian faction, against Carbo, Cinna, &c., 666.—*Africanum,* 673. Against Cn. Domitius and Hiarbas, 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 paravi,* hostesque in cervicibus jam Italicae agentes ab Alpibus in Hispaniam summovi; per eas iter alid, atque Hannibal, nobis opportunius patefecit; recepi Galliam, Pyrenaum, &c. Cf. *Plin.* H. N. 3, 4. 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 bellicosissinis nationibus Hispaniae. Stüffle remarks that prominence is to be given to the circumstance, that the last-named Spanish war, as also in part the previously mentioned 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.* —Servile. Against Spartacus, 683, see § 29. Schmitz, *Rome,* p. 376, foll.

36. **Navale.** Against the pirates, 687, see § 35.—*Varia . . . ho-
54. In apposition with the preceding. *Varia* dicuntur *qua* non ejusdem sunt generis, *dversa*, *qua* dissimilia.

Cn. XI.—10. *Jam vero* mark transition. See note on p. 21, line 18.—*Virtuti*, in a general sense of merit, virtue.

11. *Quid est, quod quisquam.* Z. 562 and 709.

43. *Neque enim illae 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 aliæ etiam, &c.* These are mentioned in § 36.

55. 2. *Tanta . . . quanta.* The nenter 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 Hiarbæ, 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. *Déod.* 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 disquieted 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: *quincunque navigabat, se committerebat.* *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
Oration for the Manilian Law.

Quibus 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 . . . longinqua commemoro. See note on p. 44, line 7.

34. Fuit proprium populi Roman. 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 submission, 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 piratical 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 departure or starting is had in view rather than the route. But see Z. 398, Note 1. Madvig reads sociis . . . vestris and exerc. vestri.

38. Hieme summa. In the dead of winter. See note on line 22.

—Transmiscriunt, used absolutely. Z. 392.

39. Veniret = venire vellent.—Querar. Z. 530. So dicam, line 41, and commemorem, line 44.

41. Duodecim secure = two prætors, for in the provinces a prætor had six lictors, while in the city he had only two, and without the axe. Plut. Pomp. 24, gives the names, Sextilius 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 ducitis. 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 Creticus. In an attack which he made upon Crete, he entirely failed, and shortly after died there.

5. Liberorum. 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 liberi. The thing and name, and not the number, are regarded.

6. Ostiense incommodum. 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.—Capta atque oppressa. Weiske explains capta of those that came into the power of the pirates; oppressa of those that were destroyed or greatly damaged. Others find here a ἄντεπων πράτερων, understanding opprimere as = subito et improviso invadere in classem. Benecke considers oppressum in this connection as but an amplification of capere, and = capta classe, plane tenere eam dominunque ejus fieri. They are likewise found together in Verr. 2, 19, 46; Sest. 15, 35.


14. Oceani ostium = fretum Heracleum, the straits of Gibraltar. The expression is chosen to correspond to Ostium Tiberinum and ostium is repeated with emphasis.

15. Hæc . . . prætereaunda non sunt, for prætereaundum 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 (facio, efficio). Cf. Læ. 17, 63: Quidam sæpe in parva pecunia perspiciuntur, quam sint leves (for perspicuit, quam leves sinit quidam).

17. Aut obeundi negotii aut consequendi quæstus studio. The former refers to the negotiatores or money-lenders, the latter to the mercatores or traders.

19. Bellii impetus navigavit. The language is here poetical. Impetus belii = bellum, with the accompanying notion of its magnitude and impetuousity. Navigavit is equally poetical and appropriate, as the impetus belii consisted in the fleet of Pompey. It may also have special meaning with reference to the following nondum temp. ad navigandum mari. Cf. Florus, 2, 2, 7: Regulo duce jam in African navigabat bellum.


24. Duabus Hispaniis. Spain was divided into hither and farther Spain.—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. Undequinquagésimo 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 ceteræ, &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. Quaerenda est, i. e. postulanda, requirenda. Cf. § 64.

43. Artes = virtutes, qualities.

44. Innocentia. Innocentia est affectio talis animi, quæ 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 di-cendi 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 possumus. Benecke places a comma after quid, and construes the accusative and infinitive absolutely, as a question expressing indignation, according to Z. 609.
10. Ant propter cupiditatem provinciæ. 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 affrunt et ipsi perferant. M. The context seems to decide for the former sense. If you supply quocunque an eo with ferant, the ambiguity ceases.—Itinera. 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 feecerunt, making the clause merely explanatory of the preceding substantive, itinera; the subjunctive brings it into dependence on recordamini.


24. Coutinerer = reprimere, coercere. Cf. ad Q. frat. 1, 1, 2: quid est enim negotii, coutinerer cos, quibus prasis, si te ipse contineas.—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 pervenerint, bello 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 rapuisset, sed ne pedem quidem, ubi non iubebat, posuisset. On non modo for non modo non, see Z. 724, b.

30. Hibernum. Pompey was encamped on the borders of Cilicia.

31. In militem, upon a soldier, in usum militum.

32. Hiemis . . . . perfugium est, quo hiemis vitandæ causa con fugimus; avaritia perfugium, quo avaritia ad se explendam confugit.

Ch. 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 ἐποιεῖν 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.—Tubulas, 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: Praeclurum est enim summo cum imperio fuisse in Asia triennium, sic ut nullum te signum, nulla pictura, nullum vas, nulla vestis, nullum mancipium, nulla forma cujusquam, nulla conditio pecuniæ ... 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 celo delapsum. So ad Q. frat. 1, 1, 2: Nam Græci quidem sic te ita viventem intuebuntur, ut quemdom ex annalium memoria aut etiam de celo divinum hominem esse in provinciam delapsum putent.

5. Homines Romanos. In a similar way, homines Græci, homines Latini, 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 offerre cæpit.


10. Jam vero. In what way are these particles used? See note on p. 21, line 18.

11. Querimoniam. 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.


14. Consitio = prudentia, or, as in § 36, ingenio.—Dicendi gravitate et copia. Velleius, 2, 29, calls him eloquentia medium.


16. Hoc ipso ex loco, i. e. quam ex hoc ipso loco Pompeius concionaretur. 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 indigneatur. 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 . . . . fame, i. e. opinione, que 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 ædileship, 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 necque, &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 die. The relative to connect propositions is found even before other relatives. Z. 803.

44. Vilitas annonae. 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. Spe 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 admonui. 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 Pamphyliam 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.—Ille rcs. 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 quæstor. 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.


31. Rélquum est, ut, &c. Z. 621.

32. Mémíisse. On the omission of the conjunction vero in ad- versative clauses, see Z. 781.

33. De potestate deorum, i. e. de re ea quæ est tota in potestate deorum, ut cavendum sit, ne in ea plus homini tribuanus. Sic bene explicit fortunam.

34. Timide. Ne quod est doorum, homini tribuisses videas. Ideo
NOTES.

59. pauc.a, 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 alii 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 pos- tam esse.—Ingrata, if he failed praterita meminisse, reliqua sperare.

60. 2. Domi militia. So also Klotz. Madvig, and others, militiae-que. For quantaque Matthiae 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.—Assenserint. 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. Obtemperarint . . . 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 valetudine, 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. Sici. 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 praelio decertaret. Cæs. B. C. 3, 37. So also, Quomque nec mihi, nec fratri nec dubium esset, quin Brundisium contenderemus. Cic. Att. 8, 11, D. 3.

Chat VII.—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 always be translated by "because if."

20. Erat deligendus. Si with the imperfect or pluperfect subjunctive is generally followed by the indicative of the historical tenses, most frequently by the imperfect indicative, in expressions which denote "must," "should," "can," "may," &c.; also the participle of the future active, almost without exception, and the gerund and gerundive, 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 is, &c. Pompey had just brought the piratic war to a close, and was now in Cilicia, and could receive troops from Lucullus or Gabrio, 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.—Committamus. So also Klotz and Madvig. See Z. 530.

28. At enim. These particles are used in anticipating an objection for the purpose of removing it.

29. Vestris beneficiis amplissimis affectus = summis honoribus 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 beneficia, 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 steadily resisted the efforts of his colleague to bring about a counter-revolution 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 patriæ." Catulus died during the consulship of Metellus Celer, a. u. c. 694; "happy," says
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. Caecil. 7) rex judiciorum. This domination over the courts continued up to about the year, B.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, B.C. 685, took a leading part in supporting the optimates against the rising power of Pompey. Up to Cicero's consulship, B.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 cognoscitis, which Klotz retains. See Jordan, ad Caec. 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, quae a viris gravibus profectae auctoritatem et vim habent.—Fortissimorum. In reference to the boldness of their declarations, quoniam neque metu, neque ulla alia re deterrebatur, quin libere dicerent, quae sentirent. It is also an expression of courtesy, as clarissimorum which follows and denotes their rank as senators.

35. Tamen. 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. [Unnum.] Klotz and Madvig without brackets.

43. Tu idem. Z. 127 and 697.—Pro. See Z. 312; and P. C. 56, in fin.

1. A. Gabinium. Gabinius was tribune of the people in A. u. 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 
maritime 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 Pamphylia seas.

16. Karthaginensium. 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 antea, and Madvig [antea].

24. In navalibus 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 Antiocbus, 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 
Antiocbus 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 . . . idem.
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 nostris armis et opibus tuta.

35. Referta divitiis. 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 hiuc (e rostris) verba facere, quod potestatem illam maritimam penitus amisisset populus Romanus. Hortensius may be particularly alluded to in reference to §§ 52 and 53.

40. Exuviiis . . . spoliis. Præda and manubia 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.

1. Una lex. The Gabinian.—Unus vir. Pompey.

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, an 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.—*Expetenti ac postulanti.* On expetrere, 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. *Periculorum.* 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. Falci dius, &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 *quorum 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.


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-
cero says, *Consules spero, &c.*; and immediately adds, in order to stimulate the consuls to act, that he (as praetor), 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 praetor could in the presence of the consul 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 praetor 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. praeturae. 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. Jau 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 daturas.

29. *Socius adscribitur,* i. e. pro socio Pompeii in bello maritino habetur, ejus gloria 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: *restitat, ut . . . . dicendum esse videatur.*

34. *Quæreret.* See *P. C.* 415, s; Krebs's *Guide,* 232 (4); *Z.* 505, *Note.*—*Si . . . . poneretis, si quid eo factum est.* Notice here a double *protasis* 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 *apodosis*, 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.—*Eo. 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* *seum 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 dico.* *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 good-will of his hearers, and their attention in expectation of something more important to come. Cf. in *Rull.* 1, 7, 21.

1. *In pace consuetudini, 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. *Vai. Max.* 5, 2, 8.


8. *Vobis . . . esse visum.* That it seemed good to you, that you thought it proper.


Cn. XXI.—14. *Tam novum.* The meaning of *novum* is determined by the words *präter consuetudinem, inauditum, inusitatum*,
sineulare, inccridibile, with which Cicero below varies the expression. He introduces further variety in the construction. The first three are followed by quam and the acc. c. 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.—Adolescentulmum, privatm. See note on p. 54, line 26; and compare Vell. Pat. 2, 29, 1.

15. Conificere = 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, Ern.: non modo vidit, sed etiam studiose et frequenter spectavit. Klotz reads omnium for omni.

26. Quid tam insitatum, quam ut. So below, quid tam singulare, quam ut, and quid tam incredibile, quam ut. See Z. 623. Above, with novum, prater consuetudinem, and inauditum, the construction is the accusative and infinitive.—Due consules. They were D. Junius Brutus and Mum. 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, skilfully makes use of it here, as though it had been uttered simply to glorify Pompey.

33. Rei publicae bene gerendae, i.e. belli rei publicae 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. D. 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 prætor.

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.

Cn. XXII.—1. Videant, ne, &c. Z. 534.

5. Suo jure facere aliquid 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 . . . præponeretis. 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: Gerendus est tibi mos 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 expriments curervimus, ea subditicia et ex aliqua declamatiuncula hic inculcata esse viderunt Naugeriæ, Pantagathius, Blochius, qui subiliter 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. Quidus = ut iis.—Causa belli = praetextus, simulatio belli. Dicitur enim causam inferre, qui simulat causam ac fugit.

36. Non modo . . . . sed. Z. 724, says, When a transition from greater to lesser things is to be expressed, we usually find non modo
NOTES.

sed without the etiam. Arnold (P. C. Part 2, 505) objects, that the second is always the stronger statement. Here, though a tribunus is in himself less than an imperator or legatus, yet that a province 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, libidinem atque avariitiam. On the plural, see Z. 92.

64. Requisivit = desideravit.—Videbat, sc. ora maritima, i. e. habitatores, incolae 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 eos. 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 pretors, with the exception of a few, yearly enriched themselves from the appropriations of the public money, and that they in the name of a fleet attained nothing else, &c. From this passage it appears that the pretors, along the Mediterranean and particularly in Asia Minor, yearly received appropriations from the public treasury, for the purpose of fitting out ships; and that they embezzled this money, and applied 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.

65. Classium nomine. Z. 679.—Detrimentis accipiendis. 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 ing, 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 institutae rei publicae clarum exordium. De Rep. 2, 2. Also, superstitione tollenda religio non tollitur. De Div. 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. Jacuris, from jacere, properly the throwing of goods overboard 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 vitis magnum Quia vitis 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 *huic 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 . . . delibaretis.** 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 conspicus* may be supplied.—*Cn. Leutulus, Clodianus. Consul a. u. c. 682.—Pro.* Z. 312.

24. **C. Cassius, Varus.** Consul a. u. c. 681.—*Cassius, integritate, &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 *sapien(t)issimus 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.*

Ch. XXIV.—**33. Cum tanto 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
65 *quum*, as often as it has the meaning of *eo, quod*, necessarily requires the indicative. See *P. C.* 488 (c).

35. *De re.* *De tanto viro deligendo.—De persequendi facultate.* About our ability to carry through this choice. The numbers and zeal of the people show their sentiments.

37. *Atque* is hero explanatory. The *beneficium* consisted in the praetorship which had been conferred on him.

40. *Pollicecor ac defer*o. *Defero = ultro offero, confero, ut numerosior cadat oratio, adjectum verbo *pollicecor.*

41. *Huic loco temploque.* 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 tempulum 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 publice 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 vitæ, sc. vos defendendi.*


8. *Tantumque abest, ut . . . . ut.* And so far from seeming to have aimed at some grateful return, I even, &c. *Tantum absesse,* 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.*


11. *Non necessarias.* For I might have avoided them.—*Non inutiles.* An instance of the figures *litotœ* and *asynedeton.* 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.

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, quæ 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 ædile 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. Magnus 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. Biog. and Myth.
The oration for Marcellus was spoken in the senate, A. D. 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 Cæsar, 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, Dru- maun, R. Klotz, and Sipiele.

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.

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 Cæsar, partly by his joy upon the pardon of Marcellus, (§ 1–4.)

2. The orator magnifies the clemency of Cæsar, by comparing it with his great achievements and victories, which latter must doubtless give place to the former; for--
(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 Cæsar, 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.)

(c) Cæsar has vanquished victory, by showing the highest gentleness and favor to the vanquished, which could not have been expected from the partisans of Pompey, (§ 12–16.) Conclusion of the first part of the oration. (§ 19, 20.)

3. The orator answers the twofold opinion of Cæsar, 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 Cæsar 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) Cæsar 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 Cæsar 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.)

Page 67

Ch. I.—1. Diuturni 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 Cæsar’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 Cæsar.—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. deterritus. 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 (Caesaris) consuetudinem, quam adhuc meus 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: Statucram, non mehercule.inertia, sed desiderio pristinae dignitatis, in perpetuum tacere. Fregit hoc meum consilium et Caesaris magnitudo animi et senatus officium. Itaque pluribus verbis egí Caesari gratias, &c.—Idemque, sc. dies, initium, sc. attulit, .... dicendi. Observe the chiaslic 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 Caesar is exhibited in his control of anger, suppression of revenge, and magnanimous forgiveness of injuries.


13. In eadem causa = in partibus Pompei. The text of this oration is given from the edition of Klotz, M. T. Cicero's sämmtliche 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 fuissem is because, at the time of which the orator speaks, Marcellus was not, like Cicero, reconciled to Caesar, but still belonged to the opposite party. So also Schultz and Süpfle: Steinmetz reads: qui in eadem 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. veteri.—Illo amulo 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 Cæsar upon that colony. Steinmetz: senatus 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 actæ actatis.

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.

Cn. 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., § 30, and Ac. 2, 38, 119 : flumen orationis aureum fundens Aristotelles. Schultz with Orelli reads: Nullius tantum est flamen 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*.


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 consuescunt.—*Idque, sc. quod mihi sæpe 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 Verciugetorix, while 300,000 had surrounded him. *Bell. Gall. 7, 68, ff. Plut. Cæs. 27. Schmitz, Rome, chaps. 33, 34, 35.*

15. *Numero præliorum*. Plin. H. N. 7, 25. *Cæsar signis col-latis 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.—Dissimilituidine bellorum*. Nam alia bella civilia, alia externa sunt: alia mari et classe, alia terra geruntur. Quædam inferuntur, quædam depelluntur.


19. *Lustrate*, i. e. obite, peragrate. *Lustrare autem plus est, quam peragrare, nam qui peragrat, pertransit: qui lustrat, ambit, quo plus temporis requiritur*. Compare with this passage, *p. L. Man. 10, Qui sepimus, &c.—Quæ quidem 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. *Amens 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 ex-
pression, 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. Com-
pare Nepos, Thrasyb. 1, 4. Sed illu, &c.


27. Fortuna sibi vindicat. So Nepos, Thrasyb. l. l. plurima
vero fortuna vindicat. Compare Cæs. B. G. 5, 30: Multum quum
in omnibus rebus, tum in re militari potest fortuna.

28. Hujus gloriae, from pardoning Marcellus. Laus soon fol-
lowas 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. Laus denotes more the individual and mo-
mentary; gloria enhances the idea, and denotes the general and
lasting. Gloria . . . est conscientius laus honorum, 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. Praefectus, sc. alarum, qui equestrisbus turmis praest, 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 positam.

Ch. Ill.—37. Barbaras. The Gauls, Germans, Britons.

38. Innumerables. The Gauls, and especially the Alexan-
drians.—Locis infitatis. Britain, Africa, Spain, and Pontus.

39. Et before naturam is omitted by Orelli, Schultz, and Stein-
metz.

40. Vinci. Schultz reads vinci vi possent. Orelli suggests vinci
ut possent.

42. Animum vincere, quia animus invictus habetur. De Fin.
3, 22, recte invictus (habebitur anus), cujus etiam si corpus con-
stringatur, animo tamen vincula injici nulla possint. Compare
Horace, Ep. 1, 2: Animum rege, qui nisi paret, imperat.—Victo-
riam temperare. Z. 414. What is the proper construction of tem-
pero in the sense in which it is here used? The accusative here is surprising.

14. 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's pardon was granted, so that it seemed to come from the senate, may be all that is intended.

1. Qui facit. Klotz and Süpfle, 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 cum Priscian also quotes it.

3. Hae 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. Gerhard, 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, Lael. p. 137, fg.

5. Nec ulla unquam. Krebs' Guide, 527. Z. 738.—Sed tamen ejusmodi res ... obstrepis ... 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 construed impersonally, as Liv. 3, 49: Decemviro obstrepitatur. So too the infinitive of the passive is impersonal, and requires the quasi auxiliaries soleo, possum, vidco, &c., to be impersonal, although vdeo 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 arriderentur. Compare for a similar conception, Horat. Od. 2, 1, 17.—Nescio quomodo. Z. 553.

10. Quae natura insolens. Cf. ad Fam. 4, 4, 2: Victoria, quae civilibus bellis semper est insolens; and 4, 9, 3: Victoria, quae etiam si ad meliores venit, tamen eos ipsos ferociores impotentioresque reddit.

12. Sed etiam in fictis. Compare Lal. 7 24. Eleganter gers-
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 Spal-ling defraud, some adopt the conjecture of Faernus, and read sensusque eos, which Jacob also advocates. *Eos*, i. c. tales, smooths 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 = *vir ille maxime auctoritatis*. Others understand it of the former authority and dignity of the senate. Jacob explains it as illi senatores adhuc exulantes, 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 affect-ion 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. 703. He appears to have perished in the civil wars. For incomparabili Orelli, Schultz, and Steinmetz give *conmemorabili*, which variation Klotz 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, *lacrimus*. Sicut C. Marcelli vultus lacrimis, its pectus Ciceronis dolore suffusum est.


27. Gratulationibus. Days of rejoicing, festival days.—Anteponis. So Klotz and Süpfle, from Erf. and 3 Oxf. MSS., for the common antepones. The present suits the confidence of the presumption. In the following passage, down to afferet laudibus, Klotz defends from MSS. his variations from the common text, which differs in several particulars. The chief difference is in ut nulla tropæis, where the usual reading is ut tropæis, 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 uella, and below, florescat, instead of either florescet or floescit. 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. Consiciat 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 .... tantium. 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 Cæsar, 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 vicesse 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, Praelac facis quum puerum diligis, you act a most noble part in thus loving the child.

41. Ipsius 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  Cu. V.—1. Atque hoc . . . judicium . . . quam late patcat attendite. This turn of thought could be only agreeable to the senate, and not offensive to Cæsar, 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 Ciceron?

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 humili. 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: Quum eos, inquit, C. Cæsar, qui contra se pro Pompeio arma ceperrant, 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 meam 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 obligation, not to serve the interests of the state. See ad Fam. 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 Süpfle'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-
quisite information. See Donat. ad Terent., Eun. 4, 1: Prudens est, qui intelligentia sua aliquid sentit; scien
ti, 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 capitis 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, orgo. Orelli, Schultz, and Steinmetz: jam nemo, and below, rerum estimat
or... Cæsaris 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 abhorrisser. Cicero, having attributed Cæsar’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.

nare aut otiosum, ut hic, aut superfluum.


37. Non enim jam causæ, &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 Cæsar 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. Cæsar, perished but in battle. Suet. Cæs. 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-
NOTES.

