

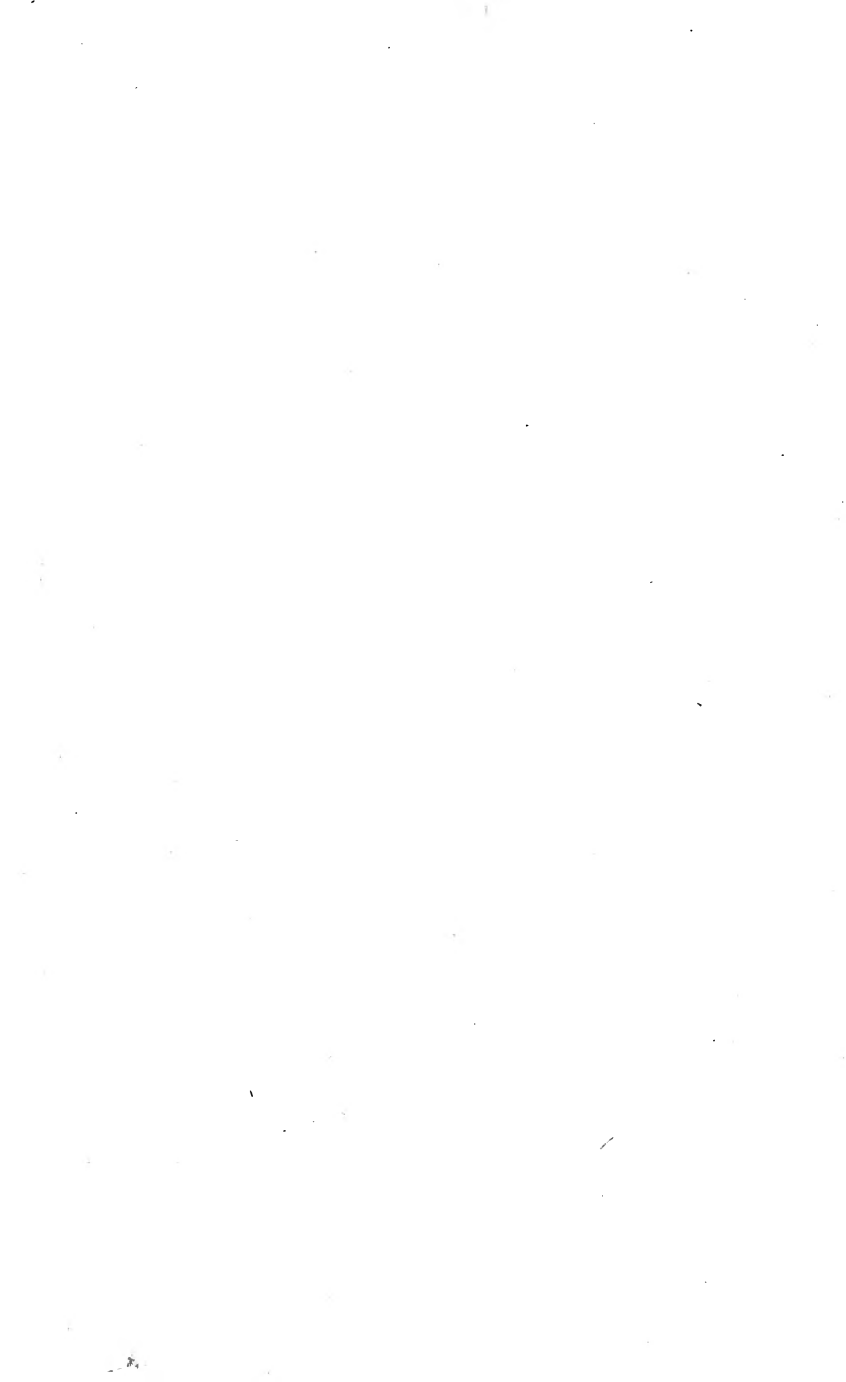


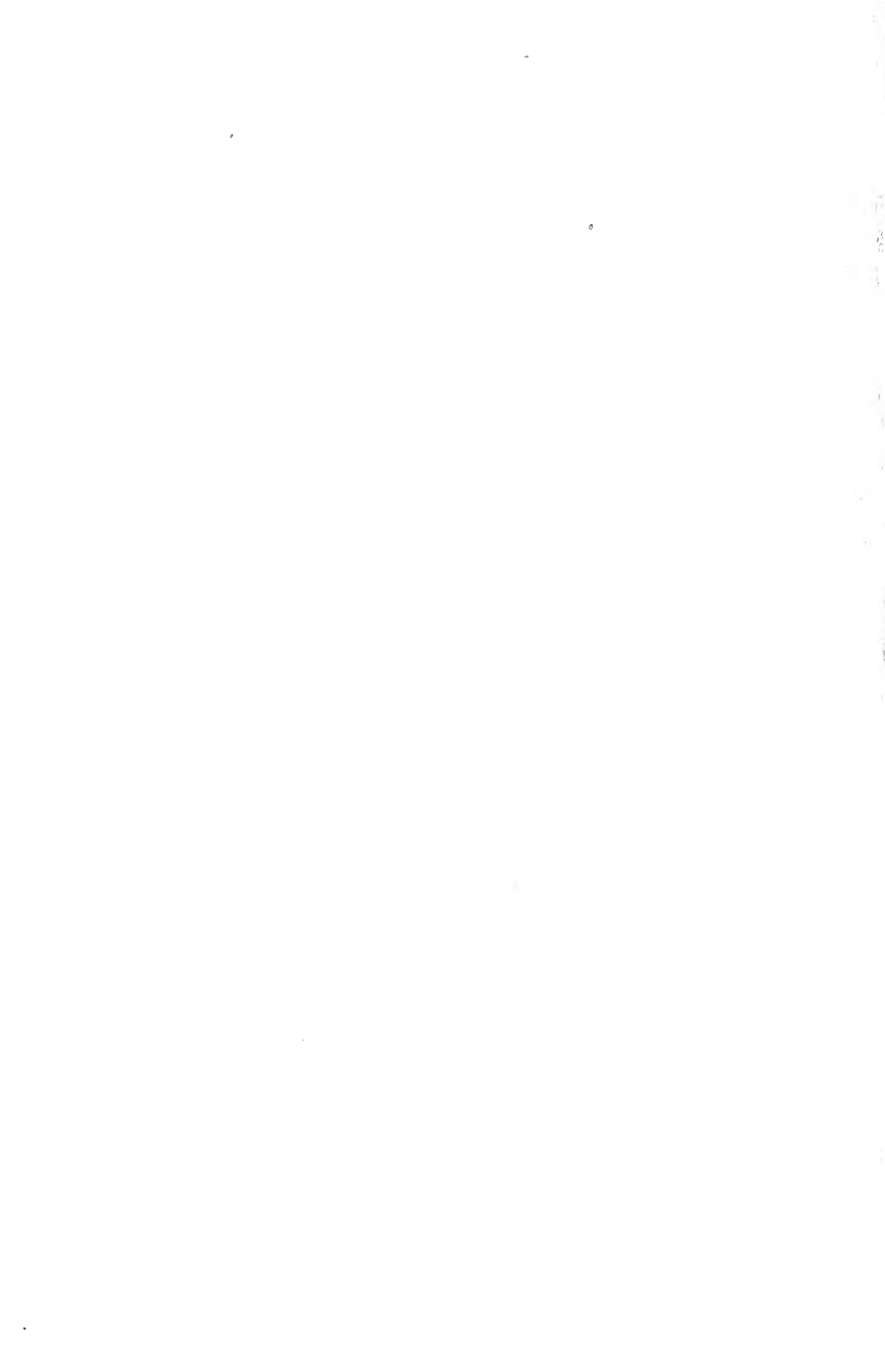


N. W. & C. L. Sulp.

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Vol. 1.





THE
HISTORY
OF
THE LIFE
OF

M. TULLIUS CICERO.

D^r Middleton's incomparable life of Cicero, which is a production of Original genius, and yet comprises all that is most excellent in the writings of the great man whose life it narrates. It is, indeed, a model of English Style; it is correct without languor; interesting yet elaborate; and if any proof was to be adduced of the decline of true taste in the present age, the most forcible would be, the neglect into which this admirable work has fallen.
Month May: v 3. Lond. 1797.
Letter on the Study of history -



L O N D O N :

Printed for W. INNYS and J. RICHARDSON, and
H. S. COX in Pater-noster Row, and R. MANBY
in the Old-Bailey. MDCCLV.



THE
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In THREE VOLUMES.



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221

THE *John Adams*
H I S T O R Y

O F

T H E L I F E

O F

Marcus Tullius Cicero.

*Hunc igitur spectemus. Hoc propositum sit nobis exemplum.
Ille se profecisse sciat, cui CICERO valde placebit.*
QUINTIL. Instit. l. x. i.

By CONYERS MIDDLETON, D. D.
Principal Library-keeper of the University of Cambridge.

V O L. I.

The FIFTH EDITION.

L O N D O N :

Printed for W. INNYS and J. RICHARDSON, and
H. S. COX in Pater-noster Row, and R. MANBY
in the Old-Bailey. MDCCLV.

Ref p 31. It is not possible to excite an affection for Cicero, without instilling at the same time an affection for every thing that is laudable.

To the RIGHT HONORABLE

JOHN Lord HERVEY,

Lord Keeper of His Majesty's Privy Seal.

MY LORD,

THE public will naturally expect, that in chusing a Patron for *the Life of CICERO*, I should address myself to some person of illustrious rank, distinguished by his parts and eloquence, and bearing a principal share in the great affairs of the Nation; who, according to the usual stile of Dedications, might be the proper subject of a comparison with the Hero of my piece. Your Lordship's name will confirm that expectation, and Your character will justify me in running some length into the parallel; but my experience of your good sense forbids me the attempt. For Your Lordship knows what a disadvantage it would be to any character, to be placed in the same light with that of CICERO; that all such comparisons must be invidious and adulatory; and that the following History will suggest a reason in every page, why no man now living can justly be compared with him.

D E D I C A T I O N .

I DO not impute this to any superiority of parts or genius, peculiar to the Ancients; for human nature has ever been the same in all ages and nations, and owes the difference of it's improvements, to a difference onely of culture, and of the rewards propos'd to it's industry: where these are the most amply provided, there we shall always find the most numerous and shining examples of human perfection. In old *Rome*, the public honors were laid open to the virtue of every Citizen; which, by raising them in their turns to the command of that mighty Empire, produced a race of Nobles, superior even to Kings. This was a prospect, that filled the soul of the ambitious, and rous'd every faculty of mind and body, to exert it's utmost force: whereas in modern states men's views being usually confin'd to narrow bounds, beyond which they cannot pass, and a partial culture of their talents being sufficient to procure every thing, that their ambition can aspire to, a great genius has seldom either room or invitation to stretch itself to it's full size.

Y O U see, my Lord, how much I trust to your good nature, as well as good sense, when in an *Epistle dedicatory*, the proper place of Panegyric, I am depreciating your abilities, instead of extolling them: but I remember, that it is an History, which I am offering to Your Lordship, and it would ill become me, in the front of such a work, to expose my
veracity

veracity to any hazard: and my head indeed is now so full of antiquity, that I could wish to see the dedicatory stile reduced to that classical simplicity, with which the ancient writers used to present their books to their friends or Patrons, at whose desire they were written, or by whose authority they were published: for this was the first use, and the sole purpose of a *Dedication*; and as this also is the real ground of my present address to Your Lordship, so it will be the best argument of my Epistle, and the most agreeable to the character of an Historian, to acquaint the public with a plain fact, that it was Your Lordship, who first advised me, to undertake *the Life of CICERO*; and when from a diffidence of my strength, and a nearer view of the task, I began to think myself unequal to the weight of it, Your Lordship still urged and exhorted me to persist, till I had moulded it into the form, in which it now appears.

THUS far your Lordship was carried by *that love for CICERO*, which, as one of the *best Critics* of antiquity assures us, is the undoubted proof of a true taste. I wish onely, that the favor, which you have since shewn to my *English CICERO*, may not detract from that praise, which is due to Your love of the *Roman*: but whatever censure it may draw upon Your Lordship, I cannot prevail with myself to conceal, what does so much honor to my work; that, before it went to the Press, Your Lordship not onely saw and ap-

proved, but as the sincerest mark of Your approbation, corrected it. It adds no small credit to the History of P O L Y B I U S, that he professes to have been assisted in it by S C I P I O and L Æ L I U S; and even T E R E N C E's stile was made the purer, for it's being retouched by the same great hands. You must pardon me therefore, my Lord, if, after the example of those excellent Authors, I cannot forbear boasting, that some parts of my present work have been brightened by the strokes of your Lordship's pencil.

I T was the custom of those *Roman Nobles*, to spend their leisure, not in vicious pleasures, or trifling diversions, contrived, as we truly call it, *to kill the time*; but in conversing with the celebrated Wits and Scholars of the age: in encouraging other people's learning, and improving their own: and here Your Lordship imitates them with success, and for love of letters and politeness may be compared with the Noblest of them. For your house, like theirs, is open to men of parts and merit; where I have admired Your Lordship's agreeable manner of treating them all in their own way, by introducing questions of literature and varying them so artfully, as to give every one an opportunity, not onely of bearing a part, but of leading the conversation in his turn. In these liberal exercises You drop the cares of the Statesman; relieve Your fatigues in the Senate; and strengthen Your mind, while You relax it.

ENCOMIUMS of this kind, upon persons of Your Lordship's quality, commonly pass for words of course, or a fashionable language to the Great, and make little impression on men of sense, who know learning, not to be the fruit of wit or parts, for there Your Lordship's title would be unquestionable, but an acquisition of much labor and study, which the Nobles of our days are apt to look upon, as inconsistent with the ease and splendor of an elevated fortune, and generally leave to men of professions and inferior life. But Your Lordship has a different way of thinking, and by Your education in a public School and University, has learnt from Your earliest youth, that no fortune can exempt a man from pains, who desires to distinguish himself from the vulgar; and that it is a folly in any condition of life, to aspire to a superior character, without a superior virtue and industry to support it. What time therefore others bestow upon their sports, or pleasures, or the lazy indolence of a luxurious life, Your Lordship applies to the improvement of Your knowledge; and in those early hours, when all around You are hushed in sleep, seize the opportunity of that quiet, as the most favorable season of study, and frequently spend an usefull day, before others begin to enjoy it.

I AM saying no more, my Lord, than what I know, from my constant admission to Your Lordship in my morning visits, before

DEDICATION.

fore good manners would permit me to attempt a visit any where else; where I have found You commonly engaged with the Classical writers of *Greece* or *Rome*; and conversing with those very dead, with whom SCIPIO and LÆLIUS used to converse so familiarly when living. Nor does Your Lordship assume this part for ostentation or amusement onely, but for the real benefit both of Yourself and others; for I have seen the solid effects of Your reading, in Your judicious reflections on the policy of those ancient Governments, and have felt Your weight even in controversy, on some of the most delicate parts of their History.

THERE is another circumstance peculiar to Your Lordship, which makes this task of Study the easier to You, by giving You not onely the greater health, but the greater leisure to pursue it; I mean that singular temperance in diet, in which Your Lordship perseveres with a constancy, superior to every temptation, that can excite an appetite to rebel; and shews a firmness of mind, that subjects every gratification of sense to the rule of right reason. Thus with all the accomplishments of the Nobleman, You lead the life of a Philosopher; and while You shine a principal ornament of the Court, You practise the discipline of the College.

IN old Rome there were no hereditary honors; but when the virtue of a family was extinct, it's honor was extinguished too; so that no man, how nobly soever born, could arrive at any dignity, who did not win it by his personal merit: and here again Your Lordship seems to have emulated that ancient spirit; for, though born to the first honors of Your country, yet disclaiming as it were Your birthright, and putting Yourself upon the foot of a Roman, You were not content with inheriting, but resolved to import new dignities into Your family; and after the example of Your Noble Father, to open Your own way into the supreme Council of the Kingdom. In this august Assembly, Your Lordship displays those shining talents, by which You acquired a seat in it, in the defence of our excellent Establishment; in maintaining the rights of the people, yet asserting the prerogative of the Crown; measuring them both by the equal balance of the laws; which by the provident care of our Ancestors, and the happy settlement at the Revolution, have so fixed their just limits, and moderated the extent of their influence, that they mutually defend and preserve, but can never destroy each other without a general ruin.

IN a nation like ours, which, from the natural effect of freedom, is divided into opposite parties, though particular attachments to certain principles, or friendships, with cer-

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tain men will sometimes draw the best Citizens into measures of a subordinate kind, which they cannot wholly approve; yet whatever envy Your Lordship may incur on that account, You will be found, on all occasions of trial, a true friend to our constitution both in Church and State: which I have heard You demonstrate with great force, to be the bulwark of our common peace and prosperity. From this fundamental point, no engagements will ever move, or interest draw You; and though men inflamed by opposition are apt to charge each other with designs, which were never dreamt of perhaps by either side, yet if there be any, who know so little of You, as to distrust Your principles, they may depend at least on Your judgement, that it can never suffer a person of Your Lordship's rank, born to so large a share of the property, as well as the honors of the nation, to think any private interest an equivalent, for consenting to the ruin of the public.

I MENTION this, my Lord, as an additional reason for presenting You with *the Life of Cicero*: for were I not persuaded of Your Lordship's sincere love of liberty, and zeal for the happiness of Your fellow citizens, it would be a reproach to You to put into Your hands the Life of a man, who in all the variety of his admirable talents, does not shine so glorious in any, as in his constant attachment to the true interests of his country,

try, and the noble struggle that he sustained, at the expence even of his Life, to avert the impending tyranny, that finally oppressed it.