70 Self meditated vengeance. Cicero says of him, *ad Att. 9, 10, Sullaturit animus ejus, et proscripturit diu.*

42. Excertaret, in reference to *perculit = excitaturus esset.*

43. Alterius vero partis, sc. Pompeium. *Construe Nikil vero amplius dicam, quam nimis irac. fut. fuisset victorium alterius p., id quad, &c.* For the sake of emphasis and contrast, *Alt. p.* are placed first.

2. Armatis, here refers of course to the followers of Cæsar, and = adversarii.—*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. clementiae et sapientiae.


13. Felicitati tuae gratulabere. This Cæsar 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 Garaton. *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.*

20. Commodata. Loaned. *Ut eadem, quæ dedit, auferre tanquam sua possit, nam commodata redduntur, donata retinentur.—Noli ... defatigari.* *Z. 585 and 586.* Compare *p. Lig. § 37.*

22. Aliqua. Orelli and Schultz place *aliaqu* after *praxitate.*

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.—27. *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 Cæsar 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.—*Atrociissiam suspicicionem.* *Atrox* from *aler,* as *ferox* from *ferus,* *velox* from *velum,* with the final syllable ox (*oculus*) related to ὥψ,
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 *atrocity, atrocy res, atrocy injury*, 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 *atrociissima*. The *atrocity* is estimated from the circumstances; e.g. Quintil. 6, 1, 15-18: atrocity croucit ex his, quid factum sit, a quo, in quem, quo animal, quo tempore, quo loco, quo modo; quae omnia infintos 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 minium 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.


5. Dum taxat. Z. 274.


10. Sceletis . . . insidiariurnque consensio = scelestarum 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. Caes. 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 diffuxerunt.
NOTES.

17. *Non fuit recusandum* .... *quin* = fieri enim aliter non potuit, .... *quin*. Orelli, Schultz, and Steinmetz, *tantoque*.

18. *Quassata*. As the ship of state is a common figure, so *quassata* is figuratively applied as if speaking of a wreck.

19. *Ornamenta dignitatis*, in reference to external splendor; *prasadia 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.


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. *Cæs. 45* and 86.


26. *Fortasse*. Cæsar was now over 54 years old, therefore the language is qualified. Or., Sch., and St., *naturæ fortasse*.


29. *Esse sapiens* = philosophari, but with distinct allusion to the stoical wise man, as an ideal character. Orelli, Schultz, and Steinmetz, *sapiens esse*.


32. *Tibi .... soli natus esses*. Compare *de Off.* 1, 7, 22.


34. *Tantum abesse 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, *tua vitæ*; and below, Or., Sch., and St., *quidem tua*.

38. *Quamvis sis sapiens*. Sapiens enim gloriam, que virtutis fructus est, non quærit, ipsa virtute contentus.

39. *Parumue .... gloriam magnam*, i.e. *parumue gloriam, qua est magna, alijus ponderis*. We need not, therefore, read with Weiskel *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 *magn.* 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. *Admirationis... gloriae.* So below, § 28, *mirari* and *laudare* are opposed to each other.

3. *In suis cives.* Sermo est v. c. de uno pluribusve civibus servatis. Orelli. Schultz and Steinmetz omit *cives*. Orelli and Schultz read *per vagata multorum et magnorum*. Compare *Phil. 1, 12, 29.*

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 *constitutas caeque tu in primis composita cum summa, &c.* *Componere* is used especially of the peaceful settlement of disputes, civil disturbances; *constituere*, 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.


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. *Corporæ 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, ludos gladiatorios, Circenses, naumachiam.* Public festivals, considered as presents or donations to the people, are often so called. The old reading here was *monumenta innumera*, which Steinmetz retains. But *innumerus* is not a Ciceroian 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 = innonctet quam plurimis, sed sine constant.e 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.*
29. Requirent, is here a softer term for reprehendent.
34. Sine cupiditate, i. e. sine studio partium, unbiased by party
calc. Below, Or., Sch., and St., etiam si tunc.
36. Quidam. The Epicureans.

Cf. X.—39. Distracta, contrariæ. It is explained by consiliis
et studiis . . . dissidiebamus, 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 castris are
like the preceding substantives, abl. cause and = propter arma et
casta, quae secuti eramus. This chapter appears to begin abruptly,
and without easy transition from what has gone before, unless we con-
sider it to be a more circumstantial repetition of what has preceded,
in order to lead Cæsar 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 quædam, utra causa esset melior, justior. Orelli,
Schultz, and Steinmetz read autem for enim before obscuritas.
42. Clarissimos duces. Pompey and Cæsar.
43. Optimum, utrum tecum an cum Pompeio essent.—Expedi-
ret, utile esset; deceret, conveniret, pro gestis honoribus, for in Pom-
pey's camp were the higher in rank. Cf. p. Deiot. § 11.
44. Liceret, fas esset, sc. deserere partes amici et transire ad Cæ-
sarem.

1. Misero fatalique 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 erepta 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 addi-
tion 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 erepta. In the first clause it introduces the active subject; in the
second, the suffering person from whom the weapons were wrested.
6. Liberatus . . . . tamen. Z. 635. Below, Orelli, Schultz, and
Steinmetz read sit melior and armis et extincta.
15. Hæc, hanc urbem. See note on p. 15, line 20. In the next
line, Orelli, Schultz, and Steinmetz read ut vitae, 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 Cæsar 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 = oppositiones, an ἀπαξ λεγόμενον in Cicero. So positus, appositus, and other compounds, occur for the form in io.

Ct. XI—21. Ut. Klotz has admitted this conjunction from MSS., by which the sentence is more compactly connected and rounded. So also Steinmetz, Süpfle, 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 erepta, § 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 mili carissimum, sed multo fore carior em, &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 necesse dicere, a me certe dicit volunt, cui necesse est quodam modo, quod volunt; et quod fieri debet, et quod, M. Marcellus 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 debet; and præcipue a me fieri debere, or præcipue id a me fieri debere, 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.
29. Quod autem, &c. The construction is, Quum autem præstiterim tamdiu, quandiu dubitatum est de salute illius, id, solumcitudine, cura, labore, quod est summa benevolentia, (qua ... ne-mini) certe debeo præstare hoc tempore (sc. id, quod summa 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 Fum. 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 solum conservatus, sed etiam ornatus sim, tam-en.

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 perturbation sit, for ut dicat 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.D. 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 procurator. 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.D. 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.D. 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.D. 710.

Appian speaks of two brothers of the name of Ligarius, who perished in the proscription of the triumvirs in A.D. 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 Quintilian (cf. 10, 1, 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 (§ 25-25);
(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);
(d) He in a few words alludes to the glory which Caesar 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 Caesar'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, Caesar, 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 propinquii. 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. Aelius 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 Caesar, which doubtless formed the gravest part of Tubero's charge.—C. Pansa. C. Vibius Pansa was consul with Hirtius, a. u. c. 711. He died at Bononia (Bologna), from a wound received in the first battle with Antony, near Mutina (Modena). When tribune of the people, a. u. c. 703, he, with his colleague Cælius, opposed the decree of the senate to appoint a successor to Caesar in the command of the province of Gaul. The intimacy and affection which existed between him and Caesar may be learned from ad Fam. 6, 12. That the words prestanti 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. Audeo 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 profiterti*, rather than by *confiteri*, but of a simple acknowledgment or admission, although it may be a forced or unwilling one. Matthiae adds, as the complement of *confiteri*, “*se quoque cun Ligario in Africa fuisse;*” Soldan more correctly understands *idque* or *novum istud crimen.*—Vertan. P. C. 109; Z. 552.


10. Quum ..... seccrit. 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.


13. Quum ..... impetrvissent. P. C. 343, 344, 353, 358. The pluperfect subjunctive stands of a past action in reference to an action also past. Z. 505, f.—*Culpæ, voluntary; errati, involuntary.*


15. Hoc confitentem. So Orelli, Madvig, Süpfle, 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
ORATION FOR Q. LIGARIUS.

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 Gætulians, a. u. c. 707.

22. Et civibus. Civibus Romanis, qui in Africa negotiabantur. — Et sociis. The provincials.— Decedens. This is the verbum proprium 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 . . . . praefectisset. 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 questor, 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 crimine 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 quem devo-visset Diana, quod in suo regno pulcherrimum naturam esset illo anno, immolavit Iphigeniam, qua nihil erat in eo quidem anno naturam pulchrior. 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 Cæsar.—Exarsit expresses the suddenness of its outbreak.

28. Cupiditate inconsiderata. From thoughtless party zeal, because they favored the cause of Pompey.—Cæco quodam timore. From a blind (mistaken) fear, of Cæsar. For though friends of Pompey, they had nothing to fear on that account from Cæsar, if they took no sides against him. On quodam, see Z. 707.

29. 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, lied as a private citizen (vir praetorius), 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.—Praetor Africam obtinuerat. A few years before, after his praetorship, he had been governor of Africa. Praetor was a common name of all governors of provinces.—Uticam. After the destruction of Carthage this was the chief city of the province. It was situated on the sea, 27 miles from Carthage, and celebrated for the death there of Cato Uticensis.


5. Si illud imperium esse potuit. Imperium enim magistra-tus lege Curiata, privati senatus consulto accipiebant.

6. Ad privatum clamore. The Erfurt MS., with several others, reads a privato clamore, and this reading Klotz, Schultz, and Soldan adopt. Benecke, without adopting it, inclines to regard it as the true reading. He remarks also on the not unfrequent use with passives, of the preposition ab in connection with nouns which denote things, where either the source is indicated or the thing personified.

7. Qui... superet. P. C. 481; Z. 564.

9. Conquievit, i.e. nihil agens restitit, nihil publice suscipiens remansit. 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 Ligarius enjoyed from the cares of the administration, which had been the more burdensome, because of the disturbances of the more violent partisans of Pompey.

Cf. II.—10. Adhuc, &c. Compare Quinctil. 4, 2, 51: Si... in longum exierit ordo rerum, erit non inutilis in extrema parte com-monitio, quod Cicero etiam in brevi narratione facit: Adhuc Caesar; and 108: argumentabimur (in narratione) nunquam; argumentum ponemus aliquando, quod facit pro Ligario Cicero, quum dicit, sic eum provincia praefuisse, 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. Expediret. P. C. 62; Z. 531. The subject of expediret is pace esse, i. q. pacis continuatio. Z. 597 and 600.

16. Non turpem. 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.—Uticae quam Rome. Potius is commonly read after Uticae, and it is not an uncommon plenasm 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.


26. Hic æquo animo. Potuitne hic æquo animo esse in bello sine fratibus, qui in pacatissima legatione sua fratrum desiderio conficebatur?


30. Prodo meam. 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. influ. is equivalent to in defendendo dicit, or defensionis loco dicit, contendit.—In ea voluntate. Cicero speaks with circumspection, using voluntate and not factione. Ligarius had, to be sure, stood on Pompey’s side, but by compulsion, not of free choice.

34. Quid tibi de alio audienti 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.

NOTES.

CH. 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. Oboriatu. 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 Quinctil. 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 Cæsar. 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 Cæsar 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 . . . quae judicio, considerate constantisque delata sunt; and 1, 9, voluntate fieri.

41. Apud quem igitur hoc dico? See Quinctil. 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. Cæsar 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 Cæsar's friends to obtain his pardon. He finally received from Cæsar 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, quan ante bellum civile habuissem. P. C. 55; 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 wreathe their fasces 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, quæso, &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. Säpfle 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 sineullo metu de meo facto coram Caesare loquar, facile intelliges me de Ligarii facto, re minoris momenti, aeque 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.
10. Propter proinquum 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 propter. 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 destictus. This order, which throws the force on destictus, is given by the MSS. and best suits the passage.
17. Agebat = spectabat, propositum habebat, as in the phrase, id agere ut.
23. Hic. Cæsar.—Possemus. P. C. 58; Z. 531.—Quorum . . . eorum. 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. Etiam 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.


29. Agi may be taken absolutely, or *causam* can be supplied.


32. Hec 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, *exterui isti sunt mores*; . . . *incitari solet odio aut levium*, &c. Klotz, Benecke, Süpfle, Soldan, and others reject *sunt* and read *incituri solent odio*, &c. The sense then is as follows: Externi isti mores, hoc est, non Romani, qui graves sunt, sed exterorum populorum, ut aut levimn Græorum aut immanium barbarorum, solent odio aliquo suscepito ac penitus insito ad saugninem petendum incitari. Benecke makes the following genitives depend on *odio*; Süpfle more correctly considers them as a supplementary explanatory appendix, limiting or determining *exterui 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. Ne 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 *consorinus*, 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 *aminitus* 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 Tbiero 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, que sunt acerbiora, breviter concludere, ut illud quoe proximum, Italia prohibetur, exsulat*.


Page 77
NOTES.

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 Cæsur, as president of the *questio de sicariis,* extended the prosecutions to those who, during Sulla's proscriptions, had murdered Roman citizens for money. See Suet. *Cas.* 11; Dion Cass. 37, 10. Benecke considers from *quæ tamen to vindicata est* an interpolation.

Cn. 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 Lamiae, Pæti, &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,* *doctrinae.* Klotz and Soldan, with Ernesti, remove the comma and connect them with *doctrinae.* 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.


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. Cæsar. 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. [Dom] petimus. Since this cause was argued in the forum, it seems necessary to erase domi, or read petimus. Madvig omits domi. Matthæus 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. Beneck would read, Quod nos petimus .... oppugnabis? .... repente irruisses .... misereatur .... Quanto hoc durius, id te in foro oppugnare et in tali, &c.—Precibus, lacrimis. Omittenda est copula et, propere qua 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 ... cœpisses: ... nonne ... exuisses. P. C. 435 (d), 437 (d); Z. 524.—Quum ... faccremus. 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.—Irrupisses. 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 misería .... 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 misericordiæ. The refuge of mercy, i.e. the refuge which the wretched find in Cæsar's clemency. Compare note on p. 26, line 16. In Manil. § 39 the construction is different.

25. Si ... non esset .... redundaret. P. C. 435.

26. Per te .... obtines. Possess naturally. Cf. ad Fam. 6, 6, 8: in Cæsare .... mitis clemensque natura; and Sall. Cat. 54; Suet. Cæs. 71. For quantam, Benecke, Klotz, Soldan, and Madvig read quam.

27. Intelligo, quid loquar. An aposiopesis which means more than it says. Tacuit enim illud, quod nihilò minus accipimus, non
NOTES.

78 deesse homines, qui ad crudelitatem eun 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 miscricordem.—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.—Quam... 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. Saluti 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. Saluti esse alicui 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... alicius. P. C. 391, 392; Z. 708.

38. Aliud... alind. 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: nee considerate minus, nec minus amice. Klotz, Soldan, and Madvig in this line also read aliu est.—Tunc diceres. Z. 528, Note 2. Benecke and Madvig: Tum diceres.

43. Abjicet, 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 Ch. 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. Alli 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 of varty men who looked no farther
than their party; odium, groundless hatred of Cæsar; pertinaciam, downright obstinacy in the cause they had espoused; temeritatem, an inconsiderate 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.

10. Fatalis quaedam calamitas. In eandem sententiam Cæsar in or. ad senatum apud Dion. Cass. 43, 17: Ἐκλαθόμενοι μὲν πάντων τῶν συμβεβηκότων, ὡς καὶ ἀνάγκη των δαμωνία γεγονότων. 


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 exsili mi seriam quæris.

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 egit .... nisi ut .... tueretur. 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. quae mihi tecum convenit, and quae inter regem Pausaniamque convencerant. The persons are often unexpressed, when they can be easily supplied; e.g. conditiones non convenerunt, 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 præda non conveniret. 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. 312, fg) rejects dissidium 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, nulium esse Latinum vocabulum dissidium, id autem, quod est, discidium, ita late patere, ut non solum ad eorum separatio- nem, qui in diversa loca distrahantr, pertineat, sed ad omnes, quorum conjunctio, etiam animorum vinclo astricta, prorsus tollatur et in im- micitias convertatur. See Seyffert's Latius, p. 152, fg.—Utrisque cupientibus. Aliter loquitur, quum oratorem agit, aliter cum amico. Cf. ad Att. 8, 11: Dominatio, quæsita ab utroque est: non id actum, beata et honesta civitas ut esset; 10, 4: Utrique semper patriæ sal- lus et dignitas posterior sua dominacione et domesticis commodis fuit. On the plural of uesterque, see Z. 141, Note 2.

30. Partim consiliis. Some through upright views.—Partim studiis. Others again through party feelings.

31. Pœne par. Par closes its clause with emphasis, and is repeated at the beginning of the next clause with equal emphasis. This figure is called anadioplosis.
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. i. Cæsarianis anteponere 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.


Ch. 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 of Benecke, Klotz, Soldan, and even Madvig in his edition of the Orations.

40. Poteramusue, sc. in Africam non venire. Could we avoid going into Africa.—Si me consulis. The expression is borrowed from the lawyers, qui proprie consuli 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 erat. 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. Qui noluit. For any who did not choose to obey the senate found a refuge with Cæsar. Ernesti wished *qui nollet*; but the sentence is merely explanatory of *nemo*, and therefore the indicative is correct.

1. Generi, nomini, &c. As one of the Ælians 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. Tuberonis, i.e. Lucius Tubero the father. The senate every year determined which should be consular and which prætorian provinces. The prætorian provinces, which were six in number after the reduction of the Spains, 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 affere, 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 necessituidines, i.e. omnis generis. So p. Sest. 17, 39: *quocum mihi omnes erant amicitiae necessituidines.*

7. Militiae contubernales. Military *chums.* The centuries were divided into contubernia, consisting of ten soldiers, who quartered under one tent. *Veget.* *dc 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 alicujus contubernio esse.* Cicero and Tubero were tent-mates in the Marsic war, under the consul Cn. Pompeius Strabo, a. v. c. 665.—Post *affines.* See note on p. 75, line 2.


10. Voluiisse. 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 defined by the following clause: *ita . . . opponebat.* By *quidam* some suppose reference is had to Pompey, others, to Cato. Sed de his mortuis tecte loqui vix quidquam attinebat. Ego interpreter de M. Marcello, quem significat tantummodo ne Cæsaris in eum odium reflexet. Sic ex optimorum Codd. testimonio ejus nomen siletur etiam in § 37. Orelli.

14. Parult. Nam cedere voluntatis est, parere observantiae.—Quorum erat una causa. Who agreed with him in political sentiments.

16. Nam, si crimen est ullam voluisse, &c. This passage is variously read and explained. Some give: nam, si crimen est prohibere illum 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 crimen commissisist, qui Africam . . . obtinere voluiistis, quam alius quis (v. g. Ligarius), qui eam obtinere maluit. Madvig points si crimen est illum, voluntas 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 aliquis. And yet that "aliquis" 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 illum habet. However that may be. Z. 521, Note. Al. illum se habet. The common text gives sese.

24. Tradituri finistis. 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 Cæsar or Pompey. If you say for Cæsar, even Cæsar 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, cujus . . . . interfuit, id
est apud te. Ipsa precedes as being the leading notion, and the per-
sonal pronoun follows as explanatory.
31. Esset etiam probata. Quia non honestum fuisset, injussu
senatus eam Caesar tradere. Vel secundum proverbium: Proditio-
orem amo, proditorem odi.
32. Non tam. Klotz and Soldan from MSS. read non tam pro-
ter id, ne, &c.
34. Veniebatis. You attempted to enter. Z. 500, Notc.
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 victoriae. Pharsalicae. Huic victoria = victoria que
nunc nobis grata est; or victoriae, quam Caesar, qui hic adest, conse-
cutus est.
36. Rex potentissimus. Juba, son of Hiempsal, and king of
Numidia according to some; of Mauritania, or both, according to oth-
ers. 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 diffi-
culties with which Caesar had to contend in Africa. These are the
unfriendliness of Juba, the hostility of the province, and the conventus
firma atque magni, which some understand of the Roman citizens
there congregated for business.
38. Quid facturi fuistis. Z. 498.
read non dubitem, without the interrogation.—Quum videam, &c.
Video enim vos Africa prohibitos in Graeciam ad Pompeium ivisse.
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
significat: Auctoritas amplissimi viri, non causa vos ad belli societatem
adduxit.
43. Quod si . . . . veniebatis . . . . venissetis. Observe the in-
dicative in the conditional clause, and the subjunctive in the conse-
quent 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. Quae est ergo. Klotz and Soldan: quae est hae ergo.

2. Accusetis. 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 vultis. Benecke, Klotz, Soldan, and Madvig: si vultis; and, except Madvig: gloriari per me licet. Also in the next line, Benecke, Klotz, and Soldan 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 Cæsari tradere.


8. Privaverit. Z. 564.

Cn. 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 eos ipsos. Klotz and Soldan give a quibus partibus . . . . ad eos ipsos, making it an instance of the constructio ad synesim.


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 Cæsar, 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 imperite.

26. Secutus esset. Benecke reads secutus erat, referring to Z. 547, Note. So also Klotz, Soldan, and Madvig.—In Macedonia, &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.

28. Quum ista res, &c. Quum Pompeius ista injuria vobis illata vestrisque querelis commotus non esset, ut signum daret alienate a Ligario voluntatis.


30. In præsidii 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 fit, &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 *** indicates a lacuna. Exciderunt, quæ proprie de Tuberonum 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. Hauc salutem, a Cæsare victore acceptam.—Illi victoriae, de cujus crudelitate timebamus.

Ch. X. — 40. Beneficii sui. Erga vos quorum constantiam (in Pompeiana causa) non ignorabat. Auget Cæsaris clementiam, et simul Tuberones carpit, quum eos non penitere constantiæ sua dicit.

41. Vestras injurias. Z. 424.—Rei publicæ. Ejus, quæ nunc est, et Cæsaris consilio ac sapientia gubernatur.

43. Qui . . . 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 Quintil. 10, 1, 114, the only man fit to be a rival of Cicero: since (in his pithy expression) *eodem animo dicit, quo bellavit.* See Cic. Brut. 72–75.

5. *Dum te in foro, &c.* a. u. 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. u. c. 692, at the age of thirty-eight.