BUT I ought to ask Your Lordship's pardon for dwelling so long upon a character, which is known to the whole Kingdom, as well as to myself; not onely by the high Office, which You fill, and the eminent dignity that You bear in it, but by the sprightly compositions of various kinds, with which Your Lordship has often entertained it. It would be a presumption, to think of adding any honor to Your Lordship by my pen, after You have acquired so much by Your own. The chief design of my Epistle is, to give this public testimony of my thanks for the signal marks of friendship, with which Your Lordship has long honored me; and to interest Your name, as far as I can, in the fate and success of my work; by letting the world know, what a share You had in the production of it; that it owed it's being to Your encouragement; correctness to Your pencil; and what many will think the most substantial benefit, it's large subscription to Your authority. For though, in this way of publishing it, I have had the pleasure to find myself supported by a noble list of generous friends, who without being solicited, or even asked by me, have promoted my subscription with an uncommon zeal, yet Your Lordship has distinguished Yourself the most eminently of them, in contributing not onely
to

DEDICATION.

to the number, but the splendor of the names, that adorn it.

NEXT to that little reputation, with which the public has been pleased to favor me, the benefit of this subscription is the chief fruit, that I have ever reaped from my studies. I am indebted for the first to Cicero, for the second, to your Lordship: it was Cicero, who instructed me to write; Your Lordship, who rewards me for writing: the same motive therefore, which induced me to attempt the history of the one, engages me to dedicate it to the other; that I may express my gratitude to you both, in the most effectual manner that I am able, by celebrating the memory of the dead, and acknowledging the generosity of my living Benefactor.

I HAVE received great civilities, on several occasions, from many Noble persons, of which I shall ever retain a most grateful sense: but Your Lordship's accumulated favors have long ago risen up to the character of obligations, and made it my perpetual duty, as it had always been my ambition, to profess myself with the greatest truth and respect,

My Lord,

Your Lordship's

Most obliged and

Devoted Servant,

Conyers Middleton.

P R E F A C E.

*T*HERE is no part of History, which seems capable of yielding either more instruction or entertainment, than that which offers to us the select lives of great and virtuous men, who have made an eminent figure on the public stage of the world. In these we see at one view, what the annals of a whole age can afford, that is worthy of notice; and in the wide field of universal History, skipping as it were over the barren places, gather all it's flowers, and possess ourselves at once of every thing that is good in it.

But there is one great fault, which is commonly observed in the writers of particular lives; that they are apt to be partial and prejudiced in favor of their subject, and to give us a panegyric, instead of a History. They work up their characters, as Painters do their portraits; taking the praise of their art to consist, not in copying, but in adorning nature; not in drawing a just resemblance, but giving a fine picture; or exalting the man into the Hero: and this indeed seems to flow from the nature of the thing it self; where the very inclination to write is generally grounded on prepossession, and an affection already contracted for the person, whose history we are attempting; and when we sit down to it with the disposition of a friend, it is natural for us, to cast a shade over his failings; to give the strongest coloring to his virtues; and out of a good character, to endeavour to draw a perfect one.

I am sensible, that this is the common prejudice of Biographers, and have endeavoured therefore to divest myself of it, as far as I was able; yet dare not take upon me to affirm, that I have kept myself wholly clear from it; but shall leave the decision of that point to the judgement of the reader: for I must be so inge-

nuous as to own, that when I formed the plan of this work, I was previously possessed with a very favorable opinion of Cicero; which, after the strictest scrutiny, has been greatly confirmed and heightened in me: and in the case of a shining character, such as Cicero's; I am persuaded, will appear to be, it is certainly more pardonable to exceed rather in our praises of it, out of a zeal for illustrious merit, than to be reserved in doing justice to it, through a fear of being thought partial. But that I might guard myself equally from both the extremes, I have taken care always to leave the facts to speak for themselves, and to affirm nothing of any moment without an authentic testimony to support it; which yet, if consulted in the original at it's full length, will commonly add more light and strength to what is advanced, than the fragments quoted in the margin, and the brevity of notes would admit.

But whatever prejudices may be suspected to adhere to the writer, it is certain, that in a work of this nature, he will have many more to combat in the reader. The scene of it is laid in a place and age, which are familiar to us from our childhood: we learn the names of all the chief actors at school, and chuse our several favorites according to our tempers or fancies; and when we are least able to judge of the merit of them, form distinct characters of each, which we frequently retain through life. Thus Marius, Sylla, Cæsar, Pompey, Cato, Cicero, Brutus, Antony, have all their several advocates, zealous for their fame, and ready even to quarrel for the superiority of their virtues. But among the celebrated names of antiquity, those of the great Conquerors and Generals attract our admiration always the most, and imprint a notion of magnanimity, and power, and capacity for dominion, superior to that of other mortals: we look upon such, as destined by heaven for Empire, and
born

born to trample on their fellow creatures, without reflecting on the numerous evils, which are necessary to the acquisition of a glory, which is built upon the subversion of nations, and the destruction of the human species. Yet these are the only persons, who are thought to shine in History, or to merit the attention of the reader: dazzled with the splendor of their victories, and the pomp of their Triumphs, we consider them as the pride and ornaments of the Roman name; while the pacific and civil character, though of all others the most beneficial to mankind, whose sole ambition is, to support the laws, the rights and liberty of his Citizens, is looked upon as humble and contemptible on the comparison, for being forced to truckle to the power of these Oppressors of their country.

In the following History therefore, if I have happened to affirm any thing, that contradicts the common opinion, and shocks the prejudices of the reader, I must desire him to attend diligently to the authorities on which it is grounded; and if these do not give satisfaction, to suspend his judgement still to the end of the work; in the progress of which, many facts will be cleared up, that may appear at first perhaps uncertain and precarious: and in every thing especially, that relates to Cicero, I would recommend to him, to contemplate the whole character, before he thinks himself qualified to judge of it's separate parts, on which the whole will always be found the surest comment.

QUINTILIAN has given us an excellent rule, in the very case; that we should be modest and circumspect, in passing a judgement on men so illustrious, lest as it happens to the generality of censurers, we be found at last to condemn, what we do not understand [a]. There is another reflection

[a] Modeste tamen & circumspetto judicio de tantis viris pronuntiandum est, ne quod plerisque accidit, damnent, quæ non intelligunt. Quintil. Instit. x. 1.

likewise very obvious, which yet seldom has it's due weight; that a writer on any part of History, which he has made his particular study, may be presumed to be better acquainted with it, than the generality of his readers; and when he asserts a fact, that does not seem to be well grounded, it may fairly be imputed, till a good reason appears to the contrary, to a more extensive view of his subject; which, by making it clear to himself, is apt to persuade him, that it is equally clear to every body else; and that a fuller explication of it would consequently be unnecessary. If these considerations, which are certainly reasonable, have but their proper influence, I flatter myself, that there will be no just cause to accuse me of any culpable bias in my accounts of things or persons, or of any other favor to the particular character of Cicero, than what common humanity will naturally bestow upon every character, that is found upon the whole to be both great and good.

In drawing the characters of a number of persons, who all lived in the same City, at the same time; trained by the same discipline, and engaged in the same pursuits; as there must be many similar strokes, and a general resemblance in them all, so the chief difficulty will be, to prevent them from running into too great an uniformity. This I have endeavoured to do, not by forming ideal pictures, or such as would please or surprize; but by attending to the particular facts, which history has delivered of the men, and tracing them to their source, or to those correspondent affections, from which they derived their birth: for these are the distinguishing features of the several persons; which, when duly represented, and placed in their proper light, will not fail to exhibit that precise difference, in which the peculiarity of each character consists.

As to the nature of my work, though the title of it carries nothing more, than the History of Cicero's Life, yet it might properly enough be called, the History of Cicero's Times: since from his first advancement to the public Magistracies, there was not any thing of moment transacted in the state, in which he did not bear an eminent part: so that, to make the whole work of a piece, I have given a summary account of the Roman affairs, during the time even of his minority; and agreeably to what I promised in my proposals, have carried on a series of History, through a period of above sixty years, which for the importance of the events, and the dignity of the persons concerned in them, is by far the most interesting of any in the Annals of Rome.

In the execution of this design, I have pursued, as closely as I could, that very plan, which Cicero himself had sketched out, for the model of a complete History. Where he lays it down as a fundamental law, "that the writer should not dare to affirm what was false, or to suppress what was true; nor give any suspicion either of favor or disaffection: that in the relation of facts, he should observe the order of time, and sometimes add the description of places; should first explain the counsils; then the acts; and lastly the events of things: that in the counsils, he should interpose his own judgement on the merit of them; in the acts, relate not onely what was done, but how it was done; in the events, shew what share chance, or rashness, or prudence had in them: that he should describe likewise the particular characters of all the great persons, who bare any considerable part in the story; and should dress up the whole in a clear and equable stile, without affecting any ornament, or seeking any other praise but of perspicuity." These were the rules that Cicero had drawn up for himself, when he was meditating

a general History of his Country, as I have taken occasion to mention more at large in it's proper place.

But as I have borrowed my plan, so I have drawn my materials also from Cicero: whose works are the most authentic monuments that remain to us, of all the great transactions of that age; being the original accounts of one, who himself was not onely a spectator, but a principal actor in them. There is not a single part of his writings, which does not give some light, as well into his own History, as into that of the Republic: but his familiar Letters, and above all those to Atticus, may justly be called the memoirs of the times; for they contain, not onely a distinct account of every memorable event, but lay open the springs and motives, whence each of them proceeded; so that, as a polite writer, who lived in that very age, and perfectly knew the merit of these Letters, says, the man who reads them, will have no occasion for any other History of those times [b].

My first business therefore, after I had undertaken this task, was to read over Cicero's works, with no other view, than to extract from them all the passages that seemed to have any relation to my design: where the tediousness of collecting an infinite number of testimonies scattered through many different volumes; of sorting them into their classes, and ranging them in proper order; the necessity of overlooking many in the first search, and the trouble of retrieving them in a second or third; and the final omission of several through forgetfulness or inadvertency; have helped

[b] Sexdecim Volumina Epistolarum ab Consulatu ejus usque ad extremum tempus ad Atticum missarum; quæ qui legat, non multum desideret historiam contextam eorum

temporum. Sic enim omnia de studiis principum, vitij ducum, ac mutationibus Reipub. perscripta sunt, ut nihil in his non appareat. Corn. Nep. in vit. Attici. 16.

to abate that wonder, which had often occurred to me, why no man had ever attempted the same work before me, or at least in this enlarged and comprehensive form, in which it is now offered to the public.

In my use of these materials, I have chosen to insert as many of them as I could, into the body of my work; imagining, that it would give both a luster and authority to a sentiment, to deliver it in the person and the very words of Cicero: especially, if they could be managed so, as not to appear to be sewed on like splendid patches, but woven originally into the text, as the genuin parts of it. With this view I have taken occasion to introduce several of his Letters, with large extracts from such of his orations, as gave any particular light into the facts, or customs, or characters described in the History, or which seemed on any other account to be curious and entertaining. The frequent introduction of these may be charged perhaps to laziness, and a design of shortening my pains, by filling up my story with Cicero's words instead of my own: but that was not the case; nor has this part of the task been the easiest to me; as those will readily believe, who have ever attempted to translate the Classical writers of Greece or Rome: where the difficulty is, not so much to give their sense, as to give it in their language; that is, in such as is analogous to it, or what they might be supposed to speak, if they were living at this time; since a splendor of stile, as well as of sentiments, is necessary to support the idea of a fine writer. While I am representing Cicero therefore as the most eloquent of the ancients, flowing with a perpetual ease and delicacy, and fullness of expression, it would be ridiculous to produce no other specimen of it, but what was stiff and forced, and offensive to a polite reader: yet this is generally the case of our modern versions; where the first wits of antiquity are made to speak such English, as an Englishman of

tast would be ashamed to write on any original subject. Verbal translations are always inelegant [c], and necessarily destroy all the beauty of language; yet by departing too wantonly from the letter, we are apt to vary the sense, and mingle somewhat of our own: translators of low genius never reach beyond the first; but march from word to word, without making the least excursion, for fear of losing themselves; while men of spirit, who prefer the second, usually condemn the mere task of translating, and are vain enough to think of improving their Author. I have endeavoured to take the middle way; and made it my first care always, to preserve the sentiment; and my next, to adhere to the words, as far as I was able to express them, in an easy and natural stile; which I have varied still agreeably to the different subject, or the kind of writing, on which I was employed: and I persuade myself, that the many original pieces, which I have translated from Cicero, as they are certainly the most shining, so will be found also the most useful parts of my work, by introducing the reader the oftener into the company of one, with whom no man ever conversed, as a very eminent writer tells us, without coming away the better for it [d].

After I had gone through my review of Cicero's writings, my next recourse was to the other Ancients, both Greeks and Romans, who had touched upon the affairs of that age. These served me chiefly, to fill up the interstices of general History, and to illustrate several passages, which were but slightly mentioned by Cicero; as well as to add some stories and circumstances, which tradition had preserved, concerning

[c] Nec tamen exprimi
verbum e verbo necesse erit,
ut interpretes indifferiti solent.
Cic. de Finib. 3. 4.

[d] Quis autem sumpsit
hujus libros in manum, quin
furrexerit animo sedatiore?
Erasm. Ep. ad Jo. Ulatten.—
either

either Cicero himself, or any of the chief actors, whose characters I had delineated.

But the Greek Historians, who treat professedly of these times, Plutarch, Appian, Dio, though they are all very usefull for illustrating many important facts of ancient history, which would otherwise have been lost, or imperfectly transmitted to us, are not yet to be read without some caution; as being strangers to the language, and customs of Rome; and liable to frequent mistakes, as well as subject to prejudices in their relation of Roman affairs. Plutarch lived from the reign of Claudius, to that of Hadrian; in which he died very old, in the possession of the Priesthood of the Delphic Apollo: and though he is supposed to have resided in Rome near forty years at different times, yet he never seems to have acquired a sufficient skill in the Roman language, to qualify himself for the compiler of a Roman History. But if we should allow him all the talents requisite to an Historian, yet the attempt of writing the lives of all the illustrious Greeks and Romans, was above the strength of any single man, of what abilities and leisure soever; much more of one, who, as he himself tells us, was so engaged in public business, and in giving lectures of philosophy to the great men of Rome, that he had not time to make himself master of the Latin tongue; nor to acquire any other knowledge of it's words, than what he had gradually learnt by a previous use and experience of things [e]: his work therefore, from the very nature of it, must needs be superficial and imperfect, and the sketch rather than the completion of a great design.

This we find to be actually true in his account of Cicero's life, where besides the particular mistakes, that have been charged upon him by other writers, we

[e] Vid. Plutarch. in vit. Demosthen. init. & vit. Plutarchi per Rualdum. c. 14.

see all the marks of haste, inaccuracy, and want of due information, from the poverty and perplexity of the whole performance. He huddles over Cicero's greatest aëts in a summary and negligent manner, yet dwells upon his dreams and his jests, which for the greatest part were probably spurious; and in the last scene of his life, which was of all the most glorious, when the whole counsils of the Empire, and the fate and liberty of Rome rested on his shoulders, there he is more particularly trifling and empty; where he had the fairest opportunity of displaying his character to advantage, as well as of illustrating a curious part of History, which has not well been explained by any writer; though there are the amplest materials for it in Cicero's Letters and Philippic Orations, of which Plutarch appears to have made little or no use.

APPIAN flourished likewise in the reign of Hadrian [f], and came to Rome probably about the time of Plutarch's death, while his works were in every body's hands; which he had made great use of, and seems to have copied very closely in the most considerable passages of his History.

DIO CASSIUS lived still later, from the time of the Antonines to that of Alexander Severus; and besides the exceptions, that lie against him in common with the other two, is observed to have conceived a particular prejudice against Cicero; whom he treats on all occasions with the utmost malignity. The most obvious cause of it seems to be, his envy to a man, who for arts and eloquence was thought to eclipse the fame of Greece; and by explaining all the parts of Philosophy to the Romans in their own language, had superseded in some measure the use of the Greek learning and lectures at Rome, to which the hungry wits

[f] Vid. App. de Bell. civ. l. 2. p. 481,

of that nation owed both their credit and their bread. Another reason, not less probable, may be drawn likewise from Dio's character and principles, which were wholly opposite to those of Cicero: he flourished under the most tyrannical of the Emperors, by whom he was advanced to great dignity; and being the creature of despotic power, thought it a proper compliment to it, to depreciate a name, so highly revered for it's patriotism; and whose writings tended to revive that ancient zeal and spirit of liberty, for which the people of Rome were once so celebrated: for we find him taking all occasions in his History, to prefer an absolute and monarchical government, to a free and democratical one, as the most beneficial to the Roman state [g].

These were the grounds of Dio's malice to Cicero, which is exerted often so absurdly, that it betrays and confutes itself. Thus in the debates of the Senate about Antony, he dresses up a speech for Fufius Calenus, filled with all the obscene and brutal ribaldry against Cicero, that a profligate mind could invent; as if it were possible to persuade any man of sense, that such infamous stuff could be spoken in the Senate, at a time, when Cicero had an intire ascendant in it, who at no time ever suffered the least insult upon his honor, without chastising the aggressor for it upon the spot: whereas Cicero's speeches in these very debates, which are still extant, shew, that though they were managed with great warmth of opposition, yet it was always with decency of language between him and Calenus; whom while he reproves and admonishes with his usual freedom, yet he treats with civility, and sometimes even with complements [h].

But

[g] Vid. Dio, l. 44. init.

[h] Nam quod me tecum iracunde agere dixisti solere, non est ita. Vehementer me

agere fateor; iracunde nego: omnino irasci amicis non temere soleo, ne si merentur quidem. Itaque sine verborum contumelia

But a few passages from Dio himself will evince the justice of this censure upon him: " he calls Cicero's father, a Fuller, who yet got his livehood, he says, by dressing other people's vines and olives; that Cicero was born and bred amidst the scourings of old cloaths, and the filth of dungbills; that he was master of no liberal science, nor ever did a single thing in his life, worthy of a great man, or an Orator: that he prostituted his wife; trained up his son in drunkenness; committed incest with his daughter; lived in adultery with Cerellia; whom he owns at the same time to be seventy years old [i]:" all which palpable lies, with many more of the same sort, that he tells of Cicero, are yet full as credible as what he declares afterwards of himself, that he was admonished and commanded by a vision from heaven, against his own will and inclination, to undertake the task of writing his History [k].

Upon these collections from Cicero and the other Ancients, I finished the first draught of my History, before I began to inquire after the modern writers, who had treated the same subject before me, either in whole or in part. I was unwilling to look into them sooner, lest they should fix any prejudice insensibly upon me, before I had formed a distinct judgement on the real state of the facts, as they appeared to me from their original records.

contumelia a te dissentire possum, sine animi summo dolore non possum. [Phil. 8. 5.] Satis multa cum Fusio, ac sine odio omnia; nihil sine dolore. [ib. 6.] Quapropter ut invitus saepe dissenti a Q. Fusio, ita sum libenter assensus ejus sententiæ: ex

quo judicare debetis me non cum homine solere, sed cum causa dissidere. Itaque non assentior solum, sed etiam gratias ago Q. Fusio, &c. Phil. xi. 6.

[i] Vid. Dio. l. 46. p. 295, &c.

[k] Ibid. l. 73. p. 828.

For

For in writing History, as in Travels, instead of transcribing the relations of those, who have trodden the same ground before us, we should exhibit a series of observations, peculiar to ourselves; such as the facts and places suggested to our own minds from an attentive survey of them, without regard to what any one else may have delivered about them: and though in a production of this kind, where the same materials are common to all, many things must necessarily be said, which had been observed already by others; yet if the author has any genius, there will always be enough of what is new, to distinguish it as an original work, and to give him a right to call it his own, which I flatter myself will be allowed to me in the following History. In this inquiry after the modern pieces, which had any connection with my argument, I got notice presently of a greater number than I expected, which bore the title of Cicero's life; but upon running over as many of them as I could readily meet with, I was cured of my eagerness for hunting out the rest; since I perceived them to be nothing else but either trifling panegyrics on Cicero's general character, or imperfect abstracts of his principal acts, thrown together within the compass of a few pages in duodecimo.

There are two books however, which have been of real use to me, Sebastiani Corradi Quæstura, and M. T. Ciceronis Historia a Francisco Fabricio: the first was the work of an Italian Critic of eminent learning, who spent a great part of his life in explaining Cicero's writings; but it is rather an apology for Cicero, than the History of his life; it's chief end being to vindicate Cicero's character from all the objections, that have ever been made to it; and particularly from the misrepresentations of Plutarch, and the calumnies of Dio. The piece is
learned

learned and ingenious, and written in good Latin; yet the dialogue is carried on with so harsh and forced an Allegory, of a Quæstor or Treasurer producing the several testimonies of Cicero's aëts, under the form of genuin money, in opposition to the spurious coins of the Greek Historians, that none can read it with pleasure, few with patience: the observations however are generally just and well grounded, except that the Author's zeal for Cicero's honor gets the better sometimes of his judgement, and draws him into a defence of his conduct, where Cicero himself has even condemned it.

FABRICIUS'S History is prefixed to several editions of Cicero's works, and is nothing more than a bare detail of his aëts and writings, digested into exact order, and distinguished by the years of Rome and of Cicero's life, without any explication or comment, but what relates to the settlement of the time, which is the sole end of the work. But as this is executed with diligence and accuracy, so it has eased me of a great share of that trouble, which I must otherwise have had, in ranging my materials into their proper places; in which task however I have always taken care to consult also the Annals of Pighius.

I did not forget likewise to pay a due attention to the French Authors, whose works happened to coincide with any part of mine; particularly, the History of the two Triumvirates; of the Revolutions of the Roman Government; and of the Exil of Cicero—which are all of them ingenious and usefull; and have given a fair account of the general state of the facts, which they profess to illustrate. But as I had already been at the fountain head, whence they had all drawn their materials, so the chief benefit, that I received from them, was to make me review with stricter care
the

the particular passages, in which I differed from them; as well as to remind me of some few things, which I had omitted, or touched perhaps more slightly than they deserved. But the Author of the Exil has treated his argument the most accurately of them, by supporting his story, as he goes along, with original testimonies from the old authors; which is the onely way of writing History that can give satisfaction, or carry conviction along with it, by laying open the ground on which it is built; without which History assumes the air of Romance, and makes no other impression, than in proportion to our opinion of the judgement and integrity of the Compiler.

There is a little piece also in our own language, called, Observations on the life of Cicero; which though it gives a very different account of Cicero, from what I have done, yet I could not but read with pleasure, for the elegance and spirit, with which it is written by one who appears to be animated with a warm love of virtue. But to form our notions of a great man, from some slight passages of his writings, or separate points of conduct, without regarding their connection with the whole; or the figure, that they make in his general character, is like examining things in a microscope, which were made to be surveyed in the gross: every mole rises into a mountain, and the least spot into a deformity; which vanish again into nothing, when we contemplate them through their proper medium, and in their natural light. I persuade myself therefore, that a person of this writer's good sense and principles, when he has considered Cicero's whole History, will conceive a more candid opinion of the man, who after a life spent in a perpetual
struggle

struggle against vice, faction and tyranny, fell a Martyr at last to the liberty of his country.

As I have had frequent occasion to recommend the use of Cicero's Letters to Atticus, for their giving the clearest light into the History of those times; so I must not forget to do justice to the pains of one, who by an excellent translation and judicious comment upon them, has made that use more obvious and accessible to all: I mean the learned Mr. Mongault; who not content with retailing the remarks of other Commentators, or out of the rubbish of their volumes, with selecting the best, enters upon his task with the spirit of a true Critic, and by the force of his own genius, has happily illustrated many passages, which all the interpreters before him had given up as inexplicable. But since the obscurity of these Letters is now in great measure removed by the labors of this Gentleman, and especially to his own Countrymen, for whose particular benefit, and in whose language he writes; one cannot help wondering, that the Jesuits, Catrou and Rouillè, should not think it worth while, by the benefit of his pains, to have made themselves better acquainted with them; which, as far as I am able to judge from the little part of their History, that I have had the curiosity to look into, would have prevented several mistakes, which they have committed, with regard both to the facts and persons of the Ciceronian age.

But instead of making free with other people's mistakes, it would become me perhaps better to bespeak some favor for my own. An Historian, says Diodorus Siculus, may easily be pardoned for slips of ignorance, since all men are liable to them, and the truth hard to be traced from past and remote ages: but those, who neglect to inform themselves, and through flattery to some,

or hatred to others, knowingly deviate from the truth, justly deserve to be censured. *For my part, I am far from pretending to be exempt from errors: all that I can say, is, that I have committed none willfully, and used all the means, which occurred to me, of defending myself against them: but since there is not a single History, either ancient or modern, that I have consulted on this occasion, in which I cannot point out several, it would be arrogant in me to imagine, that the same inadvertency, or negligence, or want of judgement, may not be discovered also in mine: If any man therefore will admonish me of them with candor, I shall think myself obliged to him, as a friend to my work for assisting me to make it more perfect, and consequently more usefull: for my chief motive in undertaking it was, not to serve any particular cause, but to do a general good, by offering to the public the example of a character, which of all, that I am acquainted with in Antiquity, is the most accomplished with every talent, that can adorn civil life; and the best fraught with lessons of prudence and duty for all Conditions of men, from the Prince to the private Scholar.*

If my pains therefore should have the effect, which I propose, of raising a greater attention to the name and writings of Cicero, and making them better understood and more familiar to our youth; I cannot fail of gaining my end: for the next step to admiring, is, to imitate; and it is not possible to excite an affection for Cicero, without instilling an affection at the same time for every thing that is laudable: since how much soever people may differ in their opinion of his conduct, yet all have constantly agreed in their judgement of his works; that there are none now remaining to us from the Heathen world, that so beautifully display,

and so forcibly recommend all those generous principles, that tend to exalt and perfect human nature; the love of virtue, liberty, our country, and of all mankind.

I cannot support this reflection by a better authority, than that of Erasmus; who, having contracted some prejudices against Cicero when young, makes a recantation of them when old, in the following passage of a Letter to his friend Ulatte-
nus [1].

“ When I was a boy, says he, I was fonder
 “ of Seneca, than of Cicero; and till I was twenty
 “ years old, could not bear to spend any time in
 “ reading him; while all the other writers of An-
 “ tiquity generally pleased me. Whether my judge-
 “ ment be improved by age, I know not; but am
 “ certain that Cicero never pleased me so much,
 “ when I was fond of those juvenile studies, as
 “ he does now, when I am grown old; not onely
 “ for the divine felicity of his stile, but the sanc-
 “ tity of his heart and morals: in short he has
 “ inspired my soul, and made me feel myself a bet-
 “ ter man. I make no scruple therefore, to exhort
 “ our youth, to spend their hours in reading and
 “ getting his books by heart, rather than in the
 “ vexatious squabbles and peevish controversies,
 “ with which the world abounds. For my own
 “ part, though I am now in the decline of life, yet
 “ as soon as I have finished what I have in hand,
 “ I shall think it no reproach to me, to seek a re-
 “ conciliation with my Cicero, and renew an old ac-
 “ quaintance with him, which for many years has
 “ been unhappily intermitted.

[1] Erasim. Ep. ad Jo. Ulat. in Cic. Tuscul. Quæst.

Before I conclude this Preface it will not be improper to add a short abstract, or general Idea of the Roman government, from it's first institution by Romulus, to the time of Cicero's birth; that those, who have not been conversant in the affairs of Rome, may not come intire strangers to the subject of the following History.

The Constitution of Rome is very often celebrated by Cicero, and other writers, as the most perfect of all governments; being happily tempered and composed of the three different sorts, that are usually distinguished from each other; the Monarchical, the Aristocratical, and the Popular [m]. Their King was elected by the people, as the Head of the Republic; to be their leader in war, the guardian of the laws in peace: the Senate was his council, chosen also by the people, by whose advice he was obliged to govern himself in all his measures: but the sovereignty was lodged in the body of the Citizens, or the general society; whose prerogative it was, to enact laws, create Magistrates, declare war [n]; and to receive appeals in all cases both from the King and the Senate. Some writers have denied this right of an Appeal to the people: but Cicero expressly mentions it among the Regal constitutions, as old as the foundation of the City [o]; which he had demonstrated more at large in his

[m] Statuo esse optime constitutam Rempub. quæ ex tribus generibus illis, regali, optimo, & populari, confusa modice—Fragm. de Rep. 2.

Cum in illis de Repub. libris persuadere videatur Africanus, omnium Rerum publicarum nostram veterem illam fuisse optimam. De

Legib. 2. 10 Polyb. 1. 6. p. 460. Dion. Hal. 1. 2. 82.

[n] Dion. Hal. 1. 1. 87.

[o] Nam cum a primo Urois oru, regiis institutis, partim etiam legibus, auspiciis, cæremoniæ. comitia, provocations—divinitus essent instituta. Tusc. Quæst. 4. 1.

Treatise on the Republic; whence Seneca has quoted a passage in confirmation of it; and intimates, that the same right was declared likewise in the Pontifical books [p]. Valerius Maximus gives us an instance of it, which is confirmed also by Livy, that Horatius being condemned to die by King Tullus, for killing his sister, was acquitted upon his appeal to the people [q].

This was the original constitution of Rome, even under their Kings: for in the foundation of a state, where there was no force to compel, it was necessary to invite men into it by all proper encouragements; and none could be so effectual, as the assurance of liberty, and the privilege of making their own laws [r]. But the Kings, by gradual encroachment, having usurped the whole administration to themselves, and by the violence of their government, being grown intolerable to a City, trained to liberty and arms, were finally expelled by a general insurrection of the Senate and the People. This was the ground of that invincible fierceness, and love of their country in the old Romans, by which they conquered the world: for the superio-

[p] Cum Ciceronis libros de Repub. prendit—notat, *Provocationem* ad populum etiam a regibus fuisse. Id ita in *Pontificalibus libris* aliqui putant & Fenestella. Senec. Ep. 108.

[q] M. Horatius interfectæ sororis crimine a Tullo Rege damnatus, ad populum provocato judicio absolutus est. Val. Max. l. 8. 1. vid. Liv. 1. 26.

[r] Romulus seems to have borrowed the plan of his new state from the old

government of Athens, as it was instituted by Theseus; who prevailed with the dispersed tribes and families of Attica to form themselves into one City, and live within the same walls, under a free and popular government; distributing it's rights and honors promiscuously to them all; and reserving no other prerogative to himself, but to be *their Captain in war, and the Guardian of their laws, &c.* vid. Plutarch. in Theseo. p. xi.

riety of their civil rights, naturally inspired a superior virtue and courage to defend them; and made them of course the bravest, as long as they continued the freest, of all nations.

By this revolution of the Government, their old constitution was not so much changed, as restored to it's primitive state: for though the name of King was abolished, yet the power was retained; with this onely difference, that instead of a single person chosen for life, there were two chosen annually, whom they called Consuls; invested with all the prerogatives and ensigns of Royalty, and presiding in the same manner in all the affairs of the Republic [s]: when to convince the Citizens, that nothing was sought by the change, but to secure their common liberty; and to establish their sovereignty again on a more solid basis; one of the first Consuls, P. Valerius Poplicola, confirmed by a new law, their fundamental right of an appeal to them in all cases; and by a second law, made it capital for any man, to exercise a Magistracy in Rome, without their special appointment [t]: and as a public acknowledgement of their supreme authority, the same Consul never appeared in any assembly of the people, without bowing his fasces or maces to them; which was afterwards the constant practice of all succeeding Consuls [u]. Thus the Republic reaped all the benefit of a Kingly Government, without the danger of it; since the Consuls, whose reign

[s] Sed quoniam regale civitatis genus, probatum quondam, non tam regni, quam regis vitiis repudiatum est; nomen tamen videbitur regis repudiatum, res manebit, si unus omnibus reliquis

Magistratibus imperabit. De Legib. 3. 7.

[t] Dionys. Hal. l. 5. 292.

[u] Vocato ad concilium populo, summissis fascibus in concionem ascendit. Liv. 2. 7.

was but annual and accountable, could have no opportunity of invading it's liberty, and erecting themselves into Tyrants.

By the expulsion of the Kings, the City was divided into two great parties, the Aristocratical and the Popular; or the Senate and the Plebeians [x]; naturally jealous of each other's power, and desirous to extend their own: but the Nobles or Patricians, of whom the Senate was composed, were the most immediate gainers by the change, and with the Consuls at their head, being now the first movers and administrators of all the deliberations of the state, had a great advantage over the people; and within the compass of sixteen years became so insolent and oppressive, as to drive the body of the Plebeians to that secession into the sacred Mount, whence they would not consent to return, till they had extorted a right of creating a new order of Magistrates, of their own body, called Tribuns, invested with full powers to protect them from all injuries, and whose persons were to be sacred and inviolable [y]

The Plebeian party had now got a head exactly suited to their purpose; subject to no controul; whose business it was to fight their battles with the Nobility; to watch over the liberties of the Citizens; and to distinguish themselves in their annual office, by a zeal for the popular interest, in opposition to the Aristocratical: who, from their first number five, being encreased afterwards to ten, ne-

[x] Duo genera semper in hac civitate fuerunt, — ex quibus alteri se populares, alteri optimates & haberi & esse voluerunt. Qui ea, quæ faciebant, quæque dicebant, jucunda multitudini esse vo-

lebant, populares; qui autem ita se gerebant, ut sua consilia optimo cuique probarent optimates habebantur. Pro Sext. 45.

[y] Dion. Hal. 6. 410.

wer left teizing the Senate with fresh demands, till they had laid open to the Plebeian families, a promiscuous right to all the Magistracies of the Republic, and by that means a free admission into the Senate.

Thus far they were certainly in the right, and acted like true Patriots; and after many sharp contests had now brought the government of Rome to it's perfect state; when it's honors were no longer confined to particular families, but proposed equally and indifferently to every Citizen; who by his virtue and services, either in war or peace, could recommend himself to the notice and favor of his Countrymen: while the true balance and temperament of power between the Senate and People, which was generally observed in regular times, and which the honest wished to establish in all times, was that the Senate should be the Authors and Advisers of all the public counsils, but the people give them their sanction and legal force.

The Tribuns however would not stop here; nor were content with securing the rights of the Commons, without destroying those of the Senate; and as oft as they were disappointed in their private views, and obstructed in the course of their ambition, used to recur always to the populace; whom they could easily inflame to what degree they thought fit by the proposal of factious laws for dividing the public lands to the poorer Citizens; or by the free distribution of corn; or the abolition of all debts; which are all contrary to the quiet, and discipline, and public faith of societies. This abuse of the Tribunician power was carried to it's greatest height by the two Gracchi, who left nothing unattempted, that could mortify the Senate, or gratify the People [z]; till by their agrarian laws, and

[x] Nihil immotum, nihil denique in eodem statu relinquendum, nihil quietum quebat, &c. Vell. P. 2. 6.

other seditious acts, which were greedily received by the City, they had in great measure overturned that equilibrium of power in the Republic, on which it's peace and prosperity depended.

But the violent deaths of these two Tribuns, and of their principal adherents, put an end to their sedition; and was the first civil blood, that was spilt in the streets of Rome, in any of their public dissensions; which till this time had always been composed by the methods of patience and mutual concessions. It must seem strange to observe, how these two illustrious Brothers, who, of all men, were the dearest to the Roman people, yet upon the first resort to arms, were severally deserted by the multitude, in the very height of their authority, and suffered to be cruelly massacred in the face of the whole City: which shews, what little stress is to be laid on the assistance of the populace, when the dispute comes to blows; and that sedition, though it may often shake, yet will never destroy a free state, while it continues unarmed, and unsupported by a military force. But this vigorous conduct of the Senate, though it seemed necessary to the present quiet of the City, yet soon after proved fatal to it; as it taught all the ambitious, by a most sensible experiment, that there was no way of supporting an usurped authority, but by force: so that from this time, as we shall find in the following story, all those who aspired to extraordinary powers, and a dominion in the Republic, seldom troubled themselves with what the Senate or people were voting at Rome, but came attended by armies to enforce their pretensions, which were always decided by the longest sword.