6. *Ignoscite, judices.* Hæc esset deprecatio; quam locum habere in senatu et apud populum et apud principem et ubicunque juris clementia est, disputat, Quintil. 7, 4, 18.—*Erravit,* judicio.—*Lapsus est,* facto.—*Non putavit,* i. e. non reputavit secum. The same as te-mere fecit below.


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. quam 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.

14. *Ad parentem.* Benecke, Klotz, Soldan, and Madvig read *apud.*

16. *Ignoscas.* Soldan and Madvig read *ignoscatur.*

18. *An sperandi.* Quintil. 5, 10, 93, calls this *comparatio ex difficiliore;* for it was obviously more difficult for Cicero, who was al-
Page 306

NOTES.

ready indebted to Cæsar for his own, to urge the pardon of another, than for that other to hope for a pardon. But this being done, Cæsar would hardly forfeit the glory of his clemency, gained in pardoning the one, by refusing the same pardon to the other.

21. Tui necessaria. We might expect tuorum necessariorum, 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. Beatiore. Beatus qui multa bona possidet. Cicero does not mean that they were happier than Cæsar, but as we say, “better off,” “wealthier.” Cæsar 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 dono 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 Cæsar. 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 Cæsar an asylum during the proscription of Sulla, and he may have tried and proved their valor in his legions.


37. T. Brocchi . . . . lacrimas 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 hanc Brocchorum domum.

5. L. Corfidium. By a lapsus memoriae 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. Minabantur. Benecke and Klotz: minabamur. By non-nulli we may suppose Pompey, Lentulus, Scipio, and Fannius are intended, not Cicero who strongly censures those who threatened the neutral. Therefore Minabantur is preferable.—Tuis suis. 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 . . . . fuisses, i.e. domi remansisses.

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
83 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 fuisset and fuit appear to be correct, though the latter is more frequent, while the Erf. and other MSS. here defend fuisset.

16. Consensus conspirantem et pœne conflatam. Concordant, and, as it were, moulded into one.


22. Sed fuit. But take it in the worst point of view, admit that he did go to the war, &c.

23. Discenserit. Benecke, Klotz, Soldan, Madvig, and others read dissemerit.

25. Qualis . . . . T. Ligarius . . . . fuit. 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.


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 aliis quibusdam quæstoribus. Wunder and Klotz understand these words of quæstors 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 quæstors, perhaps greater than those of Ligarius, you will still bear in mind something of the service which Ligarius rendered.” Klotz also retains cogitāntem after quæstoriō officio.

31. Nihil egit. Had no object in view, was quite disinterested.


35. Dederis . . . . condonaveris. Z. 511.

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. Marcellum* 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.


5. Quam ut possis ... quam ut velis. Poterat etiam dicere *quam quod potes, quam quod vis*. Sed significare maluit, ut posset et vellet, fortuna Cæsaris et natura effectum esse.

6. Forsitan. Z. 728.
THE ORATION FOR KING DEIOTARUS.

INTRODUCTION.

Deiotarus was a noble tetrarch of Gallogrcgia 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 Gadilonitis 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 Cæsar, relying upon the friendly relations which had previously existed between them. Accordingly, while Cæsar was employed in Egypt, Deiotarus offered to Cn. Domitius Calvinus, Cæsar'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 Cæsar, 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 Gallogrcgia, Cæsar 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."

Cæsar, after this victory, proceeding to Asia, by the route of Gallogrcgia and Bithynia, became the guest of Deiotarus. He took from him, however, the tetrarchy of the Trocmi 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, Cæsar 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 Cæsar at Nicæa 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 Cæsar returned from Spain, a. u. c. 709, Castor the grandson of Deiotarus, by a daughter who was married to Saocondarius, 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 Caecelius Bassus. Deiotarus sent
an embassy to Rome to look after his interests, and with them his slave Phi-
dippos, 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
Cesar'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 inconsider-
ate 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 improba-
able 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
impudently 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 fa-
vor of Caesar in behalf of the two kings, the father and son.
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, discoprocapiete. Caput signifies both natural and civil life—the sum of civil rights and privileges.

2. Commoveri. Compare Divin. in Cæcil. 13 in; 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, Cæsar, being also judge; 4. The place where the trial was held, sc. the house of Cæsar.

7. Regis, emphatic, instead of ejus, illius, for the kingly dignity was sacred and inviolable. See p. l. Min. § 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 Cæsar's peril, the whole state was in danger.—Reum capitis esse. P. C. 188.

10. Quem ornare. Cf. 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 ornando 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 cuquam necessitas accidere possit, quam accidit nobis! in qua quid facere potuissem, nisi tum consul fuissetem? 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 crudelitate. Because his grandson Castor was the accuser of his grandfather.—Alterius indignitate. Because his slave Phidippus had appeared against his master.

14. Cruidel 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 adjective before as after it. Cf. p. Mil. § 33: vivo Milone, ne dicam consule. Hunc accusativum o sequentibus ortum esse arbitror: atque omnino initio orationis exclamatio minus apposita videtur. Orelli.

15. Nepos. The son of his daughter, who had married Sacocondarius.—Adduxerit. The subjunctive expresses not merely some additional characteristic, but the conception and feeling of the speaker. Z. 554.—Adolescentiaque sua terrem = terrem a sua adolescentia s. a se adolescente, prefectum. 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. Debebat. 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 hominum formosos et litteratos.

20. Fugitivi. This is said contemptuously of Phidippus, since when sent with the other ambassadors to defend Deiotarbus, he had abandoned his cause. His object, in speaking so contemptuously of his servile condition, is to make the accusation of Deiotarbus 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 gener.

22. Os, quo impudentiam praebat.—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 utrisque 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. de servis questione s. 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 Philippus—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. Illud, Referring to what follows. This circumstance, sc. your being judge in your case. The third cause of his fear. Matthew 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. Equiorem = more favorable, kind.

11. Non enim. Z. 808.

12. Quid . . . judicaret. Namely, that you are a friend of justice and humanity. By this praise of Caesar he hinted what Caesar ought to be; particularly that it was foreign to his clemency to condemn in his own cause. Caesar'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 Caesar, 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: Praef. Declamatoria virtutis Latronem Porciun unicum exemplum quum pro reo in Hispania Rustico Porcino propinquo suo diceret, usque eo esse confusum, ut a solacismo inciperet, nec ante potuisse confirmari tectum ac parietes desiderantem, quam impetravit, ut judicium ex foro in basilicam transferretur. Usque eo ingenia scholastici exercitationibus delicate nutriuntur, ut clamorem, silentium, risum, caelem denique pati nesciant.


16. In qua oratorum studia niti solent. Z. 466

17. Aequiesco. Not so strong as gaudeo, delector, but = tuos oculos, indices benevolentiae tuae, quam intueor, timere desino. Z. 416.

19. Quae. These things; referring to what has been mentioned in the preceding clauses.—Obtinendae veritatis. 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
the truth; though it was of little weight in rousing the eloquence and ardor of the speaker.


21. Cujus omnem actatem in populi Romani bellis consume, &c. The first expedition of the Romans in Asia, occurring in the time of Deiotarus, was that of Sulla, A. u. c. 662, to restore Ario-barzanes to his kingdom of Cappadocia. He had assisted the Romans in the first Mithridatic war, in the time of Sulla, A. u. 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 caelum... 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 caelum, forum, and curiam.

30. Maxima causae, i.e. longe gravissimae, 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 ingens. 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.


Cu. III.—39. Affectum, &c. Cæsar had deprived him of the trunchery of the Turoemi, 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 incommodis et detrimentis. Instead of the mild language here chosen, compare the harsh words used by Cic. Phil. 2, 37, 94: Quis enim cuquam iniurior, quam Deiotarum Cæsar? &c.—Propter affectionem 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 sentendi; 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 iucundiis 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 ita trado de manu, ut aiunt, in manum tuam istam et victoria et fide praestanter.

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?—Ara facique. 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, Süpflie, 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 Cicero 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,”
&c. Queri cum aliquo = exprobrare alicui acceptam injuriam. 

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 fuisset. 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, tu tantum excusatione utere, quia senex es.

15. Ipse, sc. autem. Z. 781. Benecke, Soldan, and Madvig: si, quum auxilia Pompeio vel etiam filium misisset, &c. Soldan: ipse tamen; and Benecke: ipse tamen excusatione etatis; Klotz reads si quum 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.


Cf. IV.—20. Progressus, sc. ad aliquid moliendum. Additum est concinnitatis causa, ne, quum in sqq. errore communi additum haberet lapsus, odio tui suo participio fraudaretur. The complement of progressus is omitted to avoid any invidious allusion. Klotz gives progressus est . . . lapsus cst.—Errore communi. Cf. Phil. 11, 13, 34.

21. Honorificentissimis. 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*) universum Deiotarum dicit, qui se nutatus auctoritatem maximi facere consuevisset, perturbatum esse isdem rebus, quibus eos, qui minus perturbari debuerint, dèinde (*§ 11*) has res et hanc perturbationem singulatim describit." Klotz, from MSS. which give *quique eum illum, &c., oder quique eum illum, &c.,* formed the period as given in the text, and was followed by Orelli and Süpfe. Madvig and Soldani: *quique eum ordinem . . . versati* IV. 11. *Quum audiret,* &c.

21. 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 Deiotarum'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. *Consulibus.* 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 Cæsar 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 Cæsar towards the city, the optimates fled, and joined Pompey in Greece.

35. *Ad Orientem,* i. e. to Asia where Deiotarum was.

36. *De conditionibus tuis.* Pompey demanded that Cæsar should deliver his army and province to a successor, previously to his suing for a second consulship. Cæsar 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 hominum.* 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. Ignoscere. 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 congrerere 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 congrerere 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. Tu ipse. 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.—Tuœ res gestœ. See note on p. 36, line 31.

3. Honores populi Romani, a populo Romano in Pompeiun collati.

4. Quantî 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, commemorat; itaque omnia breviter comprehendens tantam ait fuisse Pompeii gloriae præter cetera praestantiam, quanta nunc Caesaris sit. Madvig.


Cu. V.—9. Ad cum 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 fuglentem, &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 praelio facto. The fifth excuse, from the subsequent conduct of Deiotarus.—Discessit. Nec tamen continuo; Pompeium enim ex Pharsalico praelio profugum secutus, in Cilicia vel in litore Icario expositus est, ut Orientis regna in auxilium illius conicitaret.

17. Infinitam = positam in bello, quod quando finem habiturum esset, incertum erat; vague, uncertain.


19. Utilitatibus 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 Pharmaces, the son of Mithridates, by whom he was defeated in the neighborhood of Nicopolis.—Amplissimi viri. Z. 793.

21. Suis 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 Pharmaces. Hirt. Bell. Alex. 34, 35. Hoc tamen loco potius 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 Cæsar, who was at
that time prefect 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 Plunc. 11, 27.

23. Iterum. In the war against Pharnaces, in which Deiotarus
took part. B. Alex. 68–77. So Manutius and others; but Orelli re-
fers it to the Alexandrian war.—Tertio. In the African war, A. u. 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 carens.
Compare p. Mil. 32, 88: Cæsaris potentium suam esse dicebat; and
36, 100: Eam fortunam, quæunque erit tua, ducam meam. Phar-
naces, however, was more the enemy of Deiotarus than of Cæsar.
Cf. Bell. Alex. 34.

28. Amplissimo honore et regis nomine. A senatu jam rex
appellatus erat; sed Cæsar ei, quumquam 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-
lieved 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 sua. 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 .... ju-
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 Cæsar, his fortune, the favors he had bestowed on De-
iotarus, the gratitude of Deiotarus, and adds lastly, his danger if he
had attempted Cæsar’s life.—Cujus tanti = quanti er cujus tam
magui. The genitive by Z. 448.

33. Deorum penatum. The tutelary gods of his family.

34. Importunitatis. Barbary, destitute of all sense of proprie-
ty, 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 Cæsar, 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, Rhaseypolis, Ariobar-
zaues, Tarcondimotus, Mithridates Pergamenus, and Ariarathes.

42. Filio. Deiotari regis, et patris et filii, et magnus et nostro
more instructus exercitus; summa in filio spes, summa ingenii in-
doles, summa virtus. Phil. 11, 13.—Distractus esset = would have
been at variance or discord, would have quarrelled with, fallen out
with, &c. Plerique etiam unum exponunt "discerptus, dilaceratus,"
quum sit "a societate divulsus esset, in maximum odium omnium,
etiam conjugis ac filii, incidisset." Hoc patet partim ex ἐνδεχεσθαι ἐκτισ-
simo, partim ex eo, quod dicit etiam cogitato scelere futurum fuisse,
ut distraseretur. Tantam enim crudelitatem Cæsari, apud quem
verba facit, impundare non poterat, ut is detecto Deiotari perfido con-
silio atque occupato, etiam conjugem et filium regis, homines prorsus
innocentes, laceratus, discerptus, id est, necatur us fuisse. Orelli.


Ch. VI.—1. At, credo. An objection. All that you have men-
tioned as improbable in Deiotarus, becomes easy if he is a rash and in-
considerate 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 rectior, 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, con-
sistent, one whose judgment is correct and sound. But Orelli explains
tectior as: Metaphora petita ab gladiatoribus, qui, uti debent, contra
ictus adversario rum sese tegunt. Non igitur inest in his verbis mal-
ligum calliditatis reprehensio.


6. Cui porro. Z. 419. Nay, farther; a correction of the prece-
ding sentence: I said that Deiotarus's virtues were known to you;
nay, the whole world has heard of them.

8. Quod igitur. He draws the conclusion from the acknowledged
probity and prudence of Deiotarum. 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.

10. Idem. Z. 697.

11. Minime stulto. A species of litotes or meiosis, where an af-
firmation 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.

13. Suspicioso. Place the charges on one side, the life of Deio-
tarus 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 Βλούκιον.


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 = ξενιον. Benecke, Klotz, and Soldan read Jovis illius quidem, &c.

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, Phidippus.

34. De armis . . . celare te noluit. Z. 391, Note.

35. Crimen contextitur. So in Greek, ἥφαινεν, βάπτειν ὄλον, κακά, Σάνατον.


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 bravos 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. Comiter et jucundé fuisses. Z. 365, in fin. It is the language of familiar confidential intimacy.—Isti from eo, ire.

1. Rex Attalus. King of Pergamus, the third of the name, who, A. D. 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 ãµπρηγμαν μυημονκα 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 commanding. 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, pone . . . diem, vultus . . . recordare. Notice the arrangement of the clauses. The first and second in anaphorical order, the third chiastically.

7. Num quæ. 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 criminose 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 cenam, i.e. ἑμετικῶν ἀγερε, as he calls it, *ad Att.* 13, 52. This was a frequent practice with the ancients, and particularly with Cæsar, as appears from the letter just quoted: *Accubuit* (Cæsar), ἑμετικῶν ἀγεβατ. *Itaque et edit et bibit ὀφως et jucunde; opipare sane et apparate.* This disgusting practice did not argue Cæsar a drunkard; for Suetonius, *Jul.* 55, says, *vini parciissimum 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. Z. 162.

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.*

19. Signa œnea, and not men rather.

20. Quæ ... transferri non possent. 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 ... eram 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 Cæsar.

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 Roman, præsertim quum,* &c. So also *p. Arch.* 9, 19; *p. Mil.* 30, 81. Render: and that, when or although, &c.

26. Judicare. Quum nec *vindicare* neque *indicare* claram sententiam praebat, praefero nunc O1x. et Lamb. susp. *judicare:* "quum
cogitaret Cæsarem unum esse in orbe terrarum, qui judicare de se (Deiotarō) etiam absentē regnoque se spoliare posset; aliī vero judices, quos absens reformidaret, nullī erant." Orelli. Benecke, Steinmetz, and Klotz read vindicare. With this reading, is refers to Phidippus, and se is the accusative after vindicare; also, referring to the same. Süpflie and Madvig read indicare. And that too, notwithstanding he (Phidippus) was the only man who could give information in Rome against him in his absence. For had Deiotarō been present, he would have been able to refute the charges of Phidippus. Süpflie regards se as a gloss which might easily have arisen from the preceding syllable te.


30. Sciēre. Not scissee; for they still knew, and it is the same as qua illi sciebant, ut dicis.

Ch. VIII.—31. Reliqua pars. The first part of the charge was the attempted assassination of Cæsar; the rest of it argued only disaffection towards him: 1. In attending too much to unfavorable rumors about Cæsar; 2. In levying a large army against him. The latter point (with which he connects the charge of holding a correspondence with one Cæcilius, a Pompeian, as also of supplying Cæsar with inferior cavalry) he answers first in the remainder of this section. —Regem semper in speculis fuisse. Speculum in quo specimus imaginem, specula de qua prospicimus. Varr. 5, 8. Esse in speculis = to be on the watch, to observe. So in Verr. 1, 16, 46: nunc homines in speculis sunt; observant, quemadmodum sese unusquisque vestrum gerat. Cf. p. Muren. 37, 79; ad Att. 9, 10; ad Fam. 4, 3. See § 25.


34. Eas ... quibus ... posset = tales ... ut iis, &c. Z. 556.

36. Ab excursionibus et latrocinuis. After these words Madvig gives hostium.

38. Autea. Before Cæsar deprived him of part of his dominions. When Cicero was proconsul of Cilicia, Deiotarō 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 Cæsar’s pity.

39. Cæciliium. Q. Cæcilius Bassus, a Pompeian, noticed, ap Fam. 12, 18; and Liv. Epit. 127. He spread a report that Cæsar had been defeated and killed in Africa, and seized the government of Syria, which he held till the arrival of Cæsarius. Cicero, to suit his purpose, speaks of him here contemptuously, as also ap Fam. 12, 18; but Phil. 11, 13, he says, Est Q. Cæciliit Bassi, privati illius quidem, sed fortis et præclari viri, robustus et victor exercitus. With
him, however, Deiotarus was accused of attempting to open a communication, 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 important a matter had disobeyed him, were imprisoned (only) and not put to death!”—Nescio quem. Z. 553.

43. Dicto audientes. See Arnold’s Nepos, Lys. 1, 2. Klotz and Soldan: dicto obedientes.—In tanta re. Namely, waging war against Caesar.

1. Utrum, &c. When Deiotarus sent messengers to Cæcilius, he must either have been ignorant that the Pompeian cause was ruined (causam 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 attracting his notice. Cf. Phil. 2, 7, 16: O miser sive illa tibi nota non sunt . . . sive sunt, &c. Ibid. 22, 54: O miserum te si intelligis, 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, credo, Caesar; 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 = veterans, those who had seen service and received their discharge, taking the sentence without irony. The reading, however, of Madvig, which Orelli adopted, is preferable.


7. Servum judicatum. Slaves were not allowed by the Romans to serve as soldiers, particularly in the cavalry. Servius, ad Æn. 9, 547: Lege militari servi a militia prohibebantur; unde et in Deiotariana purgat loc Cicer, quum fuisset objectum, inter equites, quos Deiotarus miserat Cæsari, unum servum fuisset. Servos sane non-quam militasse constat nisi servitute deposita, excepto Hannibalis tempore, quum post Cannense praelium in tanta necessitate fuit urbs Roma, ut ne liberandorum quidem servorum daretur facultas. Marcianus, in Fr. 11, Dig. 49, 16: Ab omni militia servi prohibentur; alioquin capite puniuntur.
Cu. IX.—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 regionum 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. Marcl. § 24: in tanto animorum ardore et arnorum; § 32: laterum nostrorum oppositus et corporum pollicemur.

12. Pecuniam dedit. He had said above, ch. 5, Utilitatibus tuis paruit.


14. Victori. In Egypt. Deiotarus not only entertained Cæsar, 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. Cæsar, after his speedy conquest of Pontus, delaying only a few days in Italy, proceeded to Africa, where Scipio and Cato with Cu. 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 Cæsar 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 Cæsar. 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 Cæsar. As auctionor is deponent, bona, supellectilem, or the like is understood.

18. Auctionatus 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 Cæsar's disadvantage. As Cicero could not deny this, he fixed on an
improbable circumstance in the charge, and against it directs the
shouts 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.—Ephesus. 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 ru-
mores . . . . excipicre. Hence the accusation in ch. 8: regem . . . .
in speculis fuisse. The subjunctive by Z. 567.

21. Quum esset cx nunciatum. P. C. 297, c; Z. 607, and
Note.

22. Domitium. After the defeat of Pharmaces, Domitius stayed
a short time to arrange the affairs of Asia, and then followed Cæsar to
Africa. It was reported that he was lost on the voyage thither.—
Perisse. Z. 160, and Note.

23. Circumsederi. The beginning of the African war was not
altogether prosperous for Cæsar. Vell. Pat. 2, 55, 1: Ibi primo varia
fortuna, mox pugnavit sua inclinataeque hostium copiae.—Versum
Græcum. Plutarch, de discr. amici et adulat. 5, has preserved it:
'Eββηνο φίλοι σοιν ἵχθος.


26. Quod ille. He shows that Deiotarus's disposition forbade
the idea of his repeating so unfeeling a verse. But this is very doubt-
ful, 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, Saocomdarius.

27. Qui. Z. 133, Note.

28. Amicus . . . . inimicus. For the king's application of
the verse was, Pereat Domitius dum una Cæsar intercidat. Cicero shows
that the double character of friend to Domitius and enemy to Cæsar
was a contradiction; therefore he could not have uttered the verse.—
Tibi inimicus. And again, the verse assumed that Cæsar was inimi-
cus Deiotaro; but this could not be, as Deiotarus was the recipient of
innumerable favors from Cæsar.

29. Belli lege. As fighting against him in Pharsalia.

30. Regem et se et filium. Hence ch. 14: Propone tibi duos
reges.

31. Quid deinde? Z. 769.—Furcifer. Phidippus, who as be-
ing a fugitive slave, was liable to the punishment of carrying on his
neck a furca, or species of cross.

32. Hac latitia = hujus rei latitia; namely, at hearing of Cæsar's
disasters. Both the relative and the demonstrative pronoun often at-
tach themselves to a following substantive, and agree with it in gen-

28*
der, number, and case, when properly they should stand as the object in the genitive. Cf. p. Mil. 36, 99: Quae si vos cepit oblivio for cujus rei, &c. So regularly ex (in) eo numero (genere), where if an adjectival clause follows, qui (qua) 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 arae, sere nudus, where nudus answers to the γυμνόν 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. Caux.