The popularity of the Gracchi was grounded on the real affections of the people, gained by many extraordinary privileges, and substantial benefits conferred

conferred upon them : but when force was found necessary to controul the authority of the Senate, and to support that interest, which was falsely called popular, instead of courting the multitude by real services and beneficial laws, it was found a much shorter way, to corrupt them by money; a method wholly unknown in the times of the Gracchi; by which the men of power had always a number of mercenaries at their devotion, ready to fill the Forum at any warning; who by clamor and violence carried all before them in the public assemblies, and came prepared to ratify whatever was proposed to them [a]: this kept up the form of a legal proceeding; while by the terror of arms, and a superior force, the Great could easily support, and carry into execution, whatever votes they had once procured in their favor by faction and bribery.

After the death of the younger Gracchus, the Senate was perpetually laboring to rescind, or to moderate the laws, that he had enacted to their prejudice; especially one that effected them the most sensibly, by taking from them the right of judicature; which they had exercised from the foundation of Rome, and transferring it to the Knights. This act however was equitable; for as the Senators possessed all the Magistracies and Governments of the Empire, so they were the men whose oppressions were the most severely felt, and most frequently complained of; yet while the judgement of all causes con-

[a] Itaque homines feditiosi ac turbulenti—conductas habent conciones. Neque id agunt, ut ea dicant & ferant, quæ illi velint audire, qui in concione sunt: sed pretio ac mercede perficiunt, ut, quicquid dicant, id illi velle au-

dire videantur. Num vos existimatis, Gracchos, aut Saturninum, aut quenquam illorum veterum, qui populares habebantur, ullum unquam in concione habuisse conductum? Nemo habuit. Pro Sext. 49.

tinued

tinued in their hands, it was their common practice, to favor and absolve one another in their turns, to the general scandal and injury both of the subjects and allies; of which some late and notorious instances had given a plausible pretext for Gracchus's law. But the Senate could not bear with patience, to be subjected to the tribunal of an inferior order; which had always been jealous of their power, and was sure to be severe upon their crimes: so that, after many fruitless struggles to get this law repealed, Q. Servilius Cæpio, who was Consul about twenty five years after, procured at last a mitigation of it, by adding a certain number of Senators to the three centuries of the Knights or Equestrian Judges: with which the Senate was so highly pleased, that they honored this Consul with the title of their Patron [b]. Cæpio's law was warmly recommended by L. Crassus, the most celebrated Orator of that age, who in a speech upon it to the people, defended the authority of the Senate with all the force of his eloquence: in which state of things, and in this very year of Cæpio's Consulship, Cicero was born: and as Crassus's oration was published, and much admired, when he was a boy, so he took it, as he afterwards tells us, for the pattern both of his eloquence, and his politics [c].

[b] Is—consulatus decore, maximi pontificatus sacerdotio, ut Senatus patronus diceretur, affectus. Val. M. 6. 9.

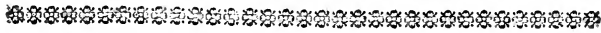
[c] Suasit Serviliam legem Crassius—sed hæc Crassi cum edita est oratio—quatuor & triginta tum habebat annos, totidemque annis mihi ætate

præstabat. Iis enim Consulibus eam legem suasit, quibus nos nati sumus. [Brut. p. 274.] Mihi quidem a pueritia, quasi magistra fuit illa in legem Cæpionis oratio: in qua & auctoritas ornatur Senatus, pro quo ordine illa dicuntur—ib. 278.

THE
HISTORY

OF

The LIFE of
M. TULLIUS CICERO.



S E C T. I.

MARCUS TULLIUS CICERO was born on the third of January [*a*], in the six-hundred-forty-seventh year of Rome, about a hundred and seven years before CHRIST [*b*]. His birth, if we believe Plutarch, was *attended by prodigies*, foretelling the future eminence and lustre of his character, *which might have passed, he says, for idle dreams, had not the event soon confirmed the truth of the prediction*: but since we have no hint of these prodigies from Cicero himself, or any author of that

Coff.
Q. SERVILI-
US COEPIO,
C. ATILIUS
SERRANUS.

[*a*] 111 Nonas Jan. natali meo. Ep. ad Att. 7. 5. it. 13. 42.

[*b*] This computation follows the common Æra of Christ's birth, which is placed

three years later than it ought to be. Pompey the Great was born also in the same year on the last of September. Vid. Pigh. Ann. Plin. 37. 2.

age, we may charge them to the credulity, or the invention of a writer, who loves to raise the solemnity of his story by the introduction of something miraculous.

His mother was called Helvia; a name, mentioned in history and old inscriptions among the honourable families of *Rome*. She was rich, and well descended, and had a sister married to a *Roman* Knight of distinguished merit, C. Aculeo, an intimate friend of the Orator, L. Crassus, and celebrated for a singular knowledge of the Law; in which his sons likewise, our Cicero's cousin-germans, were afterwards very eminent [c]. It is remarkable, that *Cicero* never once speaks of his mother in any part of his writings; but his younger brother *Quintus* has left a little story of her, which seems to intimate her good management and housewifery; how she used to seal all her wine-casks, the empty as well as the full, that when any of them were found empty and unsealed, she might know them to have been emptied by stealth; it being the most usual theft among the Slaves of great families, to steal their master's wine out of the vessels [d].

As to his father's family, nothing was delivered of it, but in extremes [e]: which is not to be wondered at, in the history of a man, whose life was so exposed to envy, as Cicero's, and who fell a victim at last to the power of his enemies. Some derive his descent from *Kings*, others from *mechanics* [f]; but the truth lay between both; for his family, tho' it had never born any of the great

[c] De Orat. 1. 43. 2. 1.

[d] Sicut olim matrem meam facere memini, quæ lagenas etiam inanes obsignabat, ne dicerentur inanes. aliquæ fuisse, quæ furtim essent exsiccatae. Ep. fam. 16. 26.

— possent qui ignoscere servis,

Et signo læso non insanire lagenæ. Hor.

[e] See Plutarch's life of Cicero.

[f] Regia progenies & Tullo sanguis ab alto. Sil. Ital.

offices of the Republic, was yet *very ancient and honorable* [g]; of principal distinction and nobility in that part of Italy, in which it resided; and of *Equestrian* rank [b], from it's first admission to the freedom of Rome.

SOME have insinuated, that Cicero affected to say but little of the splendor of his family, *for the sake of being considered as the founder of it*; and chose to suppress *the notion of his Regal extraction*, for the aversion that the people of Rome had to *the name of King*; with which however he was sometimes reproached by his enemies [i]. But those speculations are wholly imaginary: for as oft as there was occasion to mention the character and condition of his Ancestors, he speaks of them always with great frankness, declaring them *to have*

[g] Hinc enim orti stirpe antiquissima: hic sacra, hic genus, hic majorum multa vestigia. De Leg. 2. 1, 2.

[b] The *Equestrian* dignity, or that Order of the Roman people, which we commonly call *Knights*, had nothing in it analogous or similar to any order of modern Knighthood, but depended entirely upon a *census*, or valuation of their estates, which was usually made every five years by the *Censors*, in their *Lustrum*, or general review of the whole people: when all those Citizens, whose intire fortunes amounted to the value of four hundred *Sester-tia*, that is of 3229*l.* of our money, were enroll'd of course in the list of *Equites* or *Knights*; who were considered, as a middle order between the Senators, and the common peo-

ple, yet without any other distinction, than the privilege of wearing a *gold ring*, which was the peculiar badge of their order. [Liv. 23. 12. Plin. Hist. 33. 1.] *The census*, or estate necessary to a Senator, was double to that of a Knight: and if ever they reduced their fortunes below that Standard, they forfeited their rank, and were struck out of the roll of their order by the Censors.

Si quadringentis sex septem millia defunt.

Plebs eris —

Hor. Ep. 1. 1. 57.

The Order of Knights therefore included in it the whole Provincial Nobility and Gentry of the Empire, which had not yet obtained the honour of the Senate.

[i] Vid. Sebast. Corrad. Quæstura, p. 43, 44.

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been content with their paternal fortunes, and the private honors of their own City, without the ambition of appearing on the public stage of Rome. Thus in a speech to the people upon his advancement to the Consulship; *I have no pretence, says he, to enlarge before you, upon the praises of my Ancestors; not but that they were all such as myself, who am descended from their blood, and trained by their discipline; but because they lived without this applause of popular fame, and the splendor of these honors, which you confer [k].* It is on this account therefore, that we find him so often called a *New man*; not that his Family was new or ignoble, but because he was the first of it, who ever sought and obtained the public Magistracies of the State.

THE place of his birth was Arpinum; a City anciently of the Samnites, now part of the Kingdom of Naples; which, upon it's submission to Rome, acquired the freedom of the City, and was inserted into *the Cornelian Tribe*. It had the honor also of producing the Great C. Marius; which gave occasion to Pompey to say in a publick speech, *That Rome was indebted to this Corporation for two Citizens, who had, each in his turn, preserved it from ruin [l].* It may justly therefore claim a place in the memory of posterity, for giving life to such worthies, who exemplified the character, which Pliny gives of true glory, *by doing what deserved to be written, and writing what deserved to be read*; and making the world the happier and the better for their having lived in it [m].

THE territory of Arpinum was rude and mountainous, to which Cicero applies Homer's description of Ithaca;

[k] De lege Agrar. con. Mavim. 2. 2.
 Roll ad Quiriter. 1. [m] Plin. Ep.
 [l] De Legib. 2. 3. Val.

——— τρηχέϊ ἀλλ' ἀγαθὸν κροτόφος, &c.

'Tis rough indeed, yet breeds a generous race [n].

The family seat was about three miles from the Town in a situation extremely pleasant, and well adapted to the nature of the climate. It was surrounded with groves and shady walks leading from the house to a river, called *Fibrenus*; which was divided into two equal streams, by a little Island, covered with trees and a portico, contrived both for study and exercise, whither Cicero used to retire, when he had any particular work upon his hands. The clearness and rapidity of the stream murmuring thro' a rocky channel; the shade and verdure of it's banks, planted with tall poplars; the remarkable coldness of the water; and above all, it's falling by a cascade into the nobler river *Liris*, a little below the Island, gives us the idea of a most beautiful scene, as Cicero himself has described it. When Atticus first saw it, he was charmed with it, and wondered that Cicero did not prefer it to all his other houses, declaring a contempt of the labored magnificence, marble pavements, artificial canals, and forced streams of the celebrated Villa's of Italy. compared with the natural beauties of this place [o]. The house, as Cicero says, was but small and humble in his Grandfather's time, according to the ancient frugality, like the Sabine farm of old *Curius*; till his father beautified and enlarged it into a handsom and spacious habitation.

BUT there cannot be a better proof of the delightfulness of the place, than that it is now possessed by a Convent of Monks, and called *the Villa of St. Dominic* [p]. Strange revolution! to see

B 3

Cicero's

[n] Ad Att. 2. xi. Odyss.
9. 27.

[o] De Legib. 2. 1, 2, 3.

[p] Appresso la Villa di S.
Dome.

Cicero's portico's converted to *Monkish cloisters!* the seat of the most refined reason, wit, and learning, to a nursery of superstition, bigotry, and enthusiasm! What a pleasure must it give to these *Dominican Inquisitors*, to trample on the ruins of a man, whose writings, by spreading the light of reason and liberty through the world, have been one great instrument of obstructing their unwearyed pains to enslave it.

CICERO, being the first-born of the family, received, as usual, the name of his Father, and Grandfather, Marcus. This name was properly personal, equivalent to that of Baptism with us, and imposed with ceremonies somewhat analogous to it, on the ninth day, called the *lustrical*, or *day of purification* [q]; when the child was carried to the Temple, by the friends and relations of the family, and before the altars of the Gods, recommended to the protection of some tutelar Deity.

TULLIUS was the name of the family; which in old language signified flowing *streams*, or *ducts of water*, and was derived therefore probably from their ancient situation, at the confluence of the two rivers [r].

THE third name was generally added on account of some memorable action, quality, or accident, which distinguish the Founder, or chief person of the family. Plutarch says, *that the surname of Cicero was owing to a wart or excrescence on the nose of one of his Ancestors, in the shape of a vetch,*

Domenico; hora così nominato questo luogo, ove nacque Cicero, come dice Pietro Marso, laquale Villa è difcosta da Arpino da tremiglia. Vid. Leand. Alberti diacritone d'Italia, p. 267.

[q] Est *Nundina* Romano-

rum *Dea*, a nono nascentium die nuncupata, qui *lustricus* dicitur; est autem dies *lustricus*, quo infantes lustrantur & nomen accipiunt. Macrobian. Sat. 1. 16.

[r] Pompeius Festus in voce *Tullius*.

which the Romans called *Cicer* [s]: but Pliny tells us more credibly, that all those names, which had a reference to any species of grain, as the *Fabii*, *Lentuli*, &c. were acquired by a reputation of being the best husbandmen or improvers of that species [t]. As Tullius therefore, the family name, was derived from the situation of the Farm, so Cicero, the surname, from the culture of it by vetches. This, I say, is the most probable, because Agriculture was held the most liberal employment in old Rome, and those Tribes, which resided on their farms in the country, the most honorable; and this very grain, from which Cicero drew his name, was, in all ages of the Republic, in great request with the meaner people; being one of the usual largesses bestowed upon them by the rich, and sold every where in the Theatres and Streets ready parched or boiled for present use [u].

CICERO'S Grandfather was living at the time of his birth, and from the few hints, which are left of him, seems to have been a man of business and interest in his country [x]. He was at the head of a party in Arpinum, in opposition to a busy turbulent man, M. Gratidius, whose sister he had married, who was pushing forward a popular law, to oblige the Town to transact all their affairs by ballot. The cause was brought before the Consul

[s] This has given rise to a blunder of some Sculptors, who, in the *Busts of Cicero*, have formed the resemblance of this vetch on his nose; not reflecting, that it was the name onely, and not the vetch itself, which was transmitted to him by his Ancestors,

[t] Hist. Nat. 18. 3. 1.

[u] In cicere atque faba,
bona tu perdasq; lupinis,
Latus ut in Circo spatiere
& æneus ut stes.

Hor. Sat. 1. 2. 3. 182.
Nec siquid fricti ciceris
probat & nucis emtor.

Art. poet. 249.

[x] De Legib. 3. 1.

Scaurus; in which old Cicero behaved himself so well, that the Consul paid him the compliment to wish, *that a man of his spirit and virtue would come and act with them in the great Theatre of the Republic, and not confine his talents to the narrow sphere of his own Corporation* [y]. There is a saying likewise recorded of this old Gentleman, *that the men of those times were like the Syrian slaves; the more Greek they knew, the greater knaves they were* [z]: which carries with it the notion of an old Patriot, severe on the importation of foreign arts, as destructive of the discipline and manners of his country. This Grandfather had two sons; Marcus the elder, the father of our Cicero; and Lucius, a particular friend of the celebrated Orator M. Antonius, whom he accompanied to his government of *Cilicia* [a]; and who left a son of the same name, frequently mentioned by Cicero; with great affection, as a youth of excellent virtue and accomplishments [b].

His father Marcus also was a wise and learned man, whose merit recommended him to the fami-

[y] *Ac nostro quidem huic, cum res esset ad se delata, Consul Scaurus, utinam, inquit, M. Cicero, isto animo atque virtute, in summa Repub. nobiscum versari, quam in municipali voluisses!* Ibid. 5. 16.

[z] *Nostros homines similes esse Syrorum venalium; ut quisque optime græce sciret, ita esse nequissimum.* De Orat. 2. 66.

N. B. A great part of the Slaves in Rome were Syrians; for the Pirates of Cilicia, who used to infest the coasts of Syria, carried all their Captives to the Market of

Delos, and sold them there to the Greeks, thro' whose hands they usua'ly passed to Rome: those Slaves therefore, who had lived the longest with their Grecian masters, and consequently talked Greek the best, were the most practised in all the little tricks and craft that servitude naturally teaches; which old Cicero, like Cato the Censor, imputed to the arts and manners of Greece itself. Vid. Adr. Turneb. in *joços Cicero*.

[a] *De Orat.* 2. 1.

[b] *De Finib.* 5. 1. ad Att. 1. 5.

liarity of the principal Magistrates of the Republic, especially Cato, L. Crassus, and L. Cæsar [c]; but being of an infirm and tender constitution, he spent his life chiefly at Arpinum, in an elegant retreat and the study of polite letters [d].

BUT his chief employment, from the time of his having Sons, was to give them the best education, which Rome could afford, in hopes to excite in them an ambition of breaking thro' the indolence of the family, and aspiring to the honors of the State. They were bred up *with their Cousins, the young Aculeo's, in a method approved and directed by L. Crassus*; a man of the first dignity, as well as the first eloquence in Rome, and *by those very masters, whom Crassus himself made use of* [e]. The Romans were of all people the most careful and exact in the education of their children: their attention to it began from the moment of their birth; when they committed them to the care of some prudent matron of reputable character and condition, whose business it was to form their first habits of acting and speaking; to watch their growing passions, and direct them to their proper objects; to superintend their sports, and suffer nothing immodest or indecent to enter into them; that the mind preserved in it's innocence, nor depraved by a taste of false pleasure, might be at liberty to pursue whatever was laudable, and apply it's whole strength to that profession in which it desired to excell [f].

IT

[c] Ep. fam. 15. 4. de Orat. 2. 1.

[d] Qui cum esset infirma valetudine, hic fere ætatem egit in literis. De Legib. 2. 1.

[e] Cumque nos cum consobrinis nostris, Aculeonis filii, & ea disceremus, quæ

Crasso placerent, & ab iis doctoribus, quibus ille uteretur, erudiremur. De Orat. 2. 1.

[f] Eligebatur autem aliqua major natu propinqua, cujus probatis, spectatisque moribus, omnis cujuspiam familiæ soboles

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IT was the opinion of some of the old Masters, that Children should not be instructed in letters, till they were seven years old; but the best judges advised, that no time of culture should be lost, and that their literary instruction should keep pace with their moral; that three years onely should be allowed to the nurses, and when they first began to speak, that they should begin also to learn [g]. It was reckoned a matter likewise of great importance, what kind of language they were first accustomed to hear at home, and in what manner not onely their nurses, but their fathers and even mothers spoke; since their first habits were then necessarily formed, either of a pure or corrupt elocution; thus the two Gracchi were thought to owe that elegance of speaking, for which they were famous, to the institution of their mother Cornelia: a woman of great politeness, whose epistles were read and admired long after her death for the purity of their language [b].

THIS probably was a part of that domestic discipline, in which Cicero was trained, and of which he often speaks; but as soon as he was capable of a more enlarged and liberal institution, his father brought him to Rome, where he had a house of his own [i], and placed him in a public school, under an eminent Greek master, which was thought the best way of educating one who was designed to appear on the publick stage, and who, as Quintilian observes, ought to be so bred, as not to fear the

soholes committeretur, &c. quæ disciplina & severitas eo pertinebat, ut sincera & integra & nullis pravitatibus detorta uniuscujusque natura, toto statim pectore arriperet artes honestas, &c. Tacit. Dial. de Oratorib. 28.

[g] Quintil. 1. 1.

[b] Ibid. it. in Brut. p.

319. edit. Sebast. Corradi.

[i] This is a farther proof of the wealth and flourishing condition of his family; since the rent of a moderate house in Rome, in a reputable part of the City, fit for one of Equestrian rank, was about two hundred pounds Sterling per ann.

sight of men; since that can never be rightly learnt in solitude, which is to be produced before crowds [k]. Here he gave the first specimen of those shining abilities which rendered him afterwards so illustrious; and his school-fellows carried home such stories of his extraordinary parts and quickness in learning, that their parents were often induced to visit the school, for the sake of seeing a Youth of such surprising talents [l].

ABOUT this time a celebrated Rhetorician, Plotius, first set up a Latin school of eloquence in Rome, and had a great resort to him [m]: Young Cicero was very desirous to be his scholar, but was over-ruled in it by the advice of the learned, who thought the Greek masters more useful in forming to the Bar, for which he was designed. This method of beginning with Greek is approved by Quintilian; because the Latin would come of itself, and it seemed most natural to begin from the fountain, whence all the Roman learning was derived: yet the rule, he says, must be practised with some restriction, nor the use of a foreign language pushed so far to the neglect of the native, as to acquire with it a foreign accent and vicious pronunciation [n].

CICERO'S Father encouraged by the promising genius of his Son, spared no cost nor pains to improve it by the help of the ablest Masters, and among the other instructors of his early Youth, put him under the care of the Poet Archias, who came to Rome with a high Reputation for learning and poetry, when Cicero was about five years old, and lived in the family of Lucullus [o]: for it was the custom of the great in those days to enter;

[k] L. 1. 2.

toribus, c. 2.

[l] Plutarch in his life.

[n] L. 1. 1.

[m] Sueton. de claris Rhe-

[o] Pro Archia. 1, 3.

tain in their houses the principal Scholars and Philosophers of Greece, with a liberty of opening a School, and teaching, together with their own children, any of the other young nobility and gentry of Rome. Under this Master, Cicero applied himself chiefly to poetry, to which he was naturally addicted, and made such a proficiency in it, that while he was still a boy, he composed and published a Poem, called *Glaucus Ponticus*, which was extant in Plutarch's time [p].

AFTER finishing the course of these puerile studies, it was the custom to change the habit of the boy, for that of the man, and take what they called *the manly gown*, or the ordinary robe of the Citizens: this was an occasion of great joy to the young men; who by this change passed into a state of greater liberty and enlargement from the power of their Tutors [q]. They were introduced at the same time into *the Forum*, or the great square of the City, where the Assemblies of the People were held, and the Magistrates used to harangue to them from *the Rostra*, and where all the public pleadings and judicial proceedings were usually transacted: this therefore was the grand School of business and eloquence; the scene, on which all the affairs of the Empire were determined, and where the foundation of their hopes and fortunes were to be laid; so that they were introduced into it with much solemnity, attended by all the friends and depend-

[p] Plutarch, — This Glaucus was a fisherman of Anthedon in Bœotia; who, upon eating a certain herb, jumped into the Sea, and became a Sea-God: the place was ever after called *Glaucus's leap*; where there was an Oracle of the God, in great

vogue with all Seamen; and the story furnished the argument to one of Æschylus's Tragedies. Pausan. Bœot. c. 22.

[q] Cum primum pavido
cultos mihi purpura cessit.
Pers. Sat. 5. 30.

ents of the family, and after divine rites performed in *the Capitol*, were committed to the special protection of some eminent Senator, distinguished for his eloquence or Knowledge of the laws, to be instructed by his advice in the management of civil affairs, and to form themselves by his example for useful members and Magistrates of the Republic.

WRITERS are divided about the precise time of changing *the puerile* for *the manly gown*: what seems the most probable, is, that in the old Republic it was never done till *the end of the seventeenth year*; but when the antient discipline began to relax, Parents, out of indulgence to their children, advanced this æra of joy one year earlier, and gave them the gown at *sixteen*, which was the custom in Cicero's time. Under the Emperors, it was granted at pleasure, and at any age, to the great or their own relations; for Nero received it from Claudius, when he just entered into his *fourteenth year*, which, as Tacitus says, was given before the regular season [r].

CICERO, being thus introduced into the Forum, was placed under the care of Q. Mucius Scævola *the Augur*, the principal Lawyer as well as Statesman of that age who had passed thro' all the offices of the Republic, with a singular reputation of integrity, and was now extremely old: Cicero never stirred from his side, but carefully treasured up in his memory all the remarkable sayings, which dropt from him, as so many lessons of prudence for his future conduct [s]; and after his death applied himself to another of the same family, Scævola *the High-priest*, a person of equal

[r] Ann. 12. 41. Vid. August. 8. & Notas Pitisci.
Norris Cenotaph. Pisan. [s] De Amicit. 1.
Disser. 2. c. 4. it. Sueton.

character for probity and skill in the law; who, tho' *he did not profess to teach, yet freely gave his advice to all the young students, who consulted him* [t].

UNDER these masters he acquired a complete knowledge of the laws of his country; a foundation useful to all who design to enter into public affairs; and thought to be of such consequence at Rome, that it was *the common exercise of boys at school, to learn the laws of the twelve tables by heart, as they did their Poets and Classic authors* [u]. Cicero particularly took such pains in this study, and was so well acquainted with the most intricate parts of it, as to be able to sustain a dispute on any question with the greatest Lawyers of his age [x]: so that in pleading once against his friend S. Sulpicius, he declared by way of raillery, what he could have made good likewise in fact, *that if he provoked him, he would profess himself a Lawyer in three days time* [y].

THE profession of the law, next to that of arms and eloquence, was a sure recommendation to the first honors of the Republic [z], and for that reason was preserved as it were hereditary in some of the noblest families of Rome [a]; who, by giving their advice gratis to all, who wanted it, engaged the favor and observance of their fellow Citizens, and acquired great authority in all the affairs of state. It was the custom of these old Senators, eminent for their wisdom and experience, to walk every morning up and down

[t] Brut. p. 89; Edit. Seb. Corradi.

[u] De Legib. 2. 23.

[x] Ep. fam. 7. 22.

[y] Pro Muræna, 13.

[z] Ibid. 14.

[a] Quorum vero patres

aut majores aliqua gloria præstiterunt, ii student plerumque in eodem genere laudis excellere: ut Q. Mutius P. filius, in jure civili. Off. 1. 32. 2. 19.

the Forum, as a signal of their offering themselves freely to all, who had occasion to consult them, not onely in cases of law, but in their private and domestic affairs [b]. But in later times they chose to sit at home with their doors open, in a kind of *throne* or *raised seat*, like the Confessors in foreign Churches, giving access and audience to all people. This was the case of the two Scævola's, especially *the Augur*, whose house was called *the Oracle of the City* [c]; and who, *in the Marfic war*, when worn out with age and infirmities, gave free admission every day to all the Citizens, as soon as it was light, nor was ever seen by any in his bed during that whole war [d].

But this was not the point that Cicero aimed at, to guard the estates onely of the Citizens: his views were much larger; and the knowledge of the law was but one ingredient of many, in the character which he aspired to, of *an universal Patron*, not onely of the fortunes, but of the lives and liberties of his countrymen: for that was the proper notion of *an Orator or Pleader of causes*; whose profession it was, *to speak aptly, elegantly, and copiously on every subject which could be offered to him, and whose art therefore included in it all other arts of the liberal kind, and could not be acquired to any perfection, without a competent knowledge of*

[b] M' vero Manilium nos etiam vidimus transverso ambulante foro; quod erat infigne, eum, qui id faceret, facere civibus omnibus consilii sui copiam. Ad quos olim & ita ambulantes & in folio sedentes domi ita adibatur, non solum ut de jure civili ad eos, verum etiam de filia collocanda—de omni denique aut officio aut negotio referretur. De Orat. 3. 33.

[c] Est enim sine dubio domus Jurisconsulti totius Oraculum civitatis. Testis est hujusce Q. Mucii janua, & vestibulum, quod in ejus infirmissima valetudine, affectaque jam ætate, maxima quotidie frequentia civium, ac summorum hominum splendore celebratur. De Orat. 1. 45.

[d] Philip. 8. x.

whatever was great and laudable in the Universe: This was his own idea of what he had undertaken [e]; and his present business therefore was, to lay a foundation fit to sustain the weight of this great character: so that while he was studying the law under the Scævola's, he spent a large share of his time in attending the pleadings at the bar, and the public speeches of the Magistrates, and never passed *one day without writing and reading something at home*, constantly taking notes, and making comments on what he read. He was fond, when very young, of an exercise, which had been recommended by some of the great Orators before him, *of reading over a number of verses of some esteemed Poet, or a part of an Oration so carefully, as to retain the substance of them in his memory, and then deliver the same sentiments in different words, the most elegant that occurred to him.* But he soon grew weary of this, upon reflecting, that his authors had already employed the best words which belonged to their subject; so that if he used the same, it would do him no good, and if different, would even hurt him, by a habit of using worse. He applied himself therefore to another task of more certain benefit, *to translate into Latin the select speeches of the best Greek Orators*, which gave him an opportunity of observing and employing all the most elegant words of his own language, and of *enriching it at the same time with new ones, borrowed or imitated from the Greek* [f]. Nor did he yet neglect his poetical studies; for he now translated Aratus *on the Phenomena of the heavens, into Latin verse*, of which many fragments are still extant; and published also *an original Poem of the Heroic kind*, in honour of his Countryman C. Marius. This was much admired and *often read*

[e] De Orat. 1. 5. 6. 13. [f] De Orator. 1. 34.

by *Atticus*; and old *Scævola* was so pleased with it, that in an Epigram, which he seems to have made upon it, he declares, *that it would live as long as the Roman name and learning subsisted* [g]: there remains still a little specimen of it describing a memorable omen given to *Marius* from the Oak of *Arpinum*, which from the spirit and elegance of the description shews, that his Poetical genius was scarce inferior to his Oratorical, if it had been cultivated with the same diligence [b]. He published another Poem also called *Limon*; of which *Donatus* has preserved four lines in the life of *Terence*, in praise of the elegance and purity of that Poet's stile [i]. But while he was employing himself in these juvenile exercises for the improvement of

[g] *Eaque, ut ait Scævola de fratris mei Mario,—canescet sæclis innumerabilibus. De Leg. 1. 1.*

[b] *Hic Jovis altisoni subito pinnata Sæclis Arboris e trunco, serpentis faucia morfu, Subjugat ipsa feris transfigens unguibus anguem Semianimum, & varia graviter cervice micantem; Quem se intorquentem lanians rôstroque cruentans, Jam satiata animos, jam duros ultra dolores, Abjicit efflantem, & laceratum adfligit in unda, Seque obitu a Solis, nitidos convertit ad ortus. Hanc ubi præpetibus pennis lapsuque volantem Conspxit Marius, divini Numinis Augur, Fausaque signa suæ laudis, reditusque notavit;*

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Partibus intonuit cœli Pater ipse sinistris. Sic Aquilæ clarum firmavit Juppiter omen.

De Divin. 1. 47.

[i] We have no account of the argument of this piece, or of the meaning of it's title; it was probably nothing more than the Greek word *Λειμών*; to intimate, that the poem, like a meadow or garden, exhibited a variety of different fancies and flowers. The Greeks, as *Pliny* says, were fond of giving such titles to their books, as *Παιδείαι, Ἐγγχειρίδιον, Λειμών,* &c. [Præf. Hist. Nat.] and *Pamphilus the Grammarian*, as *Suidas* tells us, published a *Λειμών*, or a Collection of various subjects. Vid. in *Pamphil.*

C

his

his invention, he applied himself with no less industry to *Philosophy*, for the enlargement of his mind and understanding; and among his other Masters, was very fond at this age of Phædrus *the Epicurean*: but as soon as he had gained a little more experience and judgement of things, he wholly deserted and constantly disliked the principles of that sect; yet always retained a particular esteem for the man, on account of his learning, humanity and politeness [k].

THE peace of Rome was now disturbed by a domestic war, which writers call the *Italic*, *Social*, or *Marfic*: it was begun by a confederacy of the principal Towns of Italy, to support their demand of the freedom of the City: the Tribun Drusus had made them a promise of it, but was assassinated in the attempt of publishing a law to confer it: this made them desperate, and resolve to extort by force, what they could not obtain by entreaty [l]. They alledged it to be *unjust*, to exclude them from the rights of a City, which they sustained by their arms; that in all it's wars they furnished twice the number of troops, which Rome itself did; and had raised it to all that height of power, for which it now despised them [m]. This war was carried on for above two years, with great fierceness on both sides, and various success: two *Roman Consuls* were killed in it, and their armies often defeated; till the Confederates, weakened also by frequent losses, and the desertion of one Ally after another, were forced at last to submit to the superior fortune of Rome [n]. During the hurry of the war, the business of the Forum was intermitted; the greatest part of the Magistrates, as well as the Pleaders, being personally engaged in

[k] Ep. fam. 13. 1.

[l] Philip. 12. 27.

[m] Vell. Pat. 2. 15.

[n] Flor. 3. 18.

it; Hortensius the most flourishing young Orator at the bar, was a volunteer in it the first year, and commanded a regiment the second [c].

CICERO likewise took the opportunity to make a campaign, along with the Consul Cn. Pompeius Strabo, the father of Pompey the Great: this was a constant part of the education of the young Nobility; to learn the art of war by personal service, under some general of name and experience; for in an Empire raised and supported wholly by arms, a reputation of martial virtue was the shortest and surest way of rising to it's highest honors; and the constitution of the government was such, that as their Generals could not make a figure even in Camps, without some institution in the politer arts, especially that of *speaking gracefully* [p]; so those, who applied themselves to the peaceful studies, and the management of civil affairs, were obliged to acquire a competent share of military skill, for the sake of governing Provinces, and commanding armies, to which they all succeeded of course from the administration of the great Offices of the State.

In this expedition Cicero was present at a conference between Pompeius the Consul, and Vettius the General of the Marfi, who had given the Romans a cruel defeat the year before, in which the Consul Rutilius was killed [q]. It was held in sight of the two Camps, and managed with great decency; the Consul's brother Sextus, being an old acquaintance of Vettius, came from Rome on purpose to assist at it; and at the first sight of each other, after lamenting the unhappy circumstance

[c] Brut. 425.

[p] Quantum dicendi gravitate & copia valeat, in quo ipso inest quædam dignitas

Imperatoria.—pr. leg. Manil. 14.

[q] Appian. Bell. civ. p. 376.

of their meeting at the head of opposite armies, he asked Vettius, *by what title he should now salute him, of friend or enemy*: to which Vettius replied, *Call me friend by inclination, enemy by necessity* [r]. Which shews, that these old Warriors had not less politeness in their civil, than fierceness in their hostile encounters.

BOTH Marius and Sylla served as Lieutenants to the Consuls in this war, and commanded separate armies in different parts of Italy: but Marius performed nothing in it answerable to his great name and former glory: his advanced age had increased his caution, and after so many triumphs and Consulships, he was jealous of a reverse of fortune; so that he kept himself wholly on the defensive, and, like old Fabius, chose to tire out the enemy by declining a battle; content with snatching some little advantages, that opportunity threw into his hands, without suffering them however to gain any against him [s]. Sylla on the other hand was ever active and enterprising: he had not yet obtained the Consulship, and was fighting for it, as it were, in the sight of his Citizens; so that he was constantly urging the enemy to a battle, and glad of every occasion to signalize his military talents, and eclipse the fame of Marius; in which he succeeded to his wish, gained many considerable victories, and took several of their Cities by storm, particularly *Stabæ*, a Town of Campania, which he utterly demolished [t].

[r] Quem te appellem, inquit? at ille; Voluntate hospitem, necessitate hostem. Phil. 12. xi.

[s] Plutar. in Marius.

[t] Plut. in Sylla. In Campano autem agro Stabiæ oppidum fuere usque ad Cn.

Pompeium & L. Carbonem Coss. prid. Kal. Maij, quo die L. Sylla legatus bello sociali id delevit, quod nunc in villas abiit. Intercidit ibi & Taurania. Plin. Hist. N. 3. 5.