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 χρηστός. Doed.

38. Regem. The common text gives reges. On the singular, see Z. p. 268, Note †.—Frugi. The dative of frux used adjectively instead of frugalism, 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; magnumimum, in looking with disdain on all the petty greatness of common men; largum, in exhibiting bountiful liberality; beneficium, in doing good for its own sake; and liberalem, in bestowing with a noble and generous spirit.


41. Illa privata est. Frugality is the virtue of the subject, the former κατ’ ἐννεαγόνιον of the king; and to obviate any mistake he defines it by modestiam et temperantium. Manutius thinks Cicero insincere in this praise, and that he calls the cause tenuem et inopem, in allusion to this stinginess.

43. Hæc . . . ab inenunte 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.

92 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.


*ORATION FOR KING DEIOTARUS.*

5. **Quidquid . . . . vacabat.** Whatever leisure he had, he spent in forming connections, &c. *Quidquid,* sc. temporis.

6. **Consuetudines.** Social intercourse.—*Res rationesque.* Business relations, commercial intercourse. See Z. 92. **Consuetudines** and **amicitias** may be referred to *magistratibus legatisque,* and *res rationesque* to equitibus Romanis.

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: *Deiotaros tetrarches* Gallograeciae *tunc quidem paene 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 honor agriculture was among ancient kings, appears from the *Cato Major,* ch. 17. Of kings who wrote on husbandry, Hiero, Attalus Philometer, and Archelaus are mentioned by Pliny, Varro, and Columella. Varro too, *de re rust.* 1, 1, 11, says: *Magonis Paeni* 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 grazer; also a farmer of the public pastures. The antiquity and respectability of the shepherd is evidenced by the **Shepherd Kings,** by the epithets of ἀναβεμνων, ἀναβούτης, &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, ἰμμίνες λαόν. 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 *adolescens* is opposed to *ea ætate,* i.e. old age; *nondum tanta gloria præditus* to *ea existimatione;* and *severissimé . . . . 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 adolescens præstiti,* quum *etiam errare cum excusatione possem,* id *nunc, ætate praecipitata,* commutem *ac me ipsa retexam.*

Cic. X.—12. **Imitari,** Castor. Cicero, *p. Rahir. 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 *βιπυρηνουτα*, when he aided Brutus.


21. Hic vero adolescens, i.e. Castor, who was in Cicero'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. Saecundarius, the son-in-law of Deiotarus; Cicero keeps him before Cæsar's mind as being once as great a 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. Pompeii. 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 *fuisset* instead of *fui*. Benecke from the Erf. MS. reads, *Quum vero exercitu amisso et cupiditate post Pharsalicum prælium suasor fuisset armorum non ponendorum, &c.* Klotz: *Quum vero exercitu amisso, ego, qui pacis auctor semper fui, post Pharsalicum autem prælium suasor fuisset 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 Cæsar
31. Ipsiis belli, i.e. without regarding the good of the cause. But Benecke takes it as = eujus 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 bellì 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 Cæsar’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 Cæsar, at once the injured party and the judge.

33. Calamitosus Deiotarum. The † shows that the passage is doubtful. Benecke from some MSS. gives qui et ab eo, which Hand, Turs. 2, p. 521, approves. Recta sententia unice inest in ea, quam olim proposui, conjectura: qui non modo ab eo, qui in isdem 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, impie 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 ingratitude and impiety, 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 afflicitam regiam conditionem dolebam, quam de fortunis communibus extimescebam.

1. Adeone. Supply concedi debet from the preceding. Benecke and Klotz, in this line, read acerbilitatis et odii.

4. Abducere domum. To entice Phidippus from the legates of Deiotarus to your house.


7. A tanta auctoritate = ab homine tantæ auctoritatis. Comp.
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; crumpere, 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. Cu. Domitius. Ahenobarbus. 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 censorem et 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 interest.

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: approbation, 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: Catì . . . 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 inequus . . . comparo. 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 hæc civitas tulit, cum hæc importuna 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 Caesar's. Sulpicius is the celebrated lawyer, a friend of Cicero, and zealous adherent of Caesar. 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 proavus Cato. Benecke, Klotz, and Madvig omit etiam. Orelli says: Servavi cum Cod. Bern. v. etiam; videlicet signifcat, "vel ad ipsum Cn. Domitium, Caesaris amicum, venisse Phidippum, sui indicii jamjam penitentem."

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 urbern .... 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 Caster's charges were rather an invective against the tyranny of Caesar 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 Caesar. 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
NOTES.

Page 336

93 bonus, optimus, clarissimus; while homo doctissimus, pereruditus, moderatissinus, 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 Cæsar 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 existinari.

36. Statua inter reges posita. This statue is noticed by Suet. Cæs. 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 Cæsar 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 Cæsar was not a tyrant.—Capita, sc. ascissa, truncata.

42. Armatis militibus refertum forum. For Appian, B. C. 2, 107, says that Cæsar removed from his person the prætorian 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. Cæs. 57; and Suet. Cæs. 86.—Quæ . . . . sensimus, ea . . . . non vidimus. Benecke and Klotz, with the Erf. MS., omit ea, and thus the quæ 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 re, i.e., who is the subject of a despotic monarch; opposed to nos liberi.

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 Cæsar, see Dion Cass. 44, 23.

6. Enim. The turn is ironical = non valde invidendum est.—Tropais. Quæ majorem illi laudem afferunt, quam 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.

Cfr. XIII.—13. Nihil, &c. Before so consummate a rhetorician as Cæsar, 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 aliquid 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 Cæsar, he assumes that what he has urged is enough to allay his angry feelings (non . . . metuo, ne illi tu succenses); 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 Cæsar 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
94

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 everything. 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 .... vereor, ne. Z. 533.—Illud vereor. Z. 748.


18. Quid enim retineat. His life, name of king, and part of Galatia.—Quid amiserit. Armenia and the tetrarchy of the Trocmi.

20. Multis tibi multa esse tribuenda. Z. 651. Dion Cass. 43, 47, relates that Caesar chose fourteen prætors, forty questors, and increased the number of senators to nine hundred. πολλοὶ γὰρ ὅτι πολλὰ ἐπεχυμένα ὅπερ εἶχεν ἄπω σφᾶς ἀλλὰς ἀμείτηται.—QUominus .... sumeres, non recusavit. Z. 543.


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 Romans.

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 Ætoliaus, the latter followed Pompey, as deeming his cause the better. Deiotarus therefore has innocence on his side. For esse fuctum, Benecke, Klotz, and Madvig read fac-tum esse.

28. Multam sustulerat = pœnam 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, Note.

29. Quum . . . concessisti. See note on p. 69, line 40.

33. Ne fortuna 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 Fretschcr 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 conjunctit, ut et velle cum res magnas, et praeclare posse significet. The bona animi as opposed to the bona corporis, or external good, are here understood.

36. Quis casus. Z. 134, Note.

37. Omnium imperatorum. Cf. Phil. 11, 13, 33; where in this connection, Sulla Murenca, Servilius, Lucullus, and Pompey are mentioned.

38. Ab omnibus est enim iis ornatus. Benecke, Soldan, and Madvig: ub 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. Quae unquam vetustas obruet, &c.? Temporis vetustas, hominum oblivio.

1. Quae. 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.—Seu etiam ad beate, i.e. jucunde et feliciter, and this the Peripatetics deny. See Tusc. Disp. lib. 5.

7. Acceptam referat. Sets down to the account of your clemency; a metaphor from keeping accounts.

Cn. 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. Tarracone. A city of Hispania Tarraconensis, 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 Blesaninius, who had been sent thither by Deiotarus to adjust his interests with Caesar.—*Huic Blesan- mim*. 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 *inclusion* 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. *Ecquonam.* 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.


29. *Dabis profecto misericordiae.* Klotz and Soldan: *dabis profecto id misericordiae*.

30. *Iracundiae denegavisti.* Quum antea Deiotarum, licet irtatus, tamen perdere nilles. Benecke; who rejects the explanation of Heumann: *iracundiam illorum, qui reum Deiotarum fecerunt*. Benecke and Klotz: *monumenta clementiae tuae*. So also Soldan, who further gives *sed maxime eorum incolumitatis*, &c.
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 Cæsar, that his present titles might satisfy himself. This oration was delivered late in the year 709. In the following February, Mark Antony offered Cæsar 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 præter ceteros addici 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 Cæsar 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 criminantibus, accusantibus; Benecke for ablatives = in those accusations.

2. Memoriam ... qua vales. Cf. p. Lig. 12, 35: qui oblivisci nihil soles, nisi injurias; Phil. 2, 45, 116: Fuit in illo ingenium, ratio, memoria, &c. Seneca, de Benefic. 5, 24, tells a pleasing story of Cæsar's memory.

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 privy, 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. *B:lneio*. 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 *cænatus*.

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 gentle 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. Plautius Silvanus and C. Papirius 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 prætor within sixty days. Archias fulfilled these conditions, and gave in his name for registration to the prætor Q. Metellus. But in A. U. C. 659, 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 Gratus, 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 entered 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 ancient themselves regard it as less excellent than other orations. Respecting the result of the speech, which was delivered in A. u. c. 692, before Q. Cicero, who was then prætor 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 Herculia, 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 prætor 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.)

Ch. I.—1. Ingenium. Natural talent as an orator (φθορίς); exercitatio, practice (ἀσκούσις). Cicero expresses the simple thought si quid eloquentia valeo, 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. Stürenburg 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 dice re 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. Vide, quam sit magna dissensio: considerate nunc; cetera quam sint pro visa sopiente, &c.

2. In qua me, &c. A regular hexameter: in qua me non infitior mediocris 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: Nec 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 cus-
tomary for foreigners, on receiving the franchise, to take the prænomen
and nomen of the individual by whose favor they had received it.
Manutius supposes that Archias assumed the prænomen Aulus from
Marcus Lucullus, the brother of Lucius, whose prænomen, 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 cor-
crly, with repetere. S. (in his second edition), who compares neq
jure quodammodo vindicare. De Off. 1, 1, 2.

9. Memoriam recordari. S. compares de Orat. 1, 2, 4: ac
mihi repetenda est vateris cujusdam memoriae non satis explicata recordatio, sed, &c.—Ultimam = ab hac aetate remotissimam.
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 mediocrer quidem disertum fuisset dicebat, quam repeteter usque
a Corace nescio quo et Tisia. Tusc. 1, 48, 116: clara vero mortec
pro patria oppetitae non solum gloriosæ rhetoribus sed eis, heata
videri solent; repetunt ab Erechtheo.—Inde usque (ɪνrɔdɛn ˈapʃəməvɔs)
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 ɪνrɔdɛn ˈapʃəməvɔs, which M.
compares with it.—Principem = auctorem, magistrum.—Suscipien-
dam . . . ingrediendum. “Suscipienda pertinet ad consilium dis-
cendi artes dicendi; ingrediendum ad actum discendi. Illuc spectat
mox hortatu, hoc praceptis.” Ernesti. S. compares the similar op-
position between suscipere and instituere; e.g. susceptrum rerum
et jam instituturum. Ad Fam. 5, 12, 2.

11. Rationem = viam, modum.—Horum studiorum. Not elo-
quence only, but the studia humanitatis in general. Cf. § 2.

12. Hortatu. This word occurs in the ablative only, in the
golden age. Tacitus has nominative plural non vox et mutui hort-
tatus juvabant. Ann. 1, 70, m. In Cicero it occurs but once more:
id feci aliorum consilio, hortatu, auctoritate; ad Fam. 13, 29, 7.
Stürenburg.
14. Quo ceteris optulatorii ... possemus, sc. whenever an opportunity should offer itself. Benecke: possumus.


16. Ita = tam graviter, so emphatically.

17. Quod alia quaedam in hoc facultas ... neque hac. 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.—Hui cum uni. The MSS. give huic cuncti 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, obx ὶ ῥιχρη ἀλλ ῥη παῖδια, as Plato and Aristotle speak.


21. Et quasi . . . . quadem, &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 quadem eloquentia; Brut. 12, 45: an adjective sometimes precedes the quidam: et puro quasi quodam et candido genere dicendi. Orat. 16, 53. S.

Ch. II.—23. In quaestate legitima = “legibus constituta, non ab otiosis hominibus doctis posita.” 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: agitatur.

25. Apud praetorem populi Romani. C. Virgilius (according to Ilgen), C. Octavius (according to Schütz). But the scholiast dis-
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 prescribunt, nec facile patitur alios tale quicquam 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 aërarii (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 Cæsar, 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

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To which Haase adds *p. Sull.*

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 offensæ aut periculi loqui;" but Cicero uses it elsewhere in the sense of *at length*, *copiously*, *fully*, &c. *Quæ fuse 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 convivis, quae . . . flagrambunt.

10. Periculis = "judiciis, quia in iis 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 respetit, quod poetae, rerum civilium fere rudes atque ignari, easque adeo refugientes, si quando in vita communis lucem protracti vel in judicium adducti sunt, in sole caligantes magis aliiis se regendos, moderandos, tractandos prebent, quam ipsi versantur. Aliter Quinctil. 4, 1, 13: ipsius autem litigatoriis persona tractanda varie est, nimium ab oratore."


Ch. III.—16. Ut primum ex pueris exessit. This happened in Greece in his fifteenth year. Cicero had probably in his mind Terence's Nam is postquam exessit 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 prins eam informaverat." S. Thus Auct. ad Herenn. 4, 22: Alexander Macedo summo labore animum ad virtutem a pueritia conformavit. Ad humanitatem informari is found only here: ad humanitatem fingi, once also de Orat. 3, 15, 58. From S.


19. Loco nobili = nobili genere: as honesto loco natus, &c.—Celebri, not celebrated, but that was much visited.

20. Copiosa = opulenta.

21. Antecellere . . . contigit. The usual construction is contigit aliqui ut antecellaret, &c.; but Horace has Fingere cinctutis non exaudita Cethegis continget: non cuivis homini contingit adire Corinthum, &c. Virg. quis (= quibus) ante ora patrum Troja sub manibus altis Contigit oppetere; En. 1, 95 (so 6, 108; 9, 267). The infinitive gives less prominence and definiteness to the consequence. It occurs with the infin. once in Vell. and once in Tacitus. S.

23. Ut famam . . . superfaret. His arrival was so much talked of, that the expectation of the man and the desire to see him surpassed the reputation of his talents, whereas his arrival and the admiration shown to him surpassed even the expectation with which his arrival had been looked for. Cf. C. (ap. Macrobi. Sat. vi. 2) of Cato: Contingebat in ea, quod plerisque contra solet, ut majora omnia rc quam fama viderentur; id quod non sape evenit, ut exspectatio a cognitione, aures ab oculis vincerentur.

25. Italia . . . et in Latit. Italia (= the country of the Itali) is here = Magna Græcia. "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 tranquillitatem rei publicae. The seditious attempts 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 Neapolitani. 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 Tarentini) 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 freedom of the city at Heraclia. Thus the Scholia Bobiensia: Utiliter præparavit ad causam, jam pridem hunc Archiam poetæc facilitatis gratia celebrēbant plurimis Italiae nobilissimis populis in numerum civium cooptatum. Quod nimium argumento esse debeat, ctiam Heracliensibus nuper adscription, robustioren]am 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. Cognitio. Here of personal acquaintance, more commonly of knowledge of things only.

32. Celebritate famæ. See Z. 672.

33. Mario consule et Catulo, a. u. 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 Crasso consule et Scævola 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 = Cimbricam victoriam. Cf. Tusc. 5, 19, 56: C. Marius tum quum Cimbrice victoria gloriam cum collega Catulo communicavit, pæne altero Lælio (nun hunc illi duo similimum), &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 munificentia tuae adhibere potui, quam studia, ut sic dicerim, in umbra educata? S.

36. Luculli, 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. u. 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 nostrī prætextati, id est annorum fere xvi." 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 puĕris excesserat even at Antioch.

37. Domum suam receperunt. So Verr. 1, 26, 65, we have Homo, qui semper hospitalissimus amicissimusque nostrorum hominum existimatus esset, nonut 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 Heusde proposes: Sed hac non solum ingenii ac literarum, verum etiam naturæ atque virtutis vis fuit, ut, &c.

38. Hoc...ut...esset. The more usual explicative of hoc
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, favorit, and fuerit.
41. Metello illi Numidico. Consul, a. u. c. 645. He was called
Numidicus from his victories over Jugurtha. Sall. Jug. 46. His
son, Q. Cæcilius Metellus, obtained the surname of Pius, because,
a. u. c. 655, he appeared in mourning to solicit permission for his fa-
cognomen nec vero adjectivum. Neque erat cur nonnulli transpone-
42. M. Æmilio, Scapro. He was consul, a. u. c. 639. Cf. Font.
7, 14.—Vivebat cum Q. Catulo. Q. Lutatius Catulus, the father, con-
sul, 652; and the son, afterwards consul in 676. Vivere cum aliquo
43. L. Crasso, the orator.—Lucullos, i. e. Lucius and 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.—Octavios. 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 do-
mum. L. and Q. Hortensius, father and son; the latter was the cel-
ibrated orator, and consul, a. u. c. 685.
3. Si qui forte simulabat. Ne indoci atque ab politioribus li-
teris abhorrire videreur.
Ch. IV.—6. In Siciliam profectus. 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 libe-
rum 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,
"Quum ex provincia Sicilia cum L. Lucullo, quem eo 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? Mad-
vig: eum M. Lucullo.
7. **Heraclam.** A colony of Tarentum in Lucania on the Bay of Tarentum.

8. **Æquissimo jure ac fædere.** Namely, with Rome. Heraclea 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 æquissimo, "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. Ballb. 22, in.

10. **Auctoritate.** From affection and esteem for Lucullus. "Auctornate est hominum honoratorum et potentiam, quatenus vere-mur ipsos fædere, 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.

11. **Data est civitas, i.e. fæderatis in Italia civitatibus.** Cf. § 10.—Silvani legi. Scil. est lex Plautia Papiria, lata a M. Plautio Silvano, C. Papirio Carbone, tribb. pl. a. u. c. 665. Libri Silvani (st.) vel Silani (sicque kl.) Silvanus autem Plautiorum est cognomen; Silanus Juniorum. Orelli.

14. **Sexaginta diebus.** Within sixty days after the passing of the law.

15. **Multos jam annos.** Namely, from a. u. c. 652 to 665.

16. **Professus est. Profiteri was the term for a person’s signifying to the praetor his wish to accept the civitas.** The name was sent to the praetor, 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; praetor, a. u. c. 665.

17. **Nihil aliud nisi.** Z. 771, Note.—De civitate ac lege, = de civitate Heraclensi ab Archia impetrata ac de lege (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.

20. **L. Lucullus.** Madvig, with MSS.: M. Lucullus.


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 insinulas, 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.

26. Italico bello. Called also Social, and, from the Marsi who
began it, Marsic. See Schmitz, Rome, ch. xxvii.

28. Dicere, quærere. 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 = quæ homines facta meminerunt et
testantur: literarum memoria = memoria rei literis propta.

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 fatherata into a municipium. Heraclia re-
mained 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 an-
nis, &c. Cf. de Divin. 2, 49, 102: neque ignorant ea, quæ ab ipsis
constituta et designata sunt; = neque ignorant futura, hac enim
ab ipsis, &c. Stürenburg and Madvig: an domicilium Romæ non
habuit is qui, &c.

35. An non, &c. Nauck: At non est professus!

36. His tabulis, sc. Metelli.—Quæ sola, in antithesis to the rec-
ords of Appius and Gabinius mentioned below. Which, from the time
of that registration, and of the then college of prætors, alone have the
authority of public records. The reason is added immediately below.

Ch. V.—39. Appii. Appius Claudius Pulcher. He was the fa-
ther of the notorious P. Clodius, and prætor in the year A. U. C. 665, in
which the lex Plautia Papiria was carried. He was the colleague of
Q. Metellus Pius.—Negligentius asservata. So that forgeries
might easily be introduced into them.

40. Gabini. Gabinius was prætor in the same year as Appius,
and was afterwards found guilty of extortion in his province of Achaia.
Div. in Cæcil. 20, 64.—Quandiu 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
dowufall, 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 prætor 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 prætor, A. v. c. 665.—Se commotum esse, i. e. to suspect a fraud.

3. Alis quoque in civitatibus . . . adscriptus. 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 dubitatis, Klotz gives dubitatio.


5. Gratuito, i. e. "nullo corum merito;" or "ita ut nullus inde fructus neque ad se neque ad rem publicam redundaret." Matthiae compares de Nat. Deor. 1, 44, 122: Prata et arva et pecudum greges diliguntur isto modo, quod fructus ex iiis capiuntur, hominum caritas et amicitia grantuita est. Nauck rejects gratuito. S. non gravate.

6. In Graecia, i. e. in Magna Graecia; the Greek colonies in the south of Italy. In Graecia is to be joined with impertiebant: not in Graecia homines.—Rheginos credo . . . . noluisse. Ironically. So Rosc. 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 Cesar, then consul, A. v. 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 prætor. Aft. Manut.

10. Post legem Papiam. An act de peregrinis ex urbe ejiciendis passed in the consulship of Cotta and Torquatus, A. v. 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 peregrin-
*nos urbibus uti prohibent eosque exterminant; ut Pennus apud pa-
tres nostros, Papius nuper.* The Schol. Bob. says: "Reus factus est 
Archias *lege* Papia, que 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.

were made municipia (from *faderata *civitates) by the law of L. 
Caesar. See *ad* *Fam.* 13, 30. For *irrepserint*, Klotz, Bunecke, Stü-
renburg, and Nauck read *irrepserunt*.

12. Se . . . . esse voluit. *P. C.* 149, (b); *Z.* 610.

13. *Census nostros requiris. Scilicet:* est enim obscumum, 
&c. *Census* is the counting and estimating the Roman citizens ac-
cording 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* 
Qunt. *Fratr.* 1, 3, 1: *Ego tibi irascerem? tibi ego possem irasci? 
Scilicet, tu enim me affizisti, tui me inimici, tua me invidia ac non 
ego te misere perdi.* In both these passages it calls attention to the 
truth and certainty of a *false* statement, *ironically* asserted to be true.