Cicero, who seems to have followed his camp, as the chief scene of the war, and the best school for a young volunteer, gives an account of one action, of which he was eye witness, executed with great vigor and success; *that as Sylla was sacrificing before his tent in the fields of Nola, a snake happened to creep out from the bottom of the altar; upon which Posthumus the Haruspex, who attended the sacrifice, proclaiming it to be a fortunate omen, called out upon him to lead his army immediately against the enemy: Sylla took the benefit of the admonition, and drawing out his troops without delay, attacked and took the strong camp of the Samnites under the walls of Nola [u].* This action was thought so glorious, that Sylla got the story of it *paint:d* afterwards in one of the rooms of his *Tusculan Villa* [x]. Thus Cicero was not less diligent in the army, than he was in the Forum, to observe every thing that passed; and contrived always to be near the person of the General, that no action of moment might escape his notice.

UPON the breaking out of this war, the Romans gave the freedom of the City to all the Towns which continued firm to them; and at the end of it, after the destruction of *three hundred thousand* lives, thought fit for the sake of their future quiet to grant it to all the rest: but this step, which they considered as the foundation of a perpetual peace was, as an ingenious writer has observed, one of the causes, that hastened their ruin: for the enormous bulk, to which the City was swelled by it, gave birth to many new dif-

[u] In Syllæ scriptum historia videmus, quod te inspectante factum est, ut quum ille in agro Nolano immolaret ante prætorium, ab in-

fima aræ subito anguis emergeret, quum quidem C. Posthumus haruspex orabat illum, &c. De Divin. 1. 33. 2. 30.

[x] Plin. Hist. N. 22. 6.

orders, that gradually corrupted and at last destroyed it; and the discipline of the laws, calculated for a people, whom the same walls would contain, was too weak to keep in order the vast body of Italy; so that from this time chiefly, all affairs were decided by faction and violence, and the influence of the great; who could bring whole Towns into the Forum from the remote parts of Italy; or pour in a number of slaves and foreigners under the form of Citizens; for when the names and persons of real Citizens could no longer be distinguished, it was not possible to know, whether any act had passed regularly, by the genuine suffrage of the people [y].

THE *Italic* war was no sooner ended than another broke out, which, though at a great distance from Rome, was one of the most difficult and desperate, in which it ever was engaged; against Mithridates *King of Pontus*; a martial and powerful Prince, of a restless spirit and ambition, with a capacity equal to the greatest designs: who disdain- ing to see all his hopes blasted by the overbearing power of Rome, and confined to the narrow boundary of his hereditary dominion, broke through his barrier at once, and over-ran the lesser Asia like a Torrent, and in one day caused *eighty thousand Roman Citizens* to be massacred in cold blood [z]. His forces were answerable to the vastness of his attempt, and the inexorable war, that he had now declared against the Republic: he had a fleet of above four hundred ships; with an army of two hundred and fifty thousand foot, and fifty thousand horse; all completely armed, and provided with military stores, fit for the use of so great a body [a].

SYLLA,

[y] De la grandeur des Romains, &c. c. 9.

[z] Pr. leg. Manil. 3.

[a] Appian. Bell. Mithridat. init. pag. 171.

SYLLA, who had now obtained the Consulship, as the Reward of his late services, had the Province of Asia allotted to him, with the command of the war against Mithridates [b]: but old Marius envious of his growing fame, and desirous to engross every Commission, which offered either power or wealth, engaged Sulpicius, an eloquent and popular Tribun, to get that allotment reversed, and the command transferred from Sylla to himself by the suffrage of the people. This raised great tumults in the City between the opposite parties, in which the Son of Q. Pompeius the Consul, and the Son in law of Sylla was killed: Sylla happened to be absent, quelling the remains of the late commotions near Nola; but upon the news of these disorders, he hastened with his legions to Rome, and having entered it after some resistance, drove Marius and his accomplices to the necessity of saving themselves by a precipitate flight. This was the beginning of *the first civil war*, properly so called, which Rome had ever seen; and what gave both the occasion, and the example to all the rest that followed: the Tribun Sulpicius was taken and slain; and Marius so warmly pursued, that he was forced to plunge himself *into the marshes of Minturnum, up to the chin in water*; in which condition he lay concealed for some time, till being discovered and dragged out, *he was preserved by the compassion of the inhabitants, who, after refreshing him from the cold and hunger, which he had suffered in his flight, furnished him with a vessel and all necessaries to transport himself into Afric* [c].

C 4

SYLLA

[b] Appian. Bell. Civ. l. 1. 1.
383.

[c] Pr. Plan. x. This ac-

count, that Cicero gives more than once of *Marius's escape*, makes it probable, that the common

SYLLA in the mean while having quieted the City, and *proscribed twelve of his chief adversaries*, set forward upon his expedition against Mithridates: but he was no sooner gone, than the civil broils broke out afresh between the new Consuls, Cinna and Octavius; which Cicero calls *the Octavian war* [d]. For Cinna, attempting to reverse all that Sylla had established, was driven out of the City by his Collegue, with six of the Tribuns, and deposed from the Consulship: upon this he gathered an army, and recalled Marius, who, having joined his forces with him, entered Rome in a hostile manner, and with the most horrible cruelty, put all Sylla's friends to the sword, without regard to age, dignity, or former services. Among the rest fell *the Consul Cn. Octavius*; the two Brothers L. Cæsar and C. Cæsar; P. Crassius, and the Orator, M. Antonius; *whose head, as Cicero says, was fixed upon that Rostra, where he had so strenuously defended the Republic when Consul, and preserved the heads of so many Citizens*; lamenting, as it were ominously, the misery of that fate, which happened afterwards to himself, from the Grandson of this very Antonius. Q. Catulus also, though he had been Marius's Collegue in the Consulship and his victory over the Cimbri, was treated with the same cruelty: for when his friends were interceding for his life, Marius made them no other answer, but, *he must die; he must die*; so that he was obliged to kill himself [e].

CICERO saw this memorable entry of his Countryman Marius, who, in that advanced age, was

common story of the *Gallic Soldier, sent into the prison to kill him*, was forged by some of the later writers, to make the relation more tragical and affecting.

[d] De Div. 1. 2. Philip. 14. 8.

[e] Cum necessariis Catuli deprecantibus non semel respondit, sed sæpe, moriatur. Tusc. Disp. 5. 19. De Orat. 3. 3.

so far from *being broken*, he says, *by his late calamity, that he seemed to be more alert and vigorous than ever*; when he heard him recounting to the people, in excuse for the cruelty of his return, *the many miseries which he had lately suffered*; when he was driven from that country, *which he had saved from destruction*; when all his estate was seized and plundered by his enemies; when he saw his Young Son also the partner of his distress; when he was almost drowned in the Marshes, and owed his life to the mercy of the Minturnensians; when he was forced to fly into Afric in a small bark, and become a suppliant to those to whom he had given kingdoms; but that since he had recovered his dignity, and all the rest, that he had lost, it should be his care not to forfeit that virtue and courage, which he had never lost [f]. Marius and Cinna having thus got the Republic into their hands, declared themselves *Consuls*: but Marius died unexpectedly, as soon almost as he was inaugurated into his new dignity, on the 13th of January, in the 70th year of his age; and according to the most probable account, of a pleuritic fever [g].

His birth was obscure, though some call it *Equestrian*; and his education wholly in Camps; where he learnt the first rudiments of war, under the greatest master of that age, the younger Scipio, who destroyed Carthage; till by long service, distinguished valor, and a peculiar hardiness and patience of discipline, he advanced himself gradually

[f] Post. red. ad Quir. 8.

[g] Plutarch in Mar. The celebrated Orator L. Crassus died not long before of the same disease; which might probably be then, as I was told in Rome, that it is now, the peculiar distemper of the

place The modern Romans call it *puntura*, which seems to carry the same notion, that the old Romans expressed by, *percussus frigore*; intimating the sudden stroke of cold, upon a body unusually heated.

through all the steps of military honor, with the reputation of a brave and complete Soldier. The obscurity of his extraction, which depressed him with the nobility, made him the greater favorite of the people; who, on all occasions of danger, thought him the onely man fit to be trusted with their lives and fortunes; or to have the command of a difficult and desperate war; and in truth, he twice delivered them from the most desperate, with which they had ever been threatened by a foreign enemy. Scipio, from the observation of his martial talents, while he had yet but an inferior command in the army, gave a kind of prophetic testimony of his future glory: for being asked by some of his Officers, who were supping with him at Numantia, *what General the Republic would have, in case of any accident to himself; that man*, replied he, pointing to Marius, *at the bottom of the table*. In the field he was cautious and provident; and while he was watching the most favorable opportunities of action, affected to take all his measures from *Augurs and Diviners*; nor ever gave battel, till by *pretended omens and divine admonitions*, he had inspired his soldiers with a confidence of victory: so that his enemies dreaded him, as something more than mortal; and both friends and foes believed him to act always by a peculiar impulse and direction from the Gods. His merit however was wholly military, void of every accomplishment of learning, which he openly affected to despise; so that *Arpinum had the singular felicity to produce, the most glorious contemner, as well as the most illustrious improver of the arts and eloquence of Rome*. He made no figure therefore in the gown, nor had any other way of sustaining his authority in the City, than by cherishing the natural jealousy between the Senate and the people;

people; that by his declared enmity to the one, he might always be at the head of the other, whose favor he managed, not with any view to the public good, for he had nothing in him of the Statesman, or the Patriot, but to the advancement of his private interest and glory. In short, he was crafty, cruel, covetous, perfidious; of a temper and talents greatly serviceable abroad, but turbulent and dangerous at home: an implacable enemy to the Nobles, ever seeking occasions to mortify them, and ready to sacrifice the Republic, which he had saved, to his ambition and revenge. After a life spent in the perpetual toils of foreign or domestic wars, he died at last in his bed, in a good old age, and *in his seventh Consulship*; an honor that no Roman before him ever attained; which is urged by Cotta *the Academic*, as one argument amongst others, *against the existence of a Providence* [b].

THE transactions of the Forum were greatly interrupted by these civil dissensions; in which some of the best Orators were killed, others banished: Cicero however attended the harangues

[t] Natus equeſtri loco. [Vell. Pat. 2. xi.] Sc P. Africani diſcipulum ac militem, [pr. Balb. 20. Val. Max. 8. 15.] Populus Rom. non alium repellendis tantis hoſtibus magis idoneum, quam Marium eſt ratus. [Vell. Pat. 2. 12] Bis Italiam obſidione & metu liberaviſſi ſervitutiſ. [in Cat. 4. x.] Omnes focii atque hoſtes credere, illi aut mentem divi- nam eſſe. aut Deorum nutu cuncta pendendi. [Salluſt. Bell. Jug. 92.] Conſpicuæ felicita- tis Arpinum, ſive unicum lit-

terarum glorioſiſſimum con- temptorem, ſive abundantifi- ſimum fontem intueri velis. [Val. Max. 2. 2.] Quantum bello optimus, tantum pace peſſimus; immodicus gloriae, inſatiabilis, impotens, ſem- perque inquietus. [Vell. Pat. 2. xi.] Cur omnium perfidio- ſiſſimus, C. Marius, Q. Cat- ulum. præſtantiffima digni- tate virum, mori potuit ju- bere? — cur tam feliciter, ſeptimum Conſul, domi ſuæ ſenex eſt mortuus? [De Nat. Deor. 3. 32.]

The HISTORY of the Life

of the Magistrates, who possessed the Rostra in their turns; and being now about the age of twenty-one, drew up probably those *Rhetorical pieces*, which were published by him, as he tells us, when very young, and are supposed to be the same, that still remain, on the subject of *Invention*: but he condemned, and retracted them afterwards in his advanced age, *as unworthy of his maturer judgement*, and the work onely of a boy, attempting to digest into order the precepts, which he had brought away from School [*i*]. In the mean while, Philo, a Philosopher of the first name *in the academy*, with many of the principal Athenians, fled to Rome from the fury of Mithridates, who had made himself Master of Athens, and all the neighbouring parts of Greece: Cicero immediately became his scholar, and was exceedingly taken with his Philosophy; and by the help of such a Professor gave himself up to that study with the greater inclination, as there was cause to apprehend, that the laws and judicial proceedings, which he had designed for the ground of his fame and fortunes, would be wholly overturned by the continuance of the public disorders [*k*].

BUT Cinna's party having quelled all opposition at home, while Sylla was engaged abroad in *the Mithridatic war*, there was a cessation of arms within the City for about three years, so that the course of public business began to flow again in it's usual channel; *and Molo the Rhodian*, one of

[*i*] Quæ pueris aut adolescentulis nobis, ex commentariolis nostris inchoata ac rudia exciderunt, vix hac ætate digna, & hoc usu, &c. De Orat. 1. 2. Quintil. I. 3. 6.

[*k*] Eodem tempore, cum Princeps Academiae Philo, cum Atheniensium Optimatibus, Mithridatico bello domo profugisset, Pomamque venisset: totum ei me tradidi, &c. Brut. 430.

the principal Orators of that age, and the most celebrated teacher of eloquence, happening to come to Rome at the same time, Cicero presently took the benefit of his lectures, and resumed his Oratorical studies with his former ardor [l]. But the greatest spur to his industry was the fame and splendor of Hortensius, who made the first figure at the bar, and whose praises fired him with such an ambition of acquiring the same glory, that he scarce allowed himself any rest from his studies either day or night: He had in the House with him Diodotus *the Stoic*, as his Preceptor in various parts of learning, but more particularly in *Logic*; which Zeno, as he tells us, used to call *a close and contracted eloquence*; as he called *eloquence an enlarged and dilated Logic*; comparing *the one to the fist, or hand doubled; the other, to the palm opened* [m]. Yet with all his attention to *Logic*, he never suffered a day to pass, without some exercise in Oratory; chiefly that of declaiming, which he generally performed with his fellow students, M. Piso and Q. Pompeius, two young Noblemen, a little older than himself, with whom he had contracted an intimate friendship. They declaimed sometimes in *Latin*, but much oftener in *Greek*; because the *Greek* furnished a greater variety of elegant expressions, and an opportunity of imitating and introducing them into the *Latin*; and because the *Greek* masters, who were far the best, could not correct and improve them, unless they declaimed in that language [n].

IN

[l] Eodem anno Moloni dedimus operam. ibid.

[m] Zeno quidem ille, a quo disciplina Stoicorum est, manu demonstrare solebat, quid inter has artes interesset. Nam cum compresserat digitos, pugnumque fecerat, dia-

lecticam aiebat ejusmodi esse: cum autem diduxerat, & manum dilataverat, palmæ illius similem eloquentium esse dicebat. Orator. 259. edit. Lamb.

[n] Brut. p. 357. 432.

IN this interval Sylla was performing great exploits against Mithridates, whom he had driven out of Greece and Asia, and confined once more to his own territory; yet at Rome, where Cinna was master, he was declared *a public enemy, and his estate confiscated*: this insult upon his honor and fortunes made him very desirous to be at home again, in order to take his revenge upon his adversaries: so that after all his success in the war, he was glad to put an end to it by an honorable peace; the chief article of which was, that Mithridates *should defray the whole expence of it, and content himself for the future with his hereditary kingdom*. On his return he brought away with him from Athens the famous library of Apellicon the Teian, in which were *the works of Aristotle and Theophrastus*, that were hardly known before in Italy, or to be found indeed intire any where else [o]. He wrote a letter at the same time to the Senate, *setting forth his great services, and the ingratitude with which he had been treated; and acquainting them, that he was coming to do justice to the Republic, and to himself, upon the authors of those violences*: this raised great terrors in the City; which having lately felt the horrible effects of Marius's entry, expected to see the same tragedy acted over again by Sylla.

BUT while his enemies were busy in gathering forces to oppose him, Cinna, the chief of them, was killed in a mutiny of his own soldiers: upon this Sylla hastened his march, to take the benefit of that disturbance, and landed at Brundisium with about thirty thousand men: hither many of the Nobility presently resorted to him, and among them *young Pompey, about twenty three years old*;

[o] Plut. Life of Syll.

who, without any public character or commission, brought along with him *three legions*, which he had raised by his own credit out of the Veterans, who had served under his Father: he was kindly received by Sylla, to whom he did great service in the progress of the war, and was ever after much favored and employed by him [p].

SYLLA now carried all before him: he defeated one of the Consuls, Norbanus, and by the pretence of a treaty with the other Consul, Scipio, found means to corrupt his army, and draw it over to himself [q]: he gave Scipio however his life, who went into a voluntary exile at Marseilles [r]. The new Consuls chosen in the mean time at Rome, were Cn. Papirius Carbo and *young Marius*; the first of whom, after several defeats, was driven out of Italy, and the second besieged in Præneste; where being reduced to extremity, and despairing of relief, he wrote to Damasippus, then Prætor of the City, to call a meeting of the Senators, as if upon business of importance, and put the principal of them to the sword: in this massacre *many of the Nobles perished*, and *old Scævola, the High Priest, the pattern of ancient temperance and prudence*, as Cicero calls him, *was slain before the altar of VESTA* [s]: after which sacrifice of noble blood to the *manes* of his Father, *young Marius* put an end to his own life.

POMPEY at the same time pursued Carbo into Sicily, and having taken him at Lilybeum sent his head to Sylla, though he begged his life in an

[p] Appian. Bell. civ. l. 1. 397, 399.

[q] Sylla cum Scipione inter Cales & Teanum — leges inter se & conditiones contulerunt; non tenuit omnino

colloquium illud fidem, a vi tamen & periculo a fuit. Philip. 12. xi.

[r] Pro Sextio, 3.

[s] De Nat. Deor. 3. 32.

object manner at his feet: this drew some reproach upon Pompey, for killing a man, to whom he had been highly obliged on an occasion, *where his father's honor and his own fortunes were attacked*. But this is the constant effect of factions in States, to make men prefer the interests of a party, to all the considerations, either of private or public duty; and it is not strange, that Pompey, young and ambitious, should pay more regard to the power of Sylla, than to a scruple of honor or gratitude [t]. Cicero however says of this Carbo, that there never was *a worse Citizen; or more wicked man* [u]: which will go a great way towards excusing Pompey's act.

SYLLA having subdued all, who were in arms against him, was now at leisure to take his full revenge on their friends and adherents; in which, by the detestable method of a *Proscription*, of which he was the first author and inventor, he exercised a more infamous cruelty, than had ever been practised in cold blood in that, or perhaps in any other City [x]. The proscription was not confined to Rome, but carried through all the Towns

[t] Sed nobis tacentibus Cn. Carbonis, a quo admodum adolescens de paternis bonis in foro dimicans protectus es, jussu tuo interempti mors animis hominum obversabitur, non sine aliqua reprehensione: quia tam ingrato facto, plus L. Syllæ viribus, quam propriæ indulxisti verendiciæ. Val. Max. 5. 3.

[u] Hoc vero, qui Lilybei a Pompeio nostro est interfectus, improbior nemo, meo judicio, fuit. Ep. fam. 9. 21.

[x] Primus ille, & utinam ultimus, exemplum proscrip-

tionis invenit, &c. Vell. Pat. 2. 28. N. B. The manner of *Proscribing* was, to write down the names of those, who were doomed to die, and expose them on tables fixt up in the public places of the City, with the promise of a certain reward for the head of each person so proscribed. So that though Marius and Cinna massacred their enemies with the same cruelty in cold blood, yet they did not do it in the way of *Proscription*, nor with the offer of a reward to the Murderers.

of Italy: where besides the crime of party, which was pardoned to none, it was fatal to be possessed of money, lands, or a pleasant seat; all manner of licence being indulged to an insolent army, of carving for themselves what fortunes they pleased [y].

IN this general destruction of the *Marian faction*, J. Cæsar, then about seventeen years old, had much difficulty to escape with life: he was nearly allied to old Marius, and had married Cinnæ's daughter; whom he could not be induced to put away, by all the threats of Sylla; who considering him for that reason as irreconcilable to his interests, deprived him of his wife's fortune and the Priesthood, which he had obtained. Cæsar therefore, apprehending still somewhat worse, thought it prudent to retire and conceal himself in the country, where being discovered accidentally by Sylla's soldiers, he was forced to redeem his head by a very large sum: but the intercession of the Vestal Virgins, and the authority of his powerfull relations, extorted a grant of his life very unwillingly from Sylla; who had them take notice, *that he, for whose safety they were so solicitous, would one day be the ruin of that Aristocracy, which he was then establishing with so much pains, for that he saw many Marius's in one Cæsar* [z]. The event confirmed Sylla's prediction; for by the experience

[y] Namque uti quisque domum aut villam, postremo aut vas aut vestimentum aliquis concupiverat, dabat operam, ut is in proscriptorum numero esset — Neque prius finis jugulandi fuit, quam Sylla omnes suos divitiis explevit. Sallust. c. 51. Plutar. Sylla.

[z] Scirent eum, quem in-

columem tanto opere cuperent, quandoque optimatum partibus, quas secum simul defendissent, exitio futurum: nam Cæsari multos Marios inesse. [Sueton J. Cæs. c. 1. Plutar. in Cæs.] — Cinnæ gener. cujus filium ut repudiaret. nullo modo compelli potuit. Vell. Pat. 2. 42.

of these times, young Cæsar was instructed both how to form, and to execute that scheme, which was the grand purpose of his whole life, of oppressing the liberty of his Country.

As soon as the proscriptions were over, and the scene grown a little calm, L. Flaccus, being chosen Interrex, declared Sylla *Dictator for settling the state of the Republic* without any limitation of time, and ratified *whatever he had done, or should do, by a special law, that impowered him to put any Citizen to death without hearing or trial* [a]. This office of *Dictator*, which in early times had oft been of singular service to the Republic in cases of difficulty and distress, was now grown odious and suspected, in the present state of it's wealth and power, as dangerous to the public liberty, and for that reason had been wholly disused and laid aside for *one hundred and twenty years* past [b]: so that Flaccus's Law was the pure effect of force and terror; and though pretended to be made by the people, was utterly detested by them. Sylla however, being invested by it with absolute authority, made many useful regulations for the better order of the Government; and by the plenitude of his power changed in a great measure the whole constitution of it, from a *Democratical to an Aristocratical* form, by advancing the prerogative of the Senate, and depressing that of the people. *He took from the Equestrian Order the judgement of all causes, which they had enjoyed from the time of the Gracchi, and restored it to the Senate*; deprived the people of the

[a] De Leg. Agrar. con. Roll. 3. 2.

[b] Cujus honoris usurpatione per annos cxx. intermissa — ut appareat populum Romanum usum Dictatoris non

tam desiderasse, quam timuisse potestatem imperii, quo priores ad vindicandam maximis periculis Rempub. usi fuerant. Vell. Pat. 2. 28.

right of choosing the Priests, and replaced it in the Colleges of Priests, but above all, he abridged the immoderate power of the Tribuns, which had been the chief source of all their civil dissensions; for he made them incapable of any other Magistracy after the Tribunate; restrained the liberty of appealing to them; took from them their capital privilege, of proposing laws to the people; and left them nothing but their negative; or, as Cicero says, the power onely of helping, not of hurting any one [c]. But that he might not be suspected of aiming at perpetual Tyranny, and a total subversion of the Republic, he suffered the Consuls to be chosen in the regular manner, and to govern, as usual, in all the ordinary affairs of the City: whilst he employed himself particularly in reforming the disorders of the State, by putting his new laws in execution; and in distributing the confiscated lands of the adverse party among his Legions: so that the Republic seemed to be once more settled on a legal basis and the laws and judicial proceedings began to flourish in the Forum. About the same time Molo the Rhodian came again to Rome, to solicit the payment of what was due to his Country, for their services in the Mithridatic war; which gave Cicero an opportunity of putting himself a second time under his direction, and perfecting his Oratorical talents by his farther instructions of so renowned a Master [d]: whose abilities and character were so highly revered, that he was the first of all Foreigners, who was ever allowed to speak to the Senate in Greek without an Interpreter [e]. Which

[c] De Legib. 3. 10. It. vid. Figh. Annal. ad A. Urb. 672.

[d] Brut. p. 434.

[] Eam ante omnes exterarum gentium in Senatu sine interprete auditum constat. Val. Max. 2. 2.

shews in what vogue the Greek learning, and especially eloquence, flourished at this time in Rome.

CICERO had now run through all that course of discipline, which he lays down as necessary to form *the complete Orator*: for, in his treatise on that subject, he gives us his own sentiments in the person of Crassus, on the institution requisite to that character; declaring, *that no man ought to pretend to it, without being previously acquainted with every thing worth knowing in art or nature; that this is implied in the very name of an Orator; whose profession it is to speak upon every subject which can be proposed to him; and whose eloquence, without the knowledge of what he speaks, would be the prattle only and impertinence of children* [f]. He had learnt the rudiments of Grammar and languages from the ablest teachers; gone through the studies of humanity and the politer letters with *the poet Archias*; been instructed in Philosophy by the principal Professors of each sect; Phædrus *the Epicurean*, Philo *the Academic*, Diodotus *the Stoic*; acquired a perfect knowledge of the law, from the greatest lawyers, as well as the greatest Statesmen of Rome, *the two Scævola's*; all which accomplishments were but ministerial and subservient to that on which his hopes and ambition were singly placed, the reputation of *an Orator*: to qualify himself therefore particularly for this, he attended the pleadings of all the speakers of his time; heard the dayly lectures of the most eminent Orators of Greece, and was perpetually composing somewhat at home, and declaiming under their correction: and that he might neglect nothing, which could

[f] Ac mea quidem sententia, nemo poterit esse omnium laude cumulatus orator, nisi erit omnium rerum magnarum, atque artium scientiam consecutus, De Orat. 1. 6. 2. 2.

help in any degree to improve and polish his stile, he spent the intervals of his leisure in the company of the Ladies; especially of those who were remarkable for a politeness of language, and whose Fathers had been distinguished by a fame and reputation of their eloquence. While he studied the law therefore under Scævola *the Augur*, he frequently conversed with *his wife Lælia*, whose discourse, he says, was *tintured with all the elegance of her Father Lælius*, the politest speaker of his age [g]: he was acquainted likewise with her daughter Mucia, who married *the great Orator L. Crassus*; and with her Granddaughters, *the two Liciniae*; one of them, the wife of L. Scipio; the other of *young Marius*; who all excelled in that delicacy of the Latin tongue, which was peculiar to their families, and valued themselves on preserving and propagating it to their posterity.

THUS adorned and accomplished, he offered himself to the bar about the age of twenty-six; not as others generally did, raw and ignorant of their business, and wanting to be formed to it by use and experience [b], but finished, and qualified at once to sustain any cause, which should be committed to him. It has been controverted both by the ancients and moderns, what was the first cause in which he was engaged; some give it for that of P. Quinctius; others for S. Roscius: but neither of them are in the right; for in his Oration for Quinctius he expressly declares, that he had pleaded *other causes before it*; and in that for Roscius, says only, that it was *the first public or criminal*

[g] Legimus epistolas Cornelæ, matris Gracchorum— auditus est nobis Læliæ, Cæii filiæ, sæpe sermo: ergo illam patris elegantia tinctam vidi-

mus; & filias ejus Mucias ambas, quarum sermo mihi fuit notus, &c. Brut. 319.

[b] Ib. 433.

cause, in which he was concerned: and it is reasonable to imagine, that he had tried his strength, and acquired some credit in private causes, before he would venture upon a public one of that importance; agreeably to the advice, which Quintilian gives to his young pleaders [i], whose rules are generally drawn from the practice and example of Cicero.

THE Cause of P. Quinctius, was to defend him from an action of bankruptcy brought against him by a creditor, who, on pretence of *his having forfeited his recognizance, and withdrawn himself from justice, had obtained a decree to seize his estate, and expose it to sale.* The creditor was one of the public Criers, who attended the Magistrates, and by his interest among them, was likely to oppress Quinctius, and had already gained an advantage against him by the authority of Hortensius, who was his Advocate. Cicero entered into the cause, at the earnest desire of the famed Comedian, Roscius, whose sister was Quinctius's wife [k]: he endeavored at first to excuse himself; alledging, *that he should not be able to speak a word against Hortensius, any more than the other Players could act with any spirit before Roscius;* but Roscius would take no excuse, having formed such a judgement of him, as to think no man so capable of supporting a desperate cause, against a crafty and powerfull adversary.

AFTER he had given a specimen of himself to the City, in this, and several other private causes, he undertook the celebrated defence of S. Roscius, of Ameria, in his 27th year; the same age, as the learned have observed, *in which Demosthenes first began to distinguish himself in Athens;* as if in

[i] Quintil. 12. 6.

[k] Pro Quinct. 24.

these genius's of the first magnitude that was the proper season of blooming towards maturity. The case of Roscius was this: *his father was killed in the late proscription of Sylla; and his estate, worth about 60,000l. sterling, was sold among the confiscated estates of the proscribed, for a trifling sum to L. Cornelius Chryfogonus, a young favorite slave, whom Sylla had made free; who, to secure his possession of it, accused the son of the murder of his father, and had provided evidence to convict him;* so that the young man was like to be deprived, not onely of his fortunes, but by a more villainous cruelty, of his honor also and his life. All the old Advocates refused to defend him, fearing the power of the Prosecutor, and the resentment of Sylla [l]; since Roscius's defence would necessarily lead them into many complaints on the times, and the oppressions of the great: but Cicero readily undertook it, as a glorious opportunity of enlisting himself into the service of his country, and giving a public testimony of his principles and zeal for that liberty, to which he had devoted the labors of his life. Roscius was acquitted, to the great honor of Cicero; whose courage and address in defending him was applauded by the whole City; so that from this moment he was looked upon *as an Advocate of the first class, and equal to the greatest causes* [m].

[l] Ita loqui homines;— huic patronos propter Chryfogoni gratiam defuturos,— ipso nomine parricidii & atrocitate criminis fore, ut hic nullo negotio tolleretur, cum a nullo defensus sit.—Patronos huic defuturos putaverunt; defunt. Qui libere dicat, qui cum fide defendat,

non deest profecto, Judices. —Pr. Roscio Amer. 10, 11.

[m] Prima causa publica, pro S. Roscio dicta, tantum commendationis habuit, ut non ulla esset, quæ non nostro digna patrocinio videretur. Deinceps inde multæ. Brut. 434.

HAVING occasion, in the course of his pleading, to mention that remarkable punishment, which their ancestors had contrived for the murderer of a parent, of sowing the criminal alive into a sack, and throwing him into a river, he says; that the meaning of it was, to strike him at once as it were out of the system of nature, by taking from him the air, the sun, the water, and the earth; that he who had destroyed the author of his being, should lose the benefit of those elements, whence all things derive their being. They would not throw him to the beasts, lest the contagion of such wickedness should make the beasts themselves more furious: they would not commit him naked to the stream, lest he should pollute the very sea, which was the purifier of all other pollutions: they left him no share of any thing natural, how vile or common so ever: for what is so common, as breath to the living, earth to the dead, the sea to those who float, the share to those who are cast up? Yet these wretches live so, as long as they can, as not to draw breath from the air; die so, as not to touch the ground; are so tossed by the waves, as not to be washed by them; so cast out upon the shoar, as to find no rest even on the rocks [n]. This passage was received with acclamations of applause; yet speaking of it afterwards himself, he calls it the redundancy of a juvenile fancy, which wanted the correction of his sounder judgement; and, like all the compositions of young men, was not applauded so much for it's own sake, as for the hopes which it gave of his more improved and ripened talents [o].

THE popularity of his cause, and the favor of the audience, gave him such spirits, that he exposed the insolence and villainy of the favorite Chryfogonus with great gaiety; and ventured even

[n] Pro Rosc. 26.

[o] Orat. 258. ed. Lamb.

to mingle several bold strokes at Sylla himself; which he took care however to palliate, by observing, *that through the multiplicity of Sylla's affairs, who reigned as absolute on earth, as Jupiter did in heaven, it was not possible for him to know, and necessary even to connive at many things, which his favorites did against his will* [p]. He would not complain, he says, in times like those, that an innocent man's estate was exposed to public sale; for were it all wed to him to speak freely on that head, Roscius was not a person of such consequence, that he should make a particular complaint on his account; but he must insist upon it, that by the law of the Proscription itself, whether it was Flaccus's the Interrex, or Sylla's the Dictator, for he knew not which to call it, Roscius's estate was not forfeited, nor liable to be sold [q]. In the conclusion, he puts the Judges in mind, that nothing was so much aimed at by the Prosecutors in this trial, as, by the condemnation of Roscius, to gain a precedent for destroying the children of the proscribed: he conjures them therefore by all the Gods, not to be the authors of reviving a second proscription, more barbarous and cruel than the first: that the Senate refused to bear any part in the first, lest it should be thought to be authorized by the public council; — that it was their business by this sentence to put a stop to that spirit of cruelty, which then possessed the City, so pernicious to the Republic, and so contrary to the temper and character of their ancestors. —

As by this defence he acquired a great reputation in his youth, so he reflects upon it with pleasure in old age, and recommends it to his son, as the surest way to true glory and authority in his country; to defend the innocent in distress, especially when they happen to be oppressed by the power of the

[p] Pro Rosc. 45.

[q] Ibid. 43.

Great; as I have often done, says he, in other causes, but particularly in that of Roscius, against Sylla himself in the height of his power [r]. A noble lesson to all advancers, to apply their talents to the protection of innocence and injured virtue; and to make justice, not profit, the rule and end of their labors.

PLUTARCH says, that presently after this trial Cicero took occasion to travel abroad, on pretence of his health, but in reality to avoid the effects of Sylla's displeasure: but there seems to be no ground for this notion: for Sylla's revenge was now fatiated, and his mind wholly bent on restoring the public tranquillity; and it is evident, that Cicero continued a year after this in Rome without any apprehension of danger, engaged, as before, in the same task of pleading causes [s]; and in one especially, more obnoxious to Sylla's resentment, even than that of Roscius: for in the case of a woman of Arretium, he defended the right of certain Towns of Italy to the freedom of Rome, though Sylla himself had deprived them of it by an express law; maintaining it to be one of those natural rights, which no law or power on earth could take from them: in which also he carried his point, in opposition to Cotta, an Orator of the first character and abilities, who pleaded against him [t].

BUT

[r] Ut nos & sepe aliàs & adolescentes, contra L. Sullæ dominantis opes pro S. Roscio Amerino facimus; quæ, ut scis, extat Oratio. De Offic. 2. 14.

[s] Prima causa publica pro S. Roscio dicta—deinceps inde multæ—itaque cum essem biennium veritatus in causis. Brut. p. 434, 437.

[t] Populus Romanus, L. Sulla Dictatore ferente, comitiis centuriatis, municipiis civitatem ademit: ademit iidem agros: de agris ratum est: fuit enim populi potestas: de civitate ne tamdiu quidem valuit, quamdiu illa Sullani temporis arma valuerunt.—Atque ego hanc adolescentulus causam cum agerem, con-

BUT we have a clear account from himself of the real motive of his journey: *my body*, says he, *at this time was exceedingly weak and emaciated; my neck long and small; which is a habit thought liable to great risk of life, if engaged in any fatigue or labor of the lungs; and it gave the greater alarm to those who had a regard for me, that I used to speak without any remission or variation, with the utmost stretch of my voice, and great agitation of my body; when my friends therefore and Physicians advised me to meddle no more with causes, I resolved to run any hazard, rather than quit the hopes of glory, which I proposed to myself from pleading: but when I considered, that by managing my voice, and changing my way of speaking, I might both avoid all danger, and speak with more ease, I took a resolution of travelling into Asia, merely for an opportunity of correcting my manner of speaking: so that after I had been two years at the bar, and acquired a reputation in the Forum, I left Rome, &c. [u].*

HE was *twenty-eight years old*, when he set forward upon his travels to Greece and Asia; the fashionable tour of all those, who travelled either for curiosity or improvement; his first visit was to Athens, the capital seat of arts and sciences; where some writers tell us, that he spent *three years* [x], though in truth it was but six months: he took up his quarters with Antiochus, the principal Philosopher of *the old academy*; and *under this excellent master renewed*, he says, *those studies which he had been fond of from his earliest youth.* Here he met with his school-fellow T. Pomponius, who from his love to Athens, and his spending a great part of his days in it, obtained the sur-

tra hominem disertissimum
contradicente Cotta, & Sulla
vivo, judicatum est. Pr. dom.

ad Pontif. 33. pr. Cæcina. 33.