After S.

14. *Proximis censoribus,* Cn. Lentulus Clodianus and L. Gel-
Pompeius Magnus.

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.* 681–687.

16. *Superioribus,* L. Marcii Philippus and M. Perperna, 
*A. u. c.* 668.—*Cum codem quaestore.* L. Lucullus from *A. u. c.* 666– 
674, was in Asia, as quaestor and proquaestor, with Archias and his 
brother M. Lucullus.

17. *Primis,* i.e. the *first* after Archias had declared before the 
praetor 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 pariem esse censam.* 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, quod referitur ita, interdum exprimitur verbis proxime antecedentibus vel uno nomine, quod in prioribus eminet: quemadmodum Graeci prægreganti participio adjungunt reliquam sententiam per ipsis. Id, quod dicitur haec particula restringitur ad eam notionem, quæ modo est expressa: unde fit, ut intelligamus eo ipso.”

Hand. vol. iii. 482.

20. Quem tu criminarius, &c., i.e. iste Archias, quem. Matthiae, who reads quæ tu, &c., considers this an instance of attraction for quibus. Klotz first takes quæ tu criminarius by itself, and considers the following clause an instance of epexegesis; 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 quæ tu criminarius, quum dicis eum ne ipsius qui-dem, &c. Nauck also adopts quæ, and renders “in those times during which he, according to your accusations,” &c. Madvig and Stürenburg (ed. 2) read quem.

22. Testamentum sæpe 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 proprætor 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 τῶν ἑθεργετῶν τῶν βασιλείων (Herod. 8, 85), and the ἑθεργετῶν 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 consule.

Ch. VI.—25. Si quae potes. Stürenburg holds that "the older and fuller form, si quis, si qua, 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 unfounded and false."

29. Convicium. Convicium is the shouting and quarrelling of the orators and parties at a trial; hence also strepitus forensis. Quinctil. 1, 8, 11: Præcipue apud Ciceronem—vidimus Eanii—et aliorum inseri versus, summa non eruditionis modo gratia, sed etiam jucunditatis, quum poeticis voluptatibus aures a forensi asperitate respirent.


33. Contentionem. A metaphor derived from bending the bow; therefore relaxemus immediately afterwards.

35. Se . . . literis abdiderunt. The phrase se in literas abdere is more common: e.g. Fam. 7, 33: me totum in literas abdere, &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 commodo.

40. Retardarit. 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, ceteræ . . . hæc studia; Leg. Manil. 10, 28; Sull. 3, 9.

44. Temporum. See note on p. 44, line 13.
1. Tempestivis convivis. *Tempesta 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 *caena*, and extend late into the night. *Intempesta convivia* in this connection is an old error still met with in some editions.—*Alveolus*. Nauck prefers the common text *aleae*. *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 particularam *vit*, tum usurpatam esse, cum res aliqua, de qua jam ante dictum erat, majore vi ererenda erat: eaque significacione sapissime conjunctam inveniri cum pronominibus *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 co mihi magis*, &c.; and *Acad. 2, 1, 2*; Suet. *Cas. 81*. Stüeenburg: *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, quantuncunque sum ad judicandum*, &c. S. Klotz omits est.

6. Quae summa sunt, i.e. "recte vivendi praecepta, que philosophia continentur." "That which is the highest that man can attain;" namely, principles to guide him in practical life.

8. Literis, "from literary works;" the works of poets, historians, orators, philosophers. *Literae* are opposed to *praecepta*, which are imparted *viva voce*: the *sapientium voces*, afterwards mentioned.

9. Nisi laudem. *Laus* is here well-founded praise; a good reputation fairly won. Matthiae observes that the Greeks, on the contrary, use the names *virtus, vice*, respectively, for the praise or censure that follows them: θυ αρετήν κράτασαι = laudem virtutis compare.


11. Omnia . . . excililia, "all kinds of banishment." Madvig: *exsilii*.

12. In tot . . . dimicationes . . . objecissem. Cf. Cluent. 41, 113: *Nego rem esse ullam in quemquam illorum objectam, quae*, &c. So *offerre* with *in*, as well as with dat.: e.g. *pro Sest. 1, 1*: *qui au- dierent se et salutem suam in discrimen offerre pro statu civilitatis et pro communi libertate*. A reason for not choosing the dative after *objicere*, which is its more common construction, may in this instance
NOTES.

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*. Cf. *Tusc.* 1, 6, 11.


19. *Expressas*. *Expressus* is a metaphor borrowed from sculpture, and is opposed to *adumbratus*, "sketched in outline." *Gloria est solida quadam res et expressa, non adumbrata*. *Tusc.* 3, 2, 3.

Ch. VII.—25. *Difficile est*. Z. 520.


30. *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 anteae significarim tibi per litteras, me sperare illum in nostra potestate fore, nunc idem videare diffidere*. *Off.* 1, 24, 84: *Inventi multi, qui non modo pecuniam, sed vitam etiam profundere pro patria parati essent, idem gloriae jacturam ne minimum quidem facere velleut.* See Hand, i. pp. 477, 493.


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 quoddam spiritu*.


36. *Africanum . . . Lælilum . . . 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 Orat. 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 debetur.* Cf. Etenim qui praesesse agro colendo flagitium putes, profecto illum Atilium, quem sua manu spargentem semen, qui missi erant, convenerunt, hominem turpissimum atque in honestissimum judicares. *Pro Rosc. Am. 18*, 50.—Nam cetera, &c. . . . at haec. 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 Pericles non fecit . . . Attn. 7*, 11: Ut majores nostri Tusculanos, &c. . . . in civitatem . . . acceperunt; at Karthaginem et Numantium funditus 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 *cetera res* a gloss on this.

1. *Omnium* belongs to each of the genitives, *temporum, atatum, locorum.*

2. *Acuunt.* Klotz, Stürenburg, Benecke, and Nauck retain the reading of the MSS. *agunt*, in the sense of employ, keep busy.

4. *Non impedientur foris.* A cold praise. In Or. 43, extr. he expresses himself far more strongly: *qua quidem me antea in judicia atque in curiam deducabant, nunc oblectant domi.* Matthiae's next remark that *peregrinari, rusticari, &c.,* convey no great praise, because 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 because the presence of evil is perpetual too. With the general praise, Heumann compares *Fam. 5*, 13: *Quibus secundae res ornantur, adversae adjuvantur.* Quinct. 6, proem. 14: *Credendumque doctissimis hominibus, qui unicum adversorum solatium literas putaverunt.* Plin. *Ep. 8*, 19: *Et gaudium mihi et solatium in literis, nihilque tam latum, quod his latius, nihil tam triste, quod non per has sit minus*
ἐν μὲν ταῖς εὐνοιαῖς ἦν κόσμον, ἐν δὲ ταῖς ἀτυχίαις καταφυγῆν.

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."—Sensu nostro gysture = "sentire 
præstantiam eorum."


10. Roscius, i. e. Q. Roscius, comædi. 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 contemnenti di- 
cere 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 al- 
most a better sense, and at any rate is more oratorical, as opposed to 
ille, although the antithesis is not strictly logical.—Animorum incre- 
dibiles motus. "Activity of the soul" refers, in the first place, to Ar- 
chias; 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. 1 de Orat. 25, 113: animi atque 
ingenii celeres quidam motus esse debent. 3 de Nat. Deor. 27, 69: 
motum istum ecelerem 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.

20. Revocatum. Requested to repeat, encored. Hor. Ep. 2, 1, 
223. Archias, as the Italian improvisatori, composed and repeated 
other verses on the spot, relating to the same subject. Hæc ars, si ta- 
men ars dicenda est, elucet etiam ex Archiæ epigrammatis ἀναθηματικοῖς 
p. 261, N. 207, in quibus omnibus terni fratres vel ternæ sorores dis 
donaria offerunt. Orelli.

22. Cogitate. This is the only passage in Cicero in which this 
adverb occurs; nor is it found in other writers, except sometimes in
Plautus, so that it appears to have belonged to familiar conversation, instead of to a more elevated style. S.


28. Indírari = ἐνθοδωδεβαί.—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 a eulogy on the elder Scipio Africanus; but we have only fragments of his works. He died, a. u. c. 585.


33. Saxa et solitudines vocí respondent, &c. Nauck: voce respondent. Quinct. 9, 4, 44, says of this passage: "Magis insur- gebat, 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 aliquos amicos nostræ 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 vellem, tamen omnia muta atque inanimata tanta et tam indigna rerum atrociitate commoverentur.

34. Bestiae sæpe immanes. "Si quis [hæc] 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 pridem ad serpentes retulerat: quos carminibus flecti ac consistere opinio est. Gothicarum quidem rerum scriptores narrant, ursos ita delectari tibiarum et fistularum pastoriciarum sono, ut, cum in pastores impetu facturi sunt, sæpe ab eis canto mulceantur: atque hanc usitatissimam pastoribus ejus regionis rationem esse expediendi ab ursorum impetu salutis suæ. Vix tamen est, ut existinem 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 ctiam delubrum ejus in oppido dedicaverunt, causae nulla est, cur mutetur. Quamvis enim Iota quoque Homerum sumu esse contenderit, non tamen Ciceroi propositionem fuit eas omnes urbes nominare, quae sibi summum illum poetam vindicarent. Et notum est apud Smyrnaces Homeri delubrum fuisse Strabo libro quartodecimo: qtst 55 kai bebi lod9i kai 19 'Omrheon, stoa tetragmos exousia nevo 'Omrous kai xiavos' antispoudanta gar kai ouvou aia-

37. Smyrnes vero. Z. 348, Note.

Chpt IX.—Ergo illi. See note on line 12.

42. Qui et. Klotz and Stürenburg: et qui.

43. Præsertim quum, i. e. minime vero (repudiabimus) præ-

1. Cimbrienas res . . . attigit, e. the victory of Marius over the Cimbri. Attigit = scribere caput, inchoavit. Cf. ch. 11.

2. Qui durior ad hæc studia videbatur = “qui ea sensu suo minus gustare poterat.” Cf. Sall. Jug. 85, where Marius is made to say: “Neque literas Graecas didici. Parum placebat eas discere, quippe quæ ad virtutem doctoribus nihil profuerunt.”

4. Aversus a Musis = ἀρνος.

8. Ejus, a quo sua virtus. Cf. Val. Max. 8, 13. Plutarch attributes this to Xenophon, alluding no doubt to Hier. 1, 14: των μεν ἡδείον ἀκρόματος, ἐπαινο, ὅποτε σπανίζετε· or Mem. 2, 1, 31: των ἅδε πάν-
tων ἡδείον ἀκόματος, ἐπαινον σμανίζειν, ἀνίκος εἰ. There is no reason, however, for doubting that Themistocles may have uttered the sentiment.


10. Quæ gesserat. Z. 546.

12. In multa varietate, &c.; from its various fluctuation 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. Exprimere 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: patefac-
tumque nostris legionibus esse Pontum, qui ante populo Romano ex omni aditu clausus fuisset. 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 naturæ regione, makes natura et regione.

18. Non maxima manu. Plutarch, Lucull. 27, says, 10,000 heavy-armed soldiers.—Innumerables Armentiorum copias. Plutarch, ib. c. 26 and 27, says 260,000. He is speaking of the battle at Tigranocerta. He tells us that Tigranes said, when he saw the Romans, 


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: quaestura quid alius habet in se, nisi Cn. Carbonem spoliatum—nudatum et prodictum Consulem, desertum exercitum? "As our 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 Muren. 15, 33. Quid? illum pugnam navalem ad Tenedum, quum contento cursu, acerrimis ducibus, hostium classis Italian spe atque animis inflata pateret, mediocri certamine et pura dimicacione comissam 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. Quæ quorum, &c. "Therefore those, by whose." &c. Nauck retains the old reading Quare, quorum ingenii hæc feruntur, i. e. ea, quæ 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 his laudibus, sc. quibus Ennius Scipionem ornavit. S., who compares Fam. 5, 13, 3: Casus enim gladiatorii similitudinesque ea, tum rationes in ea disputatione a te collectae vetabant ne rei publicae penitus diffidere; i. e. similitudinesque ea, quibus usus es.

29: Ipse, qui laudatur, instead of the common reading ipsi, qui landantur. Ita hoc membrum referitur ad unum Africanum: in sequentibus alios nominat viros illustres ab Ennio 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. V. C. 542; and Q. Fulvius Flaccus, the conqueror of Capua in A. V. C. 543.

33. Decorautur = celebrantur; namely, by Ennius in his annals.

34. Rudinium 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 foederata 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 Aetolians, A. V. 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 cxire de vita, Læ. 4, 15; de manibus exsoritus; ex urbe depulsus, 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. = ejiciemus? minime vero; nam, quod contradicere aliquid possit Graecis carminibus Archiae populi Romani gloriam 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 through-out the Eastern world. Cf. de Div. 1, 41, 90: eaque divinationum ratio ne in barbaros quidem gentibus neglecta est. Tusc. 5, 27, 77: in ea tamen gente primum ii qui sapientes habentur, nudi etatem 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: quo minus manuum... eo gloriam; 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: quo eninus, &c.

44. Gloriam famamque sic intelligi voluit, ut cogitaretur de gloria famaque, hoc est de gloria fama, quam carmina adderent Romanorum rebus gestis. S.

1. Ampla. Honorable, glorious.


3. Periculorum incitamentum = incit. ad pericula subeunda. So opes, irritamenta malorum, O. Met. 1, 140; invitamentum sceleris, Vell. Patrec. 2, 67. Z. 423, in fin.—Quam multos scriptores, &c. "No contemporary author of the campaigns of Alexander remains. 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 τῆς Ἀχιλλείας, the reputed tomb of Achilles.

7. Præconem, translated from the Greek κύρινξ (used by Plutarch in vit. Alex. 15, extr.). The usual Latin term for herald, figuratively used, is predicador, laudator. Buccinator is trumpeter.—Inveneris.
NOTES.


8. **Nisi Ilias illa.** Nauck: *nisi illi ars illa*, i. e. *illi Achilli ars illa* Homeri.

10. **Noster hic Magnus.** Cn. Pompey, who was surnamed the Great. Benecke: *Quid noster hic Magnus, &c.*

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 fortes viri.** The *fortes viri* are the soldiers of Pompey; *nostri* is here used with emphasis and pride.

13. **Sed rustici ac milites.** Cf. de *Senect.* 20, 75: *non solum indocti, sed etiam rustici.*

15. **Itaque, credo,** an ironical supposition. The meaning is: any imperator 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.* Stürenburg: *vidimus, cui quum libellum . . . jussit ei, &c.*

19. **Libellum, any short composition.** Cf. O. *Trist.* 3, 14, 51: *Qualemcumque igitur venia dignare libellum.—Poeta de populo, i. e. an obscure, unknown poet = εἰς τῶν πολλῶν, vulgaris. Cf. Divin. in Cæc. 16, 50: de populo subscriptor addatur.*

20. **Subjecisset, “had put (or thrust) into his hands.”—Quod . . . fecisset.** Matthiae thinks the subj. refers the assertion to the poetaster (who would say “fei 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 praebuit petebat, propterea quod in ejus laudem composuisset epigramma (quod tamen, addit Cicero, quid alius erat quam, ut solent esse ista Graecorum poetamia, 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 alius erat nisi alterni versus longiusculi, nulli sales, nullum acumen, nihil
nisi disticha." S. By longiusculus the hexameter line is alluded to as longer than the pentameter.


23. **Qui . . . duxerit = quum ille duxerit.** Z. 564.

24. **Tamen, i. e.** bad as the poet, and consequently the poem was. —Hujus referring to Archias, not *cuju* with Stürenburg and Benecke, by which the sentiment is made general.

25. **Virtutem in scribendo.** So oratoriae virtutes, Brut. 17, 65; oratoris vis illa divina virtusque, de Or. 2, 27, 120; comica virtus, Epigr. of Julius Caesar 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 Lucullos.** 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.

29. **Cordubae.** Corduba, the modern Cordova in Spain. What poet or poets are meant here is unknown. —*Pinguë,* coarse, inelegant in the character and amount of its ornament. Cf. Orat. 8, 25: *Itaque Cavia, et Phrygia, et Mysia, quod minime politae minimeque elegantae sunt, asciverunt aptum suis auribus optimum quoddam et tanquam adipata dictionis genus.—Sonantibus.** Brut. 74, 259: Cotta sonabat contrarium Catulo, subagreste quiddam planeque subrusticum. De Orat. 3, 12, init.: *nihil sonare aut olere peregri-num.* Z. 383, in fin.

30. **Peregrinum.** Foreign or provincial; they could not write pure Latin.—*Aures suas dederit = "libenter audiret."* So *aures suas darc alicui,* Att. 1, 5. *Vide . . . quibus . . . aures sint dedicatae mea,* Att. 2, 14, 2.

Ch. XI.—33. **Optimus quisque maxime.** Z. 710, b.—*Ipsi illi philosophi.* Tusc. 1, 15, 34: *quid nostri philosophi? nonne in his ipsis libris, quos scribunt de contemnenda gloria, sua nomina inscribunt?* Matthias says that Cicero always uses *inscribere* with *in;* but Stürenburg quotes *vestris monumentis nomen suum inscripsit,* from d. Harusp. 27, 58; an oration which some think not genuine: so *inesse in aliquia 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 excisae Numantiae, penetratis omnibus Hispaniae gentibus, ingenti vi hominum
urbiunque potitus numero, aditis quae vix audita erant, Gallaei cognomen meruit, Vell. Paterc. 2, 5. Similiter honoratus animus erga poetam Accium D. Brutii, suis temporibus clari ducis, exstitit; cucjus familiarci cultu et pronta laudatione delectatus, ejus versibus templorum aditus, quae ex manubiiis consecraverat, adornavit. Val. Max. 8, 14, 2. Cf. Brut. 28, init. He was consul with P. Corn. Scipio Serapio a. v. c. 616. Quidem, after proper names, = sultem, but with nearly the force of "for instance," one being selected out of many persons mentioned or alluded to. The force seems to be: "he at all events" (and therefore probably others).

38. Accii, the old tragic poet Accius (or Attius), born b. c. 170. Cicero had often conversed with him in his youth (Brut. 28). His tragedies were mostly imitated from Æschylus, but some on Roman subjects (protextata), e. g. one entitled Brutus, probably in honor of his patron. He is praised for the strength and vigor of his language, and the sublimity of his thoughts. Cf. Smith's Dict. of Biog.—Templorur ac monumentorum. Monum. genus; templae, species. It was customary for generals to institute, from the portion of booty which fell to them, public festivities, or to erect public monuments. Some here understand the temple of Mars, others private sanctuaries of D. Brutus, upon which he caused the Saturnian verses of his friend to be inscribed.


42. Imperatores prope armati, i. e. who had hardly laid down their arms; who had but just returned from war; in opposition to the following togati judices.

1. Atque, ut id libentius faciatis; quum intelligetis, quantopere id ego cupiam Archiæ devinctus propter consulatum meum ejus ingenioc celebratum.

2. De meo quodam amore gloriae ... 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 participators 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 perexistendum adhortari; omitting quod. Other readings are adoravi, adhortavi, hortatus fui, hortavi and hortatus sum. Orelli's conjecture adjuvii, and Klotz's adornavi hint at Cicero's furnishing to Archias the materials, as he offered to do to Luceceius. *Fam.* 5, 12.

9. *Præter hanc*, i. e. quam commemoravi. Cf. *Philipp.* 5, 13, 35: neque enim ullam mercedem tanta virtus præter hanc laudis gloriaeque desiderat; but he there adds more philosophically, qua etiamsi careat, tamen sit se ipsa contenta. Cf. also Hor. *Ep.* 1, 17, 42. Z. 767, Note.

11. *Tantis nos in laboribus exercceamus?* So *Tusc.* 5, 1, 3: Casus, in quibus me fortuna vehementer exercuit.


16. *Nunc* is here used (as the Greek νῦν) 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 vitae tempore*, but *cum vita fine*, or *cum vita, or morte* would be required. Lambinus: dimetiendam, which Orelli thinks corresponds better with *adæquandam*. *Stüren burg*: *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 magnum pulchranque videris, non possis adduci, ut, etiam si dominum non videoes, muribus illam et mustelis adficiatam 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, quum gerebam.*

31. *Hæc ... a meo sensu.* From my perception. *Hæc* refers to *memoriam sempiternam*.

32. *Sive ... ad aliquam animi mei partem, &c.* Cicero not uncommonly speaks of *partes animi*; e.g. *quid est autem se ipsum*
NOTES.

105 colligere, nisi dissipatas animi partes rursum in suum locum cogere?

Tusc. 4, 36, 78. Cf. Acad. 2, 39; de Fin. 5, 13, 36. He moutious animus to indicate that if any thing survives, it will be the soul; and he speaks indefinitely, to hint at the possibility of there being some difference in the perceptions or faculties of the soul after death. S. Madvig: ad aliquam mei partem, omitting animi, as Hor. Od. 3, 30, 6; Ovid, Am. 1, 15, 42.

33. Sapientissimi homines. Such as Pythagoras and Socrates, who taught the immortality of the soul.


38. Venustate = vetere notitia; their long-enduring friendship. Significat: vetere consuetudine, qua ipsa signo est, virtutibus suis Archiam dignum se praeitisse Ciceronis praeertim amicitia. Dignitatem enim potius ceteris poetae amicus, viris illustribus tribuit, sibi modestissime venustatem, veterem, ut dixi, notitiam, quo significatu aliena many utitur. Orelli. Klotz and Stürenburg: venustate. Sed de hominibus semper usurpat hoc v. Cicero cum leni cipwela, veluti Verr. 5, 54, 142; in Pison. 28, 70. Accedit de Off. 1, 36, 130, venustatem muliebrem ducere debemus, dignitatem virilem; adeo ut, si Archiae amicorum venustatem h. i. commemorasset orator, vel ipsi Catoni risum concitatasset. Orelli. Süpfle, who also reads venustate, 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 ... quod .... expetitum esse videatis. For expetitum sit, or expetitum esse videtis. Z. 551.