[u] Erut. 437.

[x] Eusebii Chron.

name

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name of Atticus [y] ; and here they revived and confirmed that memorable friendship, which subsisted between them through life, with so celebrated a constancy and affection. Atticus, being an *Epicurean*, was often drawing Cicero from his host Antiochus to the conversation of Phædrus and old Zeno, the chief Professors of *that* sect, in hopes of making him a convert ; on which subject they used to have *many disputes between themselves* : but Cicero's view in these visits was but to convince himself more effectually of the weakness of that doctrine, by observing how easily it might be confuted, when explained even by the ablest teachers [z] Yet he did not give himself up so entirely to Philosophy, as to neglect his *rhetorical exercises*, which he performed still every day very diligently with Demetrius the Syrian, an experienced master of the art of speaking [a].

IT was in this first journey to Athens, that he was initiated most probably *into the Eleusinian mysteries* : for though we have no account of the time, yet we cannot fix it better than in a voyage undertaken both for the improvement of his mind and body. The reverence with which he always speaks of these mysteries, and the hints that he has dropt of their end and use, seem to confirm what a very learned and ingenious writer has delivered of them, that they were contrived to inculcate *the unity of God, and the immortality of the Soul* [b] As for the first, after observing to Atticus, who

[y] Pomponius — ita enim se Athenis collocavit, ut sit pæne unus ex Atticis, & id etiam cognomine videatur habiturus. De fin. 5. 2.

[z] De Fin. 1. 5. de Nat. Deor. 1. 21.

[a] Eodem tamen tempo-

re apud Demetrium Syrum, veterem & non ignobilem dicendi magistrum studiose exerceri solebam, Brut. 437.

[b] See Mr. Warburton's *Divine Legation of Moses*, Vol. I.

was one also of *the initiated*, how *the Gods of the popular religions were all but deceased mortals, advanced from earth to heaven*, he bids him remember *the doctrines of the mysteries, in order to recollect the universality of that truth*: and as to the second, he declares *his initiation to be in fact, what the name itself implied, a real beginning of life to him; as it taught the way, not onely of living with greater pleasure, but of dying also with a better hope* [c].

FROM

[c] Ipsi, illi, majorum gentium Dii qui habentur, hinc a nobis in cœlum profecti reperientur—reminiscere, quoniam es initiatus, quæ traduntur mysteriis; tum denique quam hoc late pateat intelliges. Tusc. Quæst. 1. 13.

Initiaque, ut appellantur, ita revera principia vitæ cognovimus: neque solum cum lætitia vivendi rationem accepimus, sed etiam cum spe meliore moriendi. De Leg. 2. 14.

N.B. These Mysteries were celebrated at stated seasons of the year, with solemn shews and a great pomp of machinery, which drew a mighty concourse to them from all countries. L. Crassus the great Orator happened to come two days after they were over, and would gladly have persuaded the Magistrates to renew them, but not being able to prevail, *left the City in disgust* [1]: which shews

how cautious they were of making them too cheap, when they refused the sight of them out of the proper season, to one of the first Senators of Rome. The shews are supposed to have exhibited a representation of *Heaven, Hell, Elysium, Purgatory*, and all that related to the future state of the dead; being contrived to inculcate more sensibly, and exemplify the doctrines delivered to the initiated: and as they were a proper subject for Poetry, so they are frequently alluded to by the ancient Poets. Cicero, in one of his Letters to Atticus, begs of him, at the request of Chilius, an eminent Poet of that age, to send them a relation of *the Eleusian rites*, which were designed probably for an Episode or Embellishment to some of Chilius's works [2]. This confirms also the probability of that ingenious comment, which

[1] Diutius effem moratus, nisi Atheniensibus, quod mysteria non referrent, ad quæ biduo serius veneram, successissem. De Orat. 3. 20.

[2] Chilius te rogat, & ego ejus rogatu Ἐλευσινίων ἑστίρια. Ad Att. 1. 5.

FROM Athens he passed into Asia, where he gathered about him all the principal Orators of the country, who kept him company through the rest of his voyage; and with whom he constantly exercised himself in every place, where he made any stay. *The chief of them, says he, was Menippus of Stratonica, the most eloquent of all the Asiatics; and if to be neither tedious, nor impertinent, be the characteristic of an Attic Orator, he may justly be ranked in that class: Dionysius also of Magnesia, Æschylus of Cnidos, and Xenocles of Adramyttus were continually with me, who were reckoned the first Rhetoricians of Asia: nor yet content with these, I went to Rhodes, and applied myself again to Molo, whom I had heard before at Rome; who was both an experienced Pleader, and a fine writer, and particularly expert in observing the faults of his scholars, as well as in his method of teaching and improving them: his greatest trouble with me was to restrain the exuberance of a juvenile imagination, always ready to overflow it's banks, within it's due and proper channel [d].*

BUT as at Athens, where he employed himself chiefly in Philosophy, he did not intermit his oratorical studies, so at Rhodes, where his chief study was Oratory, he gave some share also of his time to Philosophy with Posidonius, the most esteemed and learned *Stoic* of that age; whom he often speaks of with honor, not onely as his master, but as his friend [e]. It was his constant care, that the

which the same excellent writer has given on the sixth book of the *Æneid*, where Vir-

gil, as he observes, in describing the descent into Hell, is but tracing out in their ge-

quain order the several scenes of the *Ælucifinian* stories [3].

[d] Brut. 437.

[e] He mentions a story of this Posidonius, which Pompey often used to tell; that after

the progress of his knowledge should keep pace with the improvement of his eloquence; he considered the one as the foundation of the other, and thought it in vain to acquire ornaments, before he had provided necessary furniture: he declaimed here in Greek, because Molo *did not understand Latin*; and upon ending his declamation, while the rest of the company were lavish of their praises, Molo, instead of paying any compliment, sat silent a considerable time, till observing Cicero somewhat disturbed at it, he said, *as for you, Cicero, I praise and admire you, but pity the fortune of Greece, to see arts and eloquence, the only ornaments which were left to her, transplanted by you to Rome* [f]. Having thus finished the circuit of his travels, he came back again to Italy,

after the Mithridatic war, as he was returning from Syria towards Rome, he called at Rhodes, on purpose to hear him; but being informed, on his arrival there, that he was extremely ill of the gout, he had a mind however to see him; and in his visit, when after the first compliments, he began to express his concern for finding him so ill, that he could not have the pleasure to hear him: *But you can hear me*, replied Posidonius; *nor shall it be said, that on the account of any bodily pain, I suffered so great a man to come to me in vain: upon which he entered presently into an argument, as he lay upon his bed, and maintained with great eloquence, that nothing was really good, but what was honest: and being all the while in exquisite torture, he often*

cried out, O pain, thou shalt never gain thy point; for be as vexatious as thou wilt, I will never own thee to be an evil. This was the perfection of Stoical Heroism, to defy sense and nature to the last: while another poor Stoic, *Dionysius*, a Scholar of *Zeno*, the Founder of the sect, when by the torture of the stone, he was forced to confess, *that what his master had taught him was false, and that he felt pain to be an evil*, is treated by all their writers, as a *poltroon and base desertor*. Which shews, that all their boasted firmness was owing rather to a false notion of honor and reputation, than to any real principle, or conviction of reason. Nat. Deor. 2. 24. de Finib. 5. 31.

[f] Plutar. life of Cic.

after an excursion of *two years* extremely improved, and *changed as it were into a new man: the vehemence of his voice and action was moderated; the redundancy of his stile and fancy corrected; his lungs strengthened; and his whole constitution confirmed* [g].

THIS voyage of Cicero seems to be the onely scheme and pattern of travelling, from which any real benefit is to be expected: he did not stir abroad, till he had compleated his education at home; for nothing can be more pernicious to a nation, than the necessity of a foreign one; and after he had acquired in his own country whatever was proper to form a worthy Citizen and Magistrate of Rome, he went confirmed by a maturity of age and reason against the impressions of vice, not so much to learn as to polish what he had learnt by visiting those places, where arts and sciences flourished in their greatest perfection. In a tour the most delightfull of the world, he saw every thing that could entertain a curious traveller, yet staid no where any longer than his benefit, not his pleasure detained him. By his previous knowledge of the laws of Rome, he was able to compare them with those of other cities, and to bring back with him whatever he found usefull, either to his country or to himself. He was lodged, where-ever he came, in the houses of the great and the eminent; not so much for their birth and wealth, as for their virtue, knowledge, and learning; men honored and revered in their several Cities, as the principal Patriots, Orators, and Philosophers of the age: these he made the constant companions of his travels; that he might not lose the opportunity even on the road, of profiting by

their advice and experience: and from such a voyage, it is no wonder, that he brought back every accomplishment, which could improve and adorn a man of sense.

POMPEY returned about this time victorious from Afric; where he had greatly enlarged the bounds of the Empire, by the conquest and addition of many new countries to the Roman dominion. He was received with great marks of respect by the Dictator Sylla, who went out to meet him at the head of the nobility, and saluted him by the title of Magnus, or *the Great*; which from that authority was ever after given to him by all people. But his demand of a triumph disgusted both Sylla and the Senate; who thought it too ambitious in one, who had passed through none of the public offices, nor was of age to be a Senator, to aspire to an honor, which had never been granted, except to Consuls or Prætors: but Pompey, insisting on his demand, extorted Sylla's consent, and was the first whose triumphal car is said to have been drawn by *Elephants*, and the onely one of the Equestrian order who had ever triumphed: which gave an unusual joy to the people, to see a man of their own body obtain so signal an honor; and much more, to see him descend again from it to his old rank, and private condition among the Knights [*b*].

WHILE Pompey, by his exploits in war, had acquired the surname of *the Great*, J. Cæsar, about

[*b*] Bellum in Africa maximum confecit, victorem exercitum deportavit. Quid verò tam inauditum, quam Equitem Rom. triumphare? Pro leg. Man. 21. Africa verò tota subacta—Magnique nomine spolio inde capto, Eques

Romanus, id quod antea nemo, curru triumphali invecus est. [Plin. Hist. Nat. 7. 26.] Romæ primum juncti Elephantes subiere currum Pompeii Magni Africano triumpho. Ib. 8. 2. Plutar. in Pomp.

fix years younger, was giving proofs likewise of his military genius, and serving as a volunteer at the siege of Mitylene; a splendid and flourishing City of Lesbos, which had assisted Mithridates in the late war, and perfidiously delivered up to him M. Aquilius, a person of Consular dignity, who had been sent Embassador to that King, and after the defeat of the Roman army had taken refuge in Mitylene, as in a place of the greatest security. Mithridates is said to have treated him with the last indignity; carrying him about in triumph, mounted upon an Ass, and forcing him to proclaim every where aloud, that he was Aquilius, who had been the chief cause of the war. But the Town now paid dear for that treachery, being taken by storm, and almost demolished by Q. Thermus: though Pompey restored it afterwards to it's former beauty and liberty, at the request of his favorite freedman Theophanes. In this siege Cæsar obtained the honor of a *Civic crown*; which, though made onely of *oaken leaves*, was esteemed the most reputable badge of Martial virtue; and never bestowed, but for saving the life of a Citizen, and killing at the same time an enemy [i].

SYLLA died while Cicero was at Athens, after he had laid down the Dictatorship and restored liberty to the Republic, and, with an uncommon greatness of mind, lived many months as a private Senator and with perfect security in that City

[i] Quid Mitylenæ? quæ certe vestræ, Quirites, belli lege, & victoriæ jure factæ sunt: Urbis & natura & situ, & descriptione ædificiorum & pulchritudine imprimis nobilibus. [De leg. Agrar. 2. 16] A Thermo in expugnatione Mi-

tylenarum corona civica donatus est. [Suet. J. Cæs. 2.] Hinc civicæ coronæ, militum virtutis insigne clarissimum. Plin. Hist. Nat. 16. 4. Vell. Pat. 2. 18. Vid. Appian. Bell. Mithrid. p. 184. Val. Max. 9. 13.

where he had exercised the most bloody tyranny: but nothing was thought to be greater in his character, than that during the three years, in which the Marians were masters of Italy, he neither dissimulated his resolution of pursuing them by arms, nor neglected the war which he had upon his hands; but thought it his duty, first to chastise a foreign enemy, before he took his revenge upon Citizens [k]. His family was noble and *Patrician*, which yet, thro' the indolence of his Ancestors, had made no figure in the Republic for many generations, and was almost sunk into obscurity, till he produced it again into light, by aspiring to the honors of the State. He was a lover and patron of polite letters; having been carefully instituted himself in all the learning of Greece and Rome; but from a peculiar gaiety of temper, and fondness for the company of Mimics and Players, was drawn, when young, into a life of luxury and pleasure; so that when he was sent *Quæstor to Marius in the Jugurthine war*, Marius complained, that in so rough and desperate a service chance had given him *so soft and delicate a Quæstor*. But whether roused by the example, or stung by the reproach of his General, he behaved himself in that charge with the greatest vigor and courage, suffering no man to outdo him in any part of military duty or labor, making himself equal and familiar even to the lowest of the soldiers, and obliging them all by his good offices and his money; so that he soon acquired the favor of the army, with

[k] Vix quidquam in Syllæ operibus clarius duxerim, quam quod, cum per triennium Cinnaræ Marianæque partes Italiam obsiderent, neque illaturam se bellam eis dissimulavit, nec quod erat in manibus omisit; existimavitque ante frangendum hostem, quam ulciscendum civem. Vell. Pat. 2. 24.

the character of a brave and skillfull Commander ; and lived to drive Marius himself, banished and proscribed, into that very province where he had been contemned by him at first as his Quæstor [l]. He had a wonderfull faculty of concealing his passions and purposes, and was so different from himself in different circumstances, that he seemed as it were to be *two men in one*: no man was ever *more mild and moderate before victory ; none more bloody and cruel after it* [m]. In war he practised the same art, that he had seen so successfull to Marius, of raising a kind of enthusiasm and contempt of danger in his army, by the *forgery of auspices and divine admonitions*: for which end he carried always about with him *a little statue of Apollo taken from the Temple of Delphi*: and whenever he had resolved to give batt'e, used to embrace it in sight of the soldiers, and beg the speedy confirmation of it's promises to him [n]. From an uninterrupted course of success and prosperity he assumed

[l] Gentis Patriciæ nobilis fuit; familia prope jam extincta majorum ignavia: litteris græcis atque latinis juxta atque doctissime eruditus.— [Sallust. Bell. Jugurth. 95.] Utiq; ad Quæsturæ suæ comitia, vitam libidine, vino, ludicræ artis amore inquinatam perduxit. Quapropter C. Mariam consulem moleste tulisse traditur, quod sibi, asperrimum in Africa bellum gerenti, tam delicatus Quæstor forte obvenisset, &c. [Val. Max 6. 9.] Sallust. ib.

[m] Ad simulanda negotia altitudo ingenii incredibilis.— [Sallust. ib.] quæ tam diversa, tamque inter se contraria, si

quis apud animum suum expendere velit, duos in uno homine Syllas fuisse crediderit.— [Val. M. 6. 9] Adeo enim Sylla fuit dissimilis bel-lator ac victor, ut dum vincit justissimo lenior; post victoriam audito fuerit crudelior— ut in eodem homine duplicis ac diversissimi animi conspiceretur exemplum. Vell. Pat. 2. 25.

[] Quoties prælium committere destinabat, parvum Apollinis signum Delphis sublatum, in conspectu militum complexus, orabat, uti promissa maturaret. Val. M. 1. 2. de Div. 1. 33.

a surname, unknown before to the Romans, of Felix or *the Fortunate*; and would have been fortunate indeed, says Velleius, if his life had ended with his victories [o]. Pliny calls it a wicked title, drawn from the blood and oppression of his country; for which posterity would think him more unfortunate, even than those whom he had put to death [p]. He had one felicity however peculiar to himself, of being the onely man in history, in whom the odium of the most barbarous cruelties was extinguished by the glory of his great acts. Cicero, though he had a good opinion of his cause, yet detested the inhumanity of his victory, and never speaks of him with respect, nor of his government, but as a proper tyranny; calling him *a master of three most pestilent vices, luxury, avarice, cruelty* [q]. He was the first of his family, whose dead body was burnt: for having ordered Marius's remains to be taken out of his grave, and thrown into the river *Anio*, he was apprehensive of the same insult upon his own, if left to the usual way of burial [r]. A little before his death, he made his own Epitaph, the summ of which was, *that no man had ever gone beyond him, in doing good to his friends, or hurt to his enemies* [s].

E 3

As

[o] Quod quidem usurpasse justissime, si eundem & vincendi & vivendi finem habuisset. Vell. Pat. 2. 27.

[p] Unus hominum ad hoc ævi Felicis sibi cognomen asseruit—civili nempe sanguine, ac patriæ oppugnatione adoptatus, &c. Plin. Hist. Nat. 7. 43.

[q] Qui trium pestiferorum vitiorum, luxuriæ, avaritiæ, crudelitatis magister fuit. De Fin. 3. 22. de Offic. 2. 8.

[r] Quod haud scio an timeas suo corpori, primus e Patricijs Cornelliis igne voluit cremari. De Leg. 2. 22. Val. Max. 9. 2.

[s] Plutarch. in Sylla.

The following Votive Inscription was found in Italy, in the year 1723, near Cicero's Arpinum, between Atina and Sora, which had been dedicated probably by Sylla, about the time of his assuming

As soon