41. Comprobetur. Z. 556.

43. Divina. See above, § 18.—Ingeniis. Id est: “Si vobis, judices, viris tanto ingenio præditis, Archias non solum ab hominibus, ejus amicus, sed etiam a divina sua arte (a facultate poetica, cujus optimi vos estis existimatores), commendatus debet esse.”

106 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, eunque .... disseruisse.” Z. 806. Madvig: estque ex eo admodum probabiliter. Orelli.—Eo numero, qui .... sunt habit. So Agr. 2, 14, 37: “Quem 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-
tens 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." Süpfl's 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.*


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 scripsissem. Neque id obliviscendum, meditæ quam dicunt ætati adverbum *certo* prorsus ignotumuisse. Oreoli. 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.

32
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 Antiocchia, 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 prætor, 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 692, 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 Cæsar. Clodius, who had an intrigue with Pompeia, Cæsar’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 judices 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 Caleius was adopted, in accordance with which the judices 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 Caesar, 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 Caesar, 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 Caesar, 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 Anniiana on
the Capitolium and another on the hill Germalus, were assailed by the Clo-
dians, 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 Plotia de vi*, and with equal violence both elu-
ded the results of prosecution. Clodius, however, notwithstanding Milo's re-
peated disruption of the comitia, succeeded in carrying his election for the
curule-aedileship 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, ne-
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-aedile-
ship, and there is no authentic record of his pretorship. In those convulsion-
ary years of Rome, it is indeed likely that the sequence of magistracies was
not very strictly observed. Milo, however, although never aedile, exhibited
aedilitian 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
pretorship of the ensuing year. Each strove to hinder the election of the oth-
er. 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 consul 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 impor-
tance, defended him in the speech *De aere alieno Milonis*, of which a few frag-
ments are still extant. The contest, however, was soon after brought to a
sudden and violent end. On the 29th 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. Plautius 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 Bovilius, 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, Ambitu, 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 stilled 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. 702. He was impeached by the two Clodii, nephews of the deceased, de Vi; by Q. Petulcius and L. Comicius, de Ambitu; and by P. Fulvius Neratus, de Sodalitiis. L. Domitius Ahenobarbus, a consul, was appointed quisitor 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 Marseilles-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. 705, the dictator permitted many of the exiles to return. But better times
were come, and Rome neither needed nor wished for the presence of a bankrupt agitator. Milo's former friend, the ex-tribune M. Caecilius, praetor 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. Caecilius, 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 praetor, 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.

(a) 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 prætor 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 preserv-
er of his life. (Ch. 21.)

(13) The depositions of the slaves of Clodius are illegally demanded, and un-
reliable. (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 ac-
cusations 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 de-
voted 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 ty-
rricide. (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, re-
minding 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 Fos-
som'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
in 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.

ultra fortetem temerarius.
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, 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 threaten-
ing outcry, for the purpose of intimidating him, and could not be re-
strained even by fear of the armed soldiers who were stationed around.
Compare, on this exordium, Quintil. 11, 3, 47, sq.
5. Novi judicii. The trial of Milo was extraordinary, by a spe-
cial 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 pro-
posed 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 perpetra-
ted 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 quassitor from the number of the consu-
lares. L. Domitius Ahenobarbus was chosen. Also the other judices
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 through-
out the whole city, soldiers posted in the forum, and at all the entra-
ces to the forum, and Pompey with a select guard took his station be-
fore the æarium. 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.—Consuetudinem
Al. veterem consuetudinem.
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 illa praesidia, &c. The text in this passage is very doubtful. The better MSS. give non illa praesidia; the common editions, nam illa praesidia. Garatoni proposed nec illa praesidia, 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 Süpfe 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 . . . tanen ne non timere quidem possimus, instead of ut . . . tanen 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 praesidia 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, &c.

Quis castra timenti
Nescit mixta fora? gladii quum triste minantes
Judicium insolita trepidum cinzere corona,
Atque auso medias perrumpere milite leges
Pompeiana reum clauierunt signa Miloneum?

—Pro templis omnibus. Templum Saturni, ædes Concordiæ, ædes Vestae, templum Minervæ, templum Castoris.
11. Oratoris aliquid. After oratoris in some texts horris or terroris is found. So Matthiae retains terroris, claiming, against Garatou, who makes offere aliquid = timorem aliquem efficiant, or habent in se, quod timorem inujiciat, that offere is not a vocabulum medium, but always, when taken alone, = prodesse.


15. Oratiouli. Another reading is oratori, which does not so well stand opposed to vis armorum.

16. Pompeii, &c. Cicero wishes to conciliate Pompey by these complimentary expressions.

17. Putaret, si hoc ab eo peteretur. Putaret, etiam nunc; putarit, semel antea.

19. Temeritatem concitatæ 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 subaltern officers. Their badge was the vitis; promotion to the centurio primi pilii (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 auxilium modo...verum etiam. The student should attend to the variety and difference of such forms of expression.

22. Praesidium denuntiant. Zeugma. Z. 775.—Quieto. For the fear inspired by the "nova forma" was banished by a proper consideration 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.


29. De liberis, &c. Compare ch. 28. Cicero urgently endeavors 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.

Ch. II.—1. Unum genus est...eorum. See note on p. 24, 108 line 8.

2. Rapinis. 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.

3. Pavit. The expression is contemptuous. Cf. p. Sest. 46, 99: Qui . . . seditione pascuntur; de Off. 2, 11, 40.—Hesterna . . . cione. The tribune Mmnatus Plancus, in a speech made the day before this trial, had exhorted the people not to let Milo escape with impunity. Compare ch. 26, § 71.

4. Voce præirent. Eleganter inest acerbitas; quasi formulam ipsum sententiae préverint, a qua vel paululum discedere nefas esset, ut in precatiónibus et jurejuria. 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.—Judicaretis. A modern latinist would be inclined to say judicare debearetis.—Si qui. Z. 136.

5. Retineatis. The penalty under the lex Pompeii de vi was probably the aquæ et ignis interdictio.

7. Neglexit, &c., in his tribuneship; five years before this time.—Præ 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 terrem, 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 judges were chosen equally from the senators, equites, and tribuni sacerii. Hence in connection with the ordo senatorius and the ordo equester, au ordo plebeius was sometimes spoken of. Cf. § 5; ch. 8, 21; 35, 95; and p. Muren. 39, 83. The superlatives with ordines are epitheta ornantia.

12. Ut sua studia. So also Klotz. The common reading is ubi sua studia.


14. Ut statuatixs. 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. Garatoni would strike out duobus, 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 ærumnisis affectus.

20. Præmiorum. The offices of the state. The contrast between spe amplissimorum præmiorum and metu crudelissimorum 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. Concliones were mostly called by the tribunes of the people. There was no voting in the concio, but the suasio and dis-suasio legis took place here, and in the comitia the lex without further discussion was accepted or rejected by votes. Quintil.8, 6, 48, 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 extin-guendam. 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 solemni quadam et honorifica appellatione Ciceroni in orationibus judicariis judices audiunt. 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; lost, 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. Planck. 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 officiiis T. Annii beneficia remunerabant? cujus omnis actio, ratio, cogitatio, totus denique tribunatus nihil aliud fuit nisi constans, perpetua, fortis, invicta defensio salutis mea. 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 enclitic 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...abuterer.

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.

Ch. III.—41. Ad eam orationem, i.e. eam partem orationis. So the Roman jurists use hoc edictum for hic titulus or hoc caput edicti.—Quae est propria vestrae questionis, sc. uter utri insidias fecerit. Quaestio, 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...fuit, 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 Quint. 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. i.: Hae qualitas M. Tullio
propria est, ut antequam argumentationes implect, victoriam praelibet
in ipsis propositionibus.

43. In senatu. Referring to the account given by Q. Metellus
Scipio, before Milo was accused. Klotz: Sape ab inimicis jactata
sunt et in concione sape ab improbis, &c.

109

2. Negant, &c. This is a fundamental proposition of the acusation.
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
fus 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 exer-
cised; Dion. Hal. 3, 22: γενόμενος ὁ θανατηφόρον κρίσεως τὸν ἥρων οἱ
'Ρομαίοι δὲ κόρος.

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.—Nonnum 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 partic-
cipial construction. Z. 635, Note.—Comitii. As this was before the
institution of the comitia centuriata and tributa, we must supply
curiatis with comitii.

9. Recte et jure factum. Cf. 6, 15, and 9, 23. Recte may re-
fer to natural and jure to positive law, unless we take them as a cir-
cumlocution. The distinction is taken between a question of law and
a question of fact.

2, 25, 106.

11. C. Carbone. He was tribune a. u. c. 623, and a contempo-
rary 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 author-
ity 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.


13. Jure caesum is a legal formula. When Scipio Africanus in
Numautea heard of the death of Ti. Gracchus, he is said to have ex-

14. Ahala IIle Servilius. Notice the order. Usually the no-
men precedes the cognomen. On the persons here mentioned, see 1 in
Cat. chaps. 1 and 2.

15. Me consulre, 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. Fictis tabulis, sc. tragicis.—Doctissimi homines. άνδρι σοφοτ.
So Plato calls poets πατήρες τις σοφλα καὶ γραμμάτες. Compare Tusce.
1, 1, 3: apud Graecos antiquissimum sit e doctis genus poetarum; Lucre.
Rosc. Am. 24, makes another use of this allusion.


19. Variatis hominum sententiis. The court of the Areopa-
gus were divided. According to Εσχυλος, sixteen were for condem-
ing, 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 in occisit (si cum for furem
occiderit), jure caesus esto. Cf. pro Tull. 20, 47, and 50.

22. Telo. Inst. 4, 18, 5: Telum autem, ut Gaius noster inter-
pretatione 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
nome centinat. Others read defenderit and defendat.

Ch. IV.—28. Vi vis illata defenditur. D. 9, 2, 45, § 4: Vim
enim vi defendere omnes leges omniaque jura permittant.

31. Afferebat. De Invent. 2, 42, 124: Relatio criminis, ut in
eo milite, qui, quum communis lex omnium hominem occidere vetaret,
tribunum suum, qui vic sibi afferre conaretur, occidit. Plut. Mar. 14,
calls the soldier Trebonius; Val. Max. 6, 1, 12, C. Plotius; Quinctil.
3, 11, 14, Aruncins. 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 scripta, sed nata lex. A paraphrase of the jus natu-
rale; "the right that is born with us," νόμος ἀγαφος. 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 = audivi-
mus, and legimus are species. So in the antithesis, hausimus is the
more general expression, in which arrripimus and expressimus are
included, the former expressing eager grasping of that which is adapt-
ed to our nature, the latter conveying the idea of the exact representa-
tion 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 hostilo 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 ambalaverit. D. 48, 8, 1. Lex Cornelia de sicariis, qua 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 confessus esset se cum telo fuisset, in vincula conjiceretur. In Vatin. 10, 24. In Verr. 5, 3, 7: ut ne quis cum telo servus esset. On the notion comprehended in the generic word telum, see Arnold's Nepos. Dat. 11, 3.

3. Qua ... et, &c.: as if he said, "though the telum is the fact of carrying arms.

6. Maneat in causa. Cf. de Off. 3, 12, 49: Maneat ergo: quod turpe sit, id nuncquam esse utile, &c. Cicero conceives that he has now fully established the legality of homicide in self-defence, and thus refuted the first praedictum.—Non enim. Z. 808.

7. Probaturus sim, i. e. de veritate defensionis meæ vobis persaurus sim; make good to you, &c.

8. Oblivisci non potestis. Quia est lex naturalis, quæ sui defendendi causa alium interficere jubeat.


11. Cedem, &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 intended 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 prejudicium.—Cadem, in qua, &c. This expression is not simply = to the briefer form cedem 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.

14. Quoties enim, &c. Below, ch. 35, he says: Centesima lux est hoc ab interitu P. Clodii et . . . altera; a period which admitted of various discussions of the question in the senate.


17. Summum. The common reading is ad summum, which is unciceronian. See Z. 271.

18. Declarat, sc. how fully the senate approved of Milo's conduct. Declarare is often put absolutely, without the addition of the pronoun id or hoc.—Hujus ambiti tribuni plebis. T. Munatius Plancus Bursa, who, with another tribune, Q. Pompeius Rufus, harangued 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 Basilica 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, circummustus, properly applies to one who has been struck by lightning, but not killed.

19. Intermortuæ, is explained by most as = inanes, futile, ineffectucaes. 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, ineffectual and fruitless attempts, just dying, and as it were already dead before they reached the hearers.

20. Invidiose. 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 Elei νόμοι, κ. τ. λ. The leges were the lex Plotia de vi, the lex Cornelia de sicariis, &c., the lex Aquilia de caede.—Questiones, sc. perpetuae. See Dict. Antiq. Judex. 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 questiones 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. Mærorum ac luctum. Dolor denotes an inward feeling of grief; mæror 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.; mæror, 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 Caesar, had gained admittance, in disguise, to Caesar’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, quæ viri oculis, ne imprudentis quidem, adspici fas est. Juvenal goes still farther: Ubi velerti pictura jubetur, Quae cumque 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 praetor 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 senatui potestas esset erecta.*

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. Lepidus. Two days after the death of Clodius, Lepidus was declared interrex. The factions of Scipio and Hypseus, 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 patriæ, ergo civi quoque, nam hic pars patriæ est. Sanctæ partes sunt, si universum venerabile 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 *judicia publica.*

38. Ila, διεκτικῶς, 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. È re publica. Z. 309.

Ch. VI.—43. Ego ipse decerui. "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 eum, qui se defendisset. For self-defence was just and right, and not a crime against the state.

2. Crimen judicio reservavi, judicibus inquирendum reliqui, ab utro illata fuerit vis et comparatæ insidiae.—*Rem notavi, vim et insidias, taurquam cædis causas improbavi.* Cf. ch. 11, 31: *Senatus rem, non hominem notavit.* Vell. Pat. 2, 47: Clodius a Milone... exemplo, inutili, facto salutari reipublicæ... jugulatus est.

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 quaerere* is not to be confounded with the *nova quaestio.* The senate purposed 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 ....
quæreretur; 2. ut extra ordinem quæreretur. 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 unobno-
vious part, ut extra ordinem quæreretur

9. At enim. The third præjudicium; 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 sole
motive was a regard to justice, &c. This Cicero considers sufficient
to clear the third praebjudicium, 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: Quod igitur in causa quærendum
est, id agamus hic; quod tormentus invenire vis, id fatemur. Cf.
ad Fam. 2, 6, 5: Nunc tibi omnem rem atque causam neque 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 est . . . occisus est. In le-
gum formulis nihil frequentius quam istud imperfectum conjunctivi
vel aliquoties repetitum. The reading occisus est or fuit is inadmissi-
bile, 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 38, 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 . . . condemnæ, si non
paret . . . absolvere.

14. In confessione facti = quum (etsi) factum concederetur.—
Juris . . . defense quem suscipi posse. See ch. 3, § 8.

15. Quod nisi vidisset, posse absolvi. Quod ad antecedentia
relatum explicatur verbis posse absolvi, ubi nos nempe adderimus.

17. Salutarem . . . literam . . . tristem. The initials of ab-
solvo and condemna. 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
judges, senators, equites, and tribuni àerarii. 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 interitum = non, an aliquis occisus sit.

23. Tribuendum. Clodiine 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. Pæne patronus. Vere patronus senatus dictus erat ejus pater. 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 tyrannicide. Cf. ch. 16, 44.

27. Tribunus plebis, whose person was therefore inviolable.


31. Illa nocturna vis. He was found dead in his bed, and commonly believed to have been strangled. Others supposed he died suddenly 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 quiessenti, Klotz reads conquiescenti.


34. Necessariam ... mortem, quam naturæ 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 patricida, 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 afterwards analyzed, and several kinds of punishable homicide were distinguished. 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 πατά, as in παπαραβάτων, παπαβαλω, and κανδηρ. This πατά expresses perverseness, wickedness, and is to be found often in the Latin prefix per (perfuga, perjurus, perduellio). That the word did not take the form parricida, 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: necavit.

43. Ab istis, Clodianis, with contempt.—Proinde. Z. 282 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.

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.


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: Insidiatore rat, &c.; ei viro, &c.; eo . . . tempore.

17. In vestibulo ipso senatus. In Pison. 12, 28, deprehensus dispens cum ferro a d s e n a t u m is, quem ad Cn. Pompeium interimendum collocatum fuisse constabat.


21. Proinde quasi exitus rerum. Juvenal, 13, 209: Nam scelus intra se tacitum qui cogitabit illum, 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 rescrisit: In maleficiis voluntas spectatur, non exitus.—Exitus rerum, non hominum consilia, i.e. quasi nou 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. Questionem tulisset. 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. quem 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 *mæret—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 *nosnet 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. Cal. 14, 33: non patruum, non avum, proavum, atavum, audieras consulem 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 laetitia*).

36. *Alta et divina.* *Alta mens esse videtur, quæ alte in rerum naturam quasi penetrat, ejusque intimos et abditos recessus explorat.* Ernest. *mentem altam, h. l. explicat, quæ res humanae contemnit, Garaton. quæ, tanquam e specula, plus ceteris videt.* *Divina autem mens, quæ sapientia deore proxima videtur. Hæc etenim vox id omne continet, quod est maxime admirabile ac singularæ.

39. *Fides 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 Bregitaurus, and some others whom he had assisted, the rewards they had promised him for his services.

41. *Quamvis = quantumvis.* Z. 574.

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 (studirosus mei).

4. Consuetudines victus. This determines the meaning of fa-miliares; 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.—Quæsivit = spectavit, proprie nihil alius ut addeset curavit.

11. Ut consularem necesse esset, hic questioni praeses. Domitus had been consul two years before with Appius Claudius.—Principum munus esse. Z. 448, Note 1.


Cu. IX.—17. Si neque, &c. He briefly recapitulates his answers to the praedicia.


24. Argumentis, &c. Klotz: perspicere possit sit argumentis. Ch. 3, 7, ut omne...videre possitit. 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 praetarum appeteret, ut per hume gradum adscenderet ad consulatum.

30. *L. Paullum.* L. Æmilius Paullus, prætor a. u. c. 701. He belonged to the party of the optimates.

32. *Annum 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. Plantius Hypsæus and Q. Metellus Scipio. *Contulit se ad = cum iis se conjuxit, ut dicitur ad alicujus amicitiam se conferre.—Ita = tanta diligentia, tanto ardores.* 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 *interponerat.* 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 . . . conscriberebat.* 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 *fæx 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. *Pateres 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. **Miscbat**, i.e. *res* turbulentas concitabat ac moliebatur. *Turbare* is also used in a similar way.

44. **Ubi vidit**, &c., i.e. *ubi* vidit certissimum consulem fore *vrum*, qui fortissimus et inimicissimus esset. Cf. *Sest.* 69, 144.

3. **Suffragis . . . 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 orae atieno Milonis, 2, 2:* *Eosdem ad eodem civium de Apennino deduxisti,* on which the scholiast says: Quasi haec omnia in Catilinae socium dicentur, 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 inuinent, &c.

10. **Favonio.** This celebrated imitator of Cato (Gerow Κάτων, Plut.,) suffered among the proscribed during the second triumvirate. *Suet. Aug.* 13.

11. **Sumnum.** See note on p. 110, line 17.
12. Hunc M. Catonem. Cf. 27, 74: \( h u n c P. V a r i u m \ldots \)
\( j u d i c e m n o s t r u m \). See note on p. 103, line 30.

Ch. 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 18th 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. Kiotz reads \( d i f f i c i l e i d s c i r e a L a n u v i n i s \); and ante diem tertium decimum Kalendas Februarias.

16. Lanuvium. Behind the Alban mount, on the Appian way, was the city Aricia, about 160 studia from Rome. Beyond Aricia lay Lanuvium, a city of the Romans, on the right of the Appian way.

—Ad flaminem prodendum, sc. Juneus Sospitae. Liv. 8, 14: \( a d e s l u c u s q u e S o s p i t a e J u n o n i s c o m m u n i s L a n u v i n i s m u n i c i p i b u s c u m p o p u l o R o m a n o \). Appian gives another reason for Milo's journey. Prodendum = renuntiandum or creandum, is the proper word for appointing priests of particular deities, as coaptare of augurs, creare of consuls, diecre 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: \( q u o d e r a t d i c t a t o r \). Sometimes there were two chief magistrates in the municipia called duumviri, 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; \( f u n d u s \), a real estate, usually with a country-house; \( p r a d i u m \), sometimes a country-house, sometimes a real estate, like landed property.

19. Ita. Eo tempore. Ern. Cl. Quod barbaric dicunt \( h i s c i r c u m-
\underline{\textit{s}}\underline{\textit{a}}\underline{\textit{n}}\underline{\textit{t}}\underline{\textit{i}}\underline{\textit{s}} \). Matthiae.


22. Obire = attend on. So \( d i e n \), vadinonium obire.

23. Milo autem. Compare Quinctil. 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. Calcceos. The calcei senatorii were of various colors, oma-
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 *penula* or *lacerna* and *perones*.

25. Uxor, Fausta, filia Corneli Sulla.

26. Id temporis. Z. 459.

27. Si quidem . . . venturus erat, 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 Gracis 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. Penulatus. The *penula* 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.—*Magnus et impedito*. *Duplex comitatus* significatur, servorum magnus et *impeditus*, i.e. *impeditus onustus*, alter *muliebris ac delicatus ancilla- rum puerrorumque symphoniacorum*. *Hic opponitur Graecis comitibus*, *impeditus comitatus autem impedimentis*, ut c. xxi, in. *expedito Clodio Milo penulatus*, &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. u. 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 *Quinctilius*. 6, 3, 49, who says the accuser of Milo charged him *quod Bovillas ante horam nonam devertisset*, ut *expectaret*, 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-manoeuvre.—Adversi. Those in front.


38. Illi, qui erant cum Clodio. 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 crant, and therefore nearer the Clodian body), by whom Clodius was killed.

42. Ex quibus qui animo fideli, &c. The orator, with consummate skill, prepares the minds of the judges, by the mention of sufficient and almost necessary grounds for the murder, for the reception 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 . . . præsenti. Cf. Terent. Phorm. 5, 7, 64: Animo virili prasenti-que ut sis, para.

44. Succurrere prohiberentur. Z. 544 and 607.

1. Fecerunt id. A periphrasis and euphemism.

2. Non derivandi criminis causa. Not with the view of laying the blame elsewhere.

Ch. XI.—7. Vi victa vis. Quam maximo cum Ciceronis consuetudine congruit, ut verba ab eadem origine ducta aut similibus litteris 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 ingenuity of Cicero in enumerating, while he professes to omit, the advantages likely to accrue from the death of Clodius.

11. Si id jure, &c. If the principle of self-defence is inadmissible. For patuit the common text gives posset.


13. Ratio, &c. These fountains of law are appropriately referred. 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 simui. Without at the same time deciding. Z. 538.

19. Quod si ita putasset, . . . optabilius . . . fuit. Not fuisset, 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, servicia Roscio dare.


25. Factas . . . factum . . . factae. Recte Garatoni monet repetitiones ejusmodi aliquando ita esse necessarias, ut, eas effugero si velis, nihil proficias, nisi ut inepto labore maeceres, et, perspicuitate sublata, vitiosa fiat oratio. They form a kind of polyptoton. Quinquitil. 9, 3, 37.

28. Notavit. Notare involves the notion of censure, derived from the censor's nota.


33. Quonam itur 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 scopulus reorum diceretur. When appointed, says Asconius, to judge the vestal virgins, of whom L. Metellus had condemned only one, Æmilia, and acquitted Marcia and Licinia, he condemned them also, along with several others.—Cui bona fuerit. Cui is dative of the person, and bona of the thing.


40. Non eo consule, quo, &c. Cf. 13, 34, and 33, 89.

41. Iis consulisbus. Plantius 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, audacissime omnia permisere, 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 Suplete retain the reading of the MSS. nec, si cuperent, reprimere possent, quum, &c., and make cuperent denote the inclination of the feelings, the moral desire; velle, the energetic, efficient will. Cicero's meaning then is, that, as Clodius reasoned, the consul 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. Mudvig 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
to the sense, was led by the form of the second member (*et, si vel-
lent, ... vix possent*) to carry back the conditional particle in the first
member too to the beginning, and give it to the first verb. It is not
so easy to explain how, according to the conjecture of Manutius, the
verbs possent—cuperent should have changed places. Cicero simply
says, those consuls would neither have had the will nor the power to
restrain Clodius. Schultz agrees with Madvig.

1. **Tantum beneficium.** For Clodius had canvassed for them,
ch. 9. *Convocabat tribus.*

4. **An vero, judices.** An eloquent amplification of the simple
proposition: Clodius was about to enact pernicious laws in his praetor-
ship, were Milo dead.—*Hospites = peregrini.* Cf. p. Rabir. *perd.*
10. Adeone hospes hujusce urbis, adeone ignarus es disciplinae consue-
tudinisque nostræ, ut haec nescias? ut peregrinari in aliena civitate,
non in tua magistraturn gerere videare.

5. **Perigrinantur,** ut Aristoph. *Equ.* 1120, ὅ νῦν ἤτο σου παρὰν ἀπο-
δημαί. Cf. Acad. 1, 3, 9: *Num nos in nostra urbe peregrinantes er-
rantesque tanquam hospites.*

6. **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 indi-
vidual party leaders to gain for themselves partisans and influence by
extending the suffrage of the freedmen.

7. **Ac non.** See note on p. 112, line 22.

8. **Inusturus = tam alte impressurus, ut acriter sentiantur.** In
Pison. 13, 30: *Quaś lex privatis hominibus esse lex non videbatur,
inusta per servos, incisa per vim, imposita per latrocinium.*

9. **Sexte Clodi.** He was the kinsman and secretary of Publius
Clodius.

11. **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.

12. **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.

14. **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 [omnes tribus divisis libertinis
servos ille omnes, qui in libertate morarentur, lege nova additus-
erat, ut ipsi cum ingenuis aequaliter suffragia ferrent.] An, &c.*
The common text gives *deferre posses.* *Et adspehit,* &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.


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;" sc. 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.


24. 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. Cadaver ejectisti 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.—Exsequiis. 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.—Infelixissimis lignis. An allusion to the distinction between arbores felices and infelices in the (Etruscan) pontifical language. An arbor 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 Homeria formula κύνωσιν οὐνομαί τε τάσι, quam Græci postea, 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.
35. Eo. Clodio.

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.

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 cивem metueretis. Z. 618.
7. Fontem perennem. Cited by Quintil. 8, 6, 7, where he treats de egregiis metaphoris.

10. Tentari ceptus est. The passive voice of cepi 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 o\textcircled{v}.—Segetem ac materiem suæ gloria. A metaphor derived from agriculture. Cf. Liv. 6, 7: hostis est quid aliud, quam perpetua materia virtutis gloriæque vestrae? See Quintil. 8, 6, 7.
16. Præter hoc civile odium, i.e. præterquam hoc civili odio. Z. 323. Civile autem odium est, ex dissensione rei publicæ s. civili suscipsum, 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 commingling of words. But see Z. 562.—Salutis meae 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: defensorem salutis meae.

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. Tyranum, i. e. Clodium, 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 cenderit; on which the Schol. Bob. remarks: prudenter hoc suspendit, ne aut damnatus aut exul fuisset unquam videretur. Cicero is in the habit of calling his exile discessus meus; ch. 37, 103. Sest. 22, 49: Servavi . . . rem publicam discessu meo . . . unus bis rem publicam servavi, semel gloria, iterum arumna mea.—Judiciumne. Parad. 4, 1, 27: Non erat illa tum civitas, quum leges in ea nihil valebant, quum judicia jacebant, &c.

28. Non servos, &c. i. e. nonne potius timni servos a Cl odio 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 restituetendi not simply for revocandi, but as to restoration to his former rights and possessions as a citizen; and so
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 irrogarat. 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 consequence 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, Catilinarios conjunctionis socios, de senatus sententia indicta 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 ejicerer. Adesse is often used in a legal sense of the countenance or support lent by a patronus or advocate 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 Vibius 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.—Hae intentata nobis est, ante exsilium.

41. Huic ego vos objici pro me non sum passus, urbem relinquendo.

42. Insidiata Pompeio 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 viæ 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. Quanta, quoties. Klotz: Quotiens et quantæ.—Potuitne, i.e. nonne potuit. Z. 352.

6. Quum domum . . . defenderit. 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. Civii. 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. Cæcilius. 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. Milo die, &c. Pison. 15, 34: me Kalendis Januarii . . . frequentissimus senatus, concursu Italæ, referente . . . P. Lentulo, consentiente populo Romano atque una voce revocavit. Cf. ch. 28, 77.—Totius Italæ concursus. Pison. 22: A Brundisio usque Romam agmen perpetuum totius Italæ viderem. All these, had Milo slain Clodius, would have claimed the glory of the deed.

Cnf. 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
NOTES.

of the previous year, who were tools of Clodius.—*Vestra 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 of the centuries for Cicero’s return. *Pison.* 15. 34; *Sest.* 51, 109.—*Septem pratores.* *Pison.* 15, 35: de me, quum omnes magistratus promulgassent, prætor unum prætorem, a quo non fuit postulandum, fratrem inimici mei præfertque duos de lapide emptos tribunos. The prætor was Appius Claudius, the two tribunes, Q. Numerius Rufus and Sex. Atilius Serranus.


21. *Cu. 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 ipsa, 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 Capuae fecit.* *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 Caesar, a. u. 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 †. But Madvig now adopts the conjecture of Heumann: *omnia denique in illum odia civium,* &c.

29. *Cogitaretur* is not for *cogitatum 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. Cladio.* *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 quaestorship, 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 ... fuit. Z. 520.—Illam pestem, Clodium.


42. Comitii. A. u. c. 702, when he was obstructing the election of Milo, and favoring that of Scipio and Hypsaeus.

43. In sæpta. 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 sæpta ruisset.

44. Fugeret ad Tiberim. For the Campus Martius was washed by that river. Liv. 2, 5.

1. Vos et omnes boni vota faceretis, ut. Z. 378. So ch. 28, 119. vota enim faceretis, ut, &c.—Ut Miloni uti virtute sua libérat. 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, “nihil 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 grattiam iniret; cum aliquorum querela, ita ut aliqui querentur.

6. Periculo capitis. Quinctil. 5, 14, in quoting the passage gives cum .periculo capitis. Cf. 2 in Cat. 2, 3, vitae periculo sustulisse; and Krebs, Guide, § 211. Z. 472 and Note.

35*
7. **Honoris amplissimi.** The consulship.

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 *fictum.* The common text gives *fabulam falsam, fictam, lexem.* 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. etium quum recte faciunt. *Fastidire vero dicuntur eos, quos sibi non satisfacere significant,* ut hoc modo ipsi plus aliis 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.

21. **Qui se, &c.** Klotz and others: *quin se ille interfecit.*

22. **Regnaturum.** Cf. chap. 28 fin. and 29, 80.

23. [Audaciae]. Klotz: *audaciae* without [ ]: *λογικὴν παράφραμα,* levi tamen, *audacia retinentes ab oratore ipso commissum fateamur,* 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 præclari,* as being done to benefit the state; *necessarii,* as being in self-defence.

26. **Contemperat.** 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 institutisque 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 quædam sors.** Pompey chose 360 of the best citizens for the selecti judges. After the three days' hearing of testimony, the sortitio judicum 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 aevi. 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 and 15 for acquittal.


32. Vivo Clodio. He could, therefore, have denied the charge.

34. Dubitarit. Dubitarit referunt ad præsens potestis: dubitarit rectum esset, si sequeretur poteratis, et utraque actio per idem temporis spatiunm continuata significaretur. Nam actio præterita, relata ad aliam præsentem, perfecto declaratur, ad præteritam, plusquamperfecto. Matthae. Klotz reads and defends: dubitarit ... cogitarit. Steinmetz: dubitarit ... cogitarit. Schultz: dubitarit ... cogitarit.

Cf. 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 enallage 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. [Omnes scilicet Lanuvini.] Klotz omits the [ ]. Garatoni and others doubt the genuineness of these words. But they are found
NOTES.

120 in almost all the MSS. without variation, and Matthiae defends them, as making more ridiculous the excuse of those who maintained that Clodius had no means of knowing. *Scilicet* = doubtless, *omnes Lanuvini* 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.—*Quæsivit sancta* Z. 529. So also *corruerit* 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. *Corruerit*. 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 Narn 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 arised from these country-seats, and considerable remains of amphitheatres and tombs are found near the modern Albano 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.

Cn. XVIII.—20. Quaestae 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 conlectae. See Z. 553.

21. Liberatur Milo, non . . . profectus esse, i. e. absolvitur Milo eo quod demonstratum est eum non eo consilio profectum esse. Compare Phil. 5, 5, 14, excuseturque Areopagites esse, and Thucyd. 1, 95, ἄνοδόκεα ἐγὼ ἄφικεν. Verba dicendi are often omitted while the construction remains such as they would require.

22. Quippe sometimes stands independently = "certainly." Quidpe reversa mirantium est, qui res aliter esse possit, et comparandum maxime cum Græco πῶς oὐ vel πῶς γὰρ. Itaque inter quippe et sententiam annexam, qua causa continebatur, olim distinguebatur: quam distinctio quam diuturna consuetudine in oblivionem venisset, quippe ex interrogativa particula abiti in relativam. O. Müller. Other readings give quippe qui obvius and quippe; obvius, &c.

25. Fuisse, qui . . . dicerent, Q. Pompeius Rufus et C. Salustius tribuni sunt, quos significat. Hi enim primi de ea lege ferenda populum hortati sunt, et dixerunt, manu Milonis occisum esse Clodium, consilio vero majoris alicujus. 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.


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 dicitur. 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 codem 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.

Ch. XIX.—43. Sit ita factum. Admitting that he was informed of Cyrus's death.

44. Quid afferebat, &c. Most MSS. give quid afferebat 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 hid him open to nocturnal attacks; and therefore made it advisable to avoid late journeys.

7. Subsidendum. See § 51. Subsider(e) (subsidium) 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* .... *Ioco.* 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 eum,* *si subsidi set,* 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., 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 quam diu et quatenus neque muta solutus,* &c.

13. *Ibi,* i.e. *multi,* i.e. *si cadés 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 caedis Clodii, quos vexarat; 9, 26. Cf. chaps. 27, 74; 35, 98.

16. *Atque illo die,* &c. The *seventh* argument. The preceding was, that were 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.—*Aricia* was a town of Latium, on the Appian way, 60 stadia from Rome. From *Atque* to *Al banum,* 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 Aricia fuisset,* 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 Aricia fuisset* as a gloss; and explains: *Quod* (ad villam suam dever tisse Clodium) *nisi sciret Milo,* *suspicari tamen debutit,* eum, &c., vel, nisi sciret Milo, eum illuc deversurum, suspicari tamen id fore debutit.

20. *Nec eo in loco,* sc. near the city, at the tomb of Basilus.

22. *Video constare adhuc.* He recapitulates the various argu-
ments from ch. 12, omitting, however, the fourth, 16, 43, and particularizing the several subsidiary points of the fifth, and then proceeds, ch. 20, to consider the actual site of the rencontre. He had 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 profecionis 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: præ se tulisse illo die. The omission of the unaccented subject accusative (se, me, te, nos, vos, less frequently eum, eos) is not uncommon. See 24, 65; 35, 95; and compare P. C. p. 55s; Z. 605.

Ch. XX.—36. Locus ad insidias . . . utri . . . 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.


40. Insanasillas substructiones. Cf. § 85: Substructionum insanæ moles. Plin. N. H. 36, 15, 103: Pyramidas regum miramur, quum solum tantum foro exstruenda H-S. millies Cæsar Dictator emerit, et si quidem impensæ movent captos avaritia animos, P. Clodius, quem Milo occidit, sestertium centes et quadrages octies domo etma habitaerit, quoq equidem non secus ac regum insaniam miror. Itaque et ipsum Milonem sestertiwm septingenties äris alieni debuisse, inter prodigia animi humani duco. Sed tunc senes aggeris vatum spatium, et substructiones insanæ Capitolii mirabatnr, &c. The substructiones are the substructures, foundations, or changes made in the ground in preparation for the building. Sall. Cat. 12, speaks of villâ in urbiwm modum exadûcitate, and ch. 13, he says: Nun quid ea memorem, qua nisi his qui videre, nemini credibilium sunt: a privatis compluribus subversos montes, maria constructa esse. Cf. Liv. 6, 4; 38, 28; Vitruv. 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 hominum versabantur. See Z. 116, Note. Gellius, N. A. 1, 16, and Macrob. 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 . . descendere.


1. Quae semper = et ea 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 egredetur e villa subito, vesperi, tarde. Sed interjectis illis Quid horum non impeditissimum, &c., ordo immutatus est.—In rheda panulatus. See ch. 10, § 28.—Uxor, Fausta, the daughter of Sulla.

5. Vestitus, an vehiculum, quasi proecessisset 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 pæne 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 appropinquare. To vesperi; quid necesse est? and tarda; qui conventi? why leave the villa in the evening? the reply would be found ch. 18. He had no reason, si quidem exiturus ad caedem 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.—Pompéium ut videret? As before his rhetorical questions were more forcible denials of any reason, necessity, or propriety in regard to the suddenness, time, and
NOTES.

11. In Alsiensi, sc. villa. Alsium, now the village of Palo, was an old Etrurian town, on the sea-coast near Caere, northwest from Rome, while the Appian way lay to the southeast. Fronto, de feriis 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 mora et tergiversationis? to which dum hic, &c., forms the answer. His enemies invented a similar charge against Milo.

Ch. XXI.—14. Age . . . compare. Others agite. Scilicet ante Vallam non defuerunt, qui age putarent cum plurali non posse conjungi. Horum jam diu exploso sententia est. See note on p. 57, line 35.—Expediti, hand impediti, parati ad eadem faciendam, contrasted with impedimentis; which is derived from the same root.

15. Cum uxore, Fulvia, who afterwards married Antony; supply iter faciebat.

17. Graeculi. 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 ultor Catilinae (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. Nugarum nihil = nullos homines leves et nugatorios, h. i. versantes in artibus ludicris, quas tractare gravi viro indignum esset; jester, buffoons.

19. Pueros symphontacos. Articles of luxury and ornament were mostly denoted by Greek names, e. g. anagnostæ, authepsa, baptisterium, chrysendeta, lychnuchus; 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. Mulier. See ch. 33, 39, homo effeminatus. Cic. in Clod. et Cur. 5: nam rusticos et (Clodio) nos videri minus est mirandum, qui manicitam tunicam et mitram et purpureas fascias habere non possimus. Tu vero festivus, tu elegans, tu solus urbanus, quem decet muliebris ornatus, quem incessus psaltria, qui effeminare vultum, attenuare vocem, laevare corpus pates.—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 unam partem, sed utramque, modo hanc modo illam, adjuvat, allo-
NOTES.

34. Perculit ab abjecto, i. e. per eum, qui jam abjectus et prostratus erat. Matthiae. But Hand, Turs. i. p. 30: Mars sepe spoliante jam evertit et ab abjecto, cui jam incubuerat, depulit, which seems preferable.—Prausi, poti. Z. 633.—Oscitantis. Listless, inattentive. Quae oscitantia licet nonnullum quae corporis vitio contingat, certum est tamen frequenter e potu et a prandiio provenire. A. Gell. 4, 10.

35. Qui quum .... interclusum reliquisset. Ch. 10, 29. Clodius thought everything 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 pænis, 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 fn.

41. Occisum esse a servis. Cf. ch. 10, 29.

43. Occideritne? 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 serat, per μελωτίν 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 quæstiones. 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 familiar. 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 Clodius 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 quaesitor Domitius decided that the slaves of Milo must be subjected to torture, and the slaves of Clodius 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 Clodius's slaves against Milo, derived by torture, as suspicions 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 Clodius was dead, and Milo was the reus. He does this, in order to speak again of his favorite subject, the incest of Clodius, under which was included every species of sacrilege, and to conclude a contrario: In reum de servos, &c. He here proposes for the examination by torture of the slaves of Clodius the question: Clodius insidias fecit Miloni? which is to him the main question, to answer which affirmatively, he makes his prin-

36*
cical object in the oration. If this question was put in the torture of
the slaves of Clodius, they were subjected to torture against their mas-
ter, and: de servis nulla lege quaestio est in dominum nisi de incestu.

18. Nunc, with emphasis = nunc demum, 100 days after the
death of Clodius. See § 60.—In atrio Libertatis. There was a tem-
ple 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 per-
haps business, particularly that relating to slaves and freedmen, was
transacted in the Atrium Libertatis. Klotz supposes the atrium Li-
bertatis is mentioned as the place of the examination, in order to sug-
gest 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. Clo-
dius. 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 fig-
ure called συμπλοκή (καινότης) 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. Quaestio est, like actio est = the right, &c., exists.—In do-

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 divin-
ity 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 immortaliun 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.


30. Heus tu, Rufio, &c. Spoken with comic seriousness, and put in the mouth of Appius, who directed the deposition of his slaves. Quinctil. 8, 3, 21.—Verbi causa = exempli gratia.

31. Sis = si vis is borrowed from the language of common life and comedy. Est blande 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.

Ch. 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 egregii duces; 4 in Cat. 3, 6, tantam tam.

41. Revertisse. Z. 209 in fin.

42. Celeritas reditus ejus. The excesses of the Clodians, 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 consulship, 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. Cælius, 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
NOTES.


124 1. Populo . . . . senatui 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, quæ ad se deferrentur, plane repudianti et negligenti. 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 fucinoris voluptas major, quam damnationis dolor; Virg. Æn. 2, 585: Exstinxisse nefos tamen et sumpsisse merentis Laudaborem pœnas, animumque explesse 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 hæc 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 futale portentum prodigiumque rei publicæ; and, de prov. Cons. 1, 2, the consuls, Piso and Gabinius, are described as duo rei publicæ ... portenta ac pæne funera. So in our passage, Heumann takes illa portenta as = ejus generis consercator 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. 492.—Optime de ... meritos. Deserving best at the hands of; having best served.

30. Admisisset aliud. Cf. 13, 34, and 37, 103.

Ch. XXIV.—32. Quid? Z. 769.—Quæ 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 mediocrium delict. conscientia.

34. Sustinuit! immo vero. See note on p. 9, line 13.

35. Pro nihil 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. Steinmetz brackets both frenorum and sparorum, Klotz and Süpfe 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 olkos, as vinum from olvos, 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 Ocriculanam. A villa of Milo's, near
Oriculum, 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.

11. Domùs. Ernesti wished: domum ... referbam depending on dicebant. Garat. considers it an instance of syllepsis, and supplies dicebatur from dicebant. This house of Milo was called Anniana. Ad Att. 5, 3, 3.


13. Repudiata. Though totally unworthy of notice, such was the misery of the times, they were not rejected without inquiry.

14. Laudabam, &c. Cicero expresses the extraordinary solicitude of Pompey, but shows at the same time how little he was pleased with his timid credulity.


3. Tota . . . . res publica. Cf. ch. 26, 70. Ernesti suspected tota, but compare 23, 61; 24, 66; 25, 68 init. Garatoni: Aliquando etenim una erat rei publicae pars aut aliqui 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 popae 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 popa 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 Caesar, 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 (Tarquini), 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. 308. It was here that fortune-tell-
ors, astrologers, and conjurors practised their arts upon the credulous; hence *fallacem 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 audiendo*. We should then supply "saying." Z. 620.


8. *Hortos*. Z. 96.—*De amicorun 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 propinquorum (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.


15. *Ne ... aliiquid*. Z. 708.—*Oppuginata domus ... nuntiabatur*. Z. 607.


18. *Tamen audiobatur*. It was listened to.


Ch. XXV.—25. *Insidoiese* nam fictis crimibus Miloni fiebant insidiae. Another reading gives *invidiostis*, i.e. ad invidiam contrahendam 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.* Klotz 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-
dictament, the charge of murdering Clodius, that we fear, but your sus-
picions, Pompey. The pronoun tuus is repeated with emphasis.

28. Exaudire. Fero semper exaudire est ista audire, ut dicta
plane percipientur, ubi nostrates fere intelligere dicere solent. Rarius
in hoc verbo simplicis verbi audiendo vis ancta apparat. Exaudientur
igitur verba, quae clara voce in iis 2nop69 dicuntur; dicantur ex longinquo
an ex propinquo nihil refert; uam etiam ex propinquitate ita dicas, ut
vix proximi te exaudiant. See note on p. 43, line 11. Pompey was sit-
ing in front of the aerarium, 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 Capitolinar 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 vigiliae numquam de diurno
tantummodo tempore dicantur.—Delecta juventus. Juventutis no-
mine prae ipsum 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 Italiae, &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, (quae
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 multis. So Hor. Carm. 4, 9, 39: Consul
non unius anni.—Indicantur. See note on p. 124, line 38. Klotz
gives judicantur.

40. Egras . . . labantes, corresponding respectively to sanarc
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 medias, for exile would have been the punishment, had Milo been condemned. See note on p. 85, line 1, for the meaning of caput. — Adjustum. 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. 605. — 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. Inhâesisset. Like a deep-rooted tree. Hence evelli. The common text is insedisset.


10. Qui ita natus est et ita consuevit. Manutius: qui hoc habet et a natura et a consuetudine, ut otium salutemque patriae rebus omnibus anteposat. Cf. ch. 14, init. The connection shows the relation (ὅς οὖν τὸ πέτυμα) ; namely, so as to act the patriot. — Magna. 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 moneret, ut meminisses, se convenire te voluisse, et de sua innocentia, alienor antem 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 facta, neque abit a patria sed in judicio se sistit.

Ch. XXVI.—12. Vide, quam sit varia. See note on p. 97, line 1. 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 ut-
tered, 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.

13. Ratio. The course.—*Quam vaga.* Cf. Ovid, Trist. 5, 8, 15,
passibus ambiguis fortuna volubilis errat et manet in nullo certa te-
naxque loca.

14. Amicitia. The common reading is amicis.—*Ad tempus
apta,* accommodate et aptata; time-serving.

rum turba circumsedet; circa eversos ingens solitude est, et inde
amici fugiunt, ubi probantur; haec ista tot exempla sunt aliorum
metu relinquuntum, aliorum metu prodentium.

16. Illucesceet ille . . . . dies, quum . . . . desideres. It oc-
curred in about four years after. After *fuit (erit) tempus (illud tem-
pus, dies), quum,* there was once a time, when; there will a time
come, when, (such a time, that,) the subjunctive almost always fol-
lows. 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 saluté tua conjunctis:* nec probari potest vel Gar-
tonii salubribus 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
*immutatis,* and this or *immutatus,* 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 . . . . *virii,* i. e. from the founda-
tion 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 harbours 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 Titias, Apu-
leias, Livias *uno versiculo senatus* sublatas commemorat, i. e. hoc
éodem SCto.
25. Satis armati, i. e. subsidiis ad consilia sua perficienda instruxit. Cf. Liv. 4, 53, hoc decreto consul armatus. Cf. ch. 1, 2.


28. Tolleret, i. e. tollere underet, sublatoire iret, se. by taking the law into his own hands, murdering Clodius, and plotting against Pompey.

29. Ist. 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; se. the entrance to the treasury, as Asconius says. See ch. 25, 67, and ch. 1.


35. Animadvertere ipse. See note on p. 17, line 32.—Suo jure. For the act permitted the consul coecere modis omnibus socios atque cives. Sall. Cat. 29.


Ch. XXVII.—38. Clodianum crimen, 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 Quinctil. 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 bona publico damnari, idem etiam occidi indemnatus posset.

42. Mentiri glorioso. In saying occidi, i. e. per vim et insidias, which he has just disproved.—Glorioso, boastfully, proudly, glorying in it.


1. Appetendi. 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. Collegae. Octavius, the colleague of Ti. Gracchus in the tribuneship, 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. Nobilissimæ. Vestal virgins and noble matrons who had assembled at Cæsar's house, to perform the rites of the goddess Cæsar was Pontifex Maximus.

7. Religiones expiandas. 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.—Quæestionibus habitis. The slaves of Clodia were put to the torture.


13. Regna dedit, admit. 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 prætor 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. Cæl. 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, Cæs. 41. Clodius could not obliterate the ignominy which was the result of the animadversio (castigatio, 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.....erat. 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 moveriti-que possessionem, promovendo suam, alterius minuendo, ob hoc se-cetus damnabitur a diis. Si servi faciant, dominio mutabuntur in deterius; sed si conscientia dominica fiet, celerius domus exstirpa-bitur genusque ejus omnis interieta, &c.—Calumnia litium. Unjust law-suits; the twisting or perversion of right in litigation. Calumnia = trick, artifice, chicanery, and is opposed to veritas, fides, æquitas.

21. Vindicilis 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. *Vindiciae* is the mock contest of the two parties, (therefore the plural as *induciae*) who, appearing before the pretor to make good their claim, exhibit force in asserting it, *(vim dicere, δεικνύοντα.*) They both take hold of the thing in controversy, (or a piece of it to represent the whole,) lay the festuca *(vindicata)* on it and maintain: *Hanc rem ex jure Quiritium meam esse ait.* The *vindiciae* 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, 180. 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.

25. *Cum architectis et decempedis.* Cf. Phil. 14, 4, 10, where Cicero speaks of Antony, as he does here of Clodius.

27. *Janiculó et Alpibus,* i. e. the entire of upper Italy, from Rome to Gaul.—*Terminabat.* Klotz: terminarat.

28. *Equite Romanó splendido.* *Equites Romani* are the knights, *qui publico equs stipendia faciunt* or *qui eorum publicum habent,* Liv. 39, 9: 24, 18, in distinction from those *qui equs 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 suisse necessaria,* eorumque commendationem solam facere potuisse, ut *vim armatam intelligeremus.* Some understand by *arma* tools.—*Dominique ... spectante.* This was an aggravating circumstance.

32. *Edificium 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 .... dejecti. Dejicere 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 aedes est.

Cu. 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. Etsi non dehebant tolerabilia videri, quia .... irru-ebat; sed .... usu jam obduruerat civitatis patientia.

2. Propinquos = vicius, neighbors.


6. Imperium ille 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.


12. **Servorum exercitus.** With reference to the rule, by which slaves were excluded from military service. See Deiot. 8, 24. The *servi publici*, it would appear, 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*, *aïdós*, ejus est, qui male facere reformidat, non ejus, quem male factorum pudet; ejus pars est *pudicitia*.


27. **Summorum imperatorum.** Marius, Sulla.

29. **Mandat hoc memoriae.** 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 memoriae, etsi sperem multa vos . . . esse visuros, tamen in iis singulis vos existimatos*.

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 judiciis constitutis.** Klotz: *legibus et institutis constitutis*; and below, line 39, *domino for homine*. The variation appears to be in each instance a typographical error, as no authority is given.

38. **Ea, quæ 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 judges 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 . . . inimicitiarum, i.e. odio ex inimicitiiis orlo.

42. Libentius . . . quam verius.  Z. 690. Fatetur Cicero se libenter in Clodium invehi, sed ita, ut omnes intelligent, nihil se odii causa confingere, nihil amplicare.

43. Etsi præcipium, sc. odium meum; being banished by Clodium, my brother nearly killed, my family persecuted, my property confiscated, my house burned, &c. Communi opponitur præcipium et præcipium, quod, qui nunc latine scribut, peculiare dicunt. Hinc proprius jungitur cum meus, tuus, suus. Klotz: Etenim si, &c.

44. Pæne æqualiter versaretur. Was almost on an equality with; i.e. did not much exceed.

3. Quin sic attendite. As the magnitude of Clodium's guilt ad-
 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 κρίνω, 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, qua videmus. Some read cernamus. Klotz omits igitur after fingite.

7. Conditionis mæ, quam vobis propono verbis si, &c. Sed ea conditione proposita abrumpit oratio verbis quid vultu extimuistis? 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 Clodium should be brought to life.—Cicero artfully connects the acquittal of Milo with the reanimation of Clodium; 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 Clodium to life. Therefore his death must have been a public benefit. For percussit, Klotz gives the stronger but unusual percuslit.


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 n. Significat fieri adhuc posse, ut putent; at, ut reviviscat, non potest.

18. Qui si, &c. = de quo, si. See Z. 804.

19. Hujus ergo interfector si esset. Matthiæ defends the common reading qui esset, for which, from the best MSS. Garatoni, Orelli, Klotz, &c., give si esset.

21. Graeci homines. A Grecism: compare the Homeric πόλεις Μερσάων ἀνθρώπων, and ἀνδρές Κλίκες, Αθηναίοι, &c. The contrast is in Vos tantici conservatorem populī.—Iis viris, e. g. Aratus, Timoleon, Pelopidas, and Brasidas, in other cities; in Athens, Harmodius and Aristogitou. 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 cantus? Quae carmina? For fragments of these songs, which were sung at festivals and entertainments, see C. Dav. Ilgen σκόληα hoc est carmina convivalia Graecorum, p. 58 sqq.

25. Consocrantur, quae inter deos referuntur et cultu divino afficiuntur. Ad religionem, ita ut religioso colantur et memoria hominum vigeant. Immortalitatis autem religio est, qualis immortalitati sive naturis immortalibus, i. e. diis debetur. Ch. XXX.—31. Et enim, si id, sc. that he slew Clodius in self-defence. An a fortiori argument.


34. Sui se capitis quam vestri, &c. Klotz, Steinmetz, and others retain ordinis after vestri.—Quam præsertim, refertur ad sententiam non verbis expressam, sed in eorum, quæ præcedunt, conformatione latentem. Quam enim formula nisi vero usurpetur, ubi absurdi quid commemoratur in verbis nisi vero—fuisses, hæc inest sententia: gratissimum vobis putat esse, se vestri capitis defensorem fuisses, iœque libenter praedicaret, quam præsertim, &c. See note on page 90, ine 25.

35. In ea confessione, dum ea consisteretur. Poterat etiam di-
cere ea confessione sine in, ut id indicaret, quo efficercetur, 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 nitetur 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 ceccidisset. 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 ... civem non auderet?

11. Ahala ... Nasica ... Opimius ... Marius. See notes on p. 9, lines 20 and 24; p. 10, lines 3 and 9.

13. Conscientia sua nitetur. 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 ducit numeneve 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.

Ch. XXXI.—23. Est, est profecto illa vis. Cf. 27, 72. Occidi, 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—inest 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 naturae 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 Demosthenes 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 ἀρν.—Mentem injecit, ut . . . auderet vincereturque, i.e. mentem injecit ut . . . auderet; quo factum est, ut vinceretur.

35. Sempiternam, i.e. all his life.

37. Religiones ipsae, sc. ædes, araæ, caerimoniae, or rather, the gods which belong to them, and which alone can be said to "bestir themselves."

38. Commovisse se. 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 skilfully avails himself of the superstitions of the people, to work upon their minds.—In illo, sc. punitendo, i.e. dum illum puniebaut. See note on p. 88, line 37.

39. Retinuisses. 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 mound 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 Latinæ 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 æquales. Liv. 1, 7, says of Romulus: Sacra diis aliis Albano ritu, Graco Herculi 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 æquales. 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 Lenuvium 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. Substructionum insanis molibus. See ch. 20, 53.

44. [Aræ.] This word, if correct, is the vocative, like obrutæ aræ, 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 Latiaris, 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 Boneæ Deæ. The rencontre was near this chapel.

10. Acciperet. Steinmetz, Klotz, and Süpfe acciperit. In perfecto simplex inest facti notio: in imperfecto etiam necessitatis et consili divini, quasi dixisset; ut eum oporteret vulnus acciper, ita volente numine Boneæ 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. Ncc vero, &c. Z. 808.

14. Injicit amentiam. So § 84.—Sine imaginibus. The imagines 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, tibicinum, siticum cornicinumque.

15. Ludis scurrarum, histrionum gladiatorumque, qui in funeribus indictis edi solebant.


17. Ambureretur ajectus. See ch. 13, and ch. 33, 90.

18. Clarissimorum virorum formas, i.e. imagines, qua proprie vocantur. Clodius's father, uncle, grandfather, great-grandfather, and the grandfather 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 sollemnes religiones expiandas. Ad Att. 1, 13, and 14.—Pecunia se . . . redeemerat. Alluding to the trial for sacrilege. See ad Att. 1, 16. To this fact the fragment refers, from the oration de are alieno Milonis; iterum a piratis redemptum. Quo enim nomine appellem eos, qui te pretio accepto liberaverunt? On which the Schol. Bob.: Significat judices eos, qui accepta pecunia reum de incesto 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. Gesta. 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.—_Bonu 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: _eversa domus est_, _fortuna vexata_, _dissipati liber_, _raptata conjux_, &c. See Introduction, p. 375.


30. _Magistramur_. . . _cædes effecerat._ 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 addicerent._ 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 Clodian 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. _Cæsaris 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: *Caesaris potentiam suam potentiam esse.*

40. 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. Hic. Milo.

1. Senatus . . . circumscripsisset. 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 coerceendo*) is found also ad Att. 7,9,2: *trib. pl . . . SCTo 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 anything in the case of this same Clodius as a private citizen.—*An consules, &c.* See ch. 9, 25: *mancam ac debilem præturan, &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. Hypsæus and Scipio, his nominees.

6. Virtutem consularem, in consulatu præstitam a Cicerone: nam propert res in consulatu fortiter, i. o. cum virtute gestas Clodius vexavit Ciceronem vel *res ejus gestas ut est pro Sest.* 5 in. *Virtus autem vexari simili 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.


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 tenemus, jamdiu nullam habemus.


16. Satellitibus. Properly the body-guard of a king; but used by the Romans, who hated every thing regal, to signify "braves, 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. Consilii publici. See note on p. 11, line 30.—Urbin, not orbis, which in Cicero is not used without the addition of terræ or terrarum.—Portum omnium gentium. De Off. 2, 8, 26: Regum, populorum, 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 fugæ. Arum sic usurpavit etiam Trist. 4, 5, 2.

21. Funestari, cadavere illato. For a place was considered to be polluted by a dead body.—A multitudo. 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 ustor tantum potuit, quantum signifer ausus esset?

25. Evererat. Ch. 5, 13, and 32, 86 fin. 87.—Et sunt. Particulæ et, hic sepius 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, tæquam demonas maleficos ἀδάστορας.—Insepulti? See ch. 13, 33; 32, 86. He uses insepultus 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 hic messoriæ fuerunt, sed quam in armis numerabantur, quum militaribus, 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 Quint. 4, shows was customarily deposit-
ed 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 fide? Z. 783.

Ch. 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 mo-
destius prætentanda sit judicis misericordia, in epilogo vero licet totos effundere affectus, et fictam orationem induere personis, et de-
functos 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, 83. Schol. Bob. ad orat. pro Flacco, 41 (p. 246, Orell.): secutus videlicet suam consuetudinem et artis oratoriae disciplinam, ut lacrmosus affectibus prope sententiam judices impleantur. Cicero is called by Quinctil. 11, 1, 85, summus tractandorum animorum arti-
fex, and the closing chapters of this oration, give a complete illustration of his skill and power.

40. Misericordiam . . . quam ipse non implorat. Milo re-
jected 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.
42. Nolite . . . parcer. Z. 586.—In nostro omnium. See note on p. 11, line 30.


2. Etenim si in gladiatoribus pugnis. Senec. de tranq. vitae, 11: Gladiatores, ait Cicero, invisus habemus, si omni modo vitam impetrare cupiunt; favemus, si contentum ejus pra se ferunt. Tusc. 2, 17, 41: Quis mediocris gladiator ingemuit? quis vultum mutavit unquam? quis non modo stetit, verum etiam decubuit turpiter? quis quum decubuisset ferrum recipere jussus, vultum contraxit? The gladiators were men of the lowest class, (inimi 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.


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 gradation in which one word succeeds the other, while the preceding is explained by the one which follows.


14. Tranquilla. Clodius, the prime mover of every disturbance, being removed.

15. Per me. Klotz: propter me.

16. Cedam atque abibo. On cedere, see note on p. 117, line 27. 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 following apostrophe, O frusta, &c., is noticed by Quinctilian, 6, 1, 27, as an instance of the propriety of putting suitable exclamations in the mouths of the accused, even when prayers are not allowed.


20. Ego, quum . . . me senatui dedisseme . . . putarem. Non putassem; nam putabat sibi bonorum oræsium non defuturum,
et sibi futurum in patria locum. *Dare se alicui* = ad aliquem se applicare, ei gratum esse laborare omni obsequii officiique genere. Sic etiam *tradere se alicui.* Sest. 62, 130. Garat. proposed *dedidissem.* 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 . . . . tui?** 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 them and the senate. Plin. *N. H.* 33, 2, 8: *Marcus Cicero . . . stabilivit equestre nomen in consulatu suo, Catilinariis rebus, ex eo se ordine profectum esse celebrans, ejusque vires peculiari popularitate quarens.* Ab illo tempore plane hoc tertium corpus in re publica factum est capiteque 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. Italicæ 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 hæc.** 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 nimirum timidos nimisque cautos.

**36. Quæ . . . . imminebat.** The sentiment of Cicero, else we should expect *immineret.*

**37. Eam . . . . se fecisse commemorat ut . . . . flecteret.** The pronoun *eam* recalls 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 l. c. v. v., dcleniret multitudinem eam,* &c.

**38. Tribus suis patrimonii, 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.


1. *Vocem sibi praebonis.* 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 had already been chosen by the single centuries before the interruption of the election, only the praecox had not declared the combined result, owing to the disturbances. The praecox announced the single suffragia and at the close of the voting proclaimed the result of the choice.—*Si hæc.* Klotz: *si hæc arma contra*, &c. By *hæc* Orelli understands omnia in rem publicam merita, quæ supra enumeraverat.


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 miseròs,* in reference to the preceding *beatos esse, quibus.*

11. *Sed tamen,* &c. This stands in reference to the clause *fortes et sapientes,* &c.

13. *Praemium* is thrice repeated with emphasis.


19. *Quum . . . . subjiciantur.* That *quum* here has the signification of time, is plain from the preceding words *hoc tempore ipso*; yet the following *tamen* shows that *quum* has also a causal or re-
Page 134

strictive force, like quamvis. The subjunctive is therefore correct. Z. 579.


21. Gratii agendis. See note on p. 12, line 11.—Gratulationibus habendis. Gratulationes habere = to present congratulatory addresses to one on account of distinguished success.

23. 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 Marcella 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 postera 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.


33. Nec vero, si mihi eripieris. 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 eripieris.

34. Ut his irasci possim, ponitur, ut post reliquum 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 ipse dolor tantus erit, &c.

39. Quæ 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 incurrere in aliquid, quod displiceat.—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, omnem operam, curam, industrium, cagitationem, mentem denique omne in Milonis consulatu fixi et locavi statuique in eo me non affici solvum fructum, sed etiam pie-
tatis laudem debere quaerere, &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 Cu. Pompeii suspiccionibus, non periculi futuri metu, si dies ad populum dicetur, non armis, que palam in Milonem sumpta erant, de	
terreri potuerit a defensione ejus, quod posset omne periculum suum et offensionem inimicæ multitudinis declinare, redimere autem Cu. Pompeii animum, si paulum ex studio defensionis remisisset.

1. Potentium. Pompey and others.


4. In communionem tuorum temporum contuli, i.e. tecum communicavi, quam tempora tua (i.e. pericula, vid. ad. Manil. 1.) id poscerent, sive tecum partitus sum.

6. Dimicatio capitis. Si Clodiani, quem te absolutum sense-
rint, vim inferre conantur. Diminutio is here out of place.

7. Quid habeo, quod. Klotz: quid habeo? quid 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
NOTES.

11. Videatis, h. e. intelligatis, vobisque persuadeatis. 
Ch. XXXVII._12. His lacrimis. See note on p. 136, line 13. —Est... animi. Klotz and Stülpfe take these words as a parenthesis, erasing the period after Milo, and continuing sed exsilium, &c.

13. Exsilium ibi esse putat, ideoque patriam esse, ubicunque virtutis locus sit.


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, similitur conformata (eritis). Nec hærere debemus, quod ex futuro præsens sumitur, similitur atque de Legg. 1, 5, 17: quæ (res) quondam a multis claris viris (sustinebatur), nunc ab uno summa auctoritate et scientia sustinetur. Other readings are Sed hic ea mente natus est and ornatus est. Klotz: Sit hic ea mente, qua natus est. _Quid_, &c.


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.


26. Retinere. Which should be easier than revocare.

27. Liberis meis. Marcus and Tullia.—Parentem alterum. As being the restorer of their first.

socius. Brut. 1, 2: Socium potius et consortem gloriosi laboris amisam.

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 judicatintibus non potuisse? Osenbrüggen thinks this would be tautological with tueri per cosdem, per quos, &c., and proposes: quae est grata omnibus. Quibus intuentibus non potuisse? referring to ch. 1, 3, Reliqua vero multitudo... decertari putat.

32. Acquierunt, quasi securi facti, magnam oblectationem accepserunt. Z. 416.
33. Quodnam ego concepi. Cf. Sest. 69, 145: Quod tantum est in me scelus? quid tanto opere deliqui illa, 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.—Exstinxii, non indicia, sed semina sive auctores communis exitii. Ex indiciis res indicatae sumuntur. See note on p. 38, line 5.
40. Discussus. See note on p. 117, line 27.
41. Distrahari. To express a possible case, which the orator conceives in his imagination.

Cu. 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 fors ita tulerit, el τὰ ξένα.

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 aium ejus fortitudinem et magnitudinem memoriam consecravit, sc. his public services recorded in the history of his country; opposed to corporis 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 aque et ignis interdictio. This involved the loss of the civitas. An exile could not therefore remain in Italy, because the lex Plautia Papiria Α. 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 jure togae, quibus aqua et ignis 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 luctum 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, II. 22, 254; of Mezentius, Αen. 10, 904; of Turnus, Αen. 7, 935, and of Polynices, Eurip. Phæniss. 1460.

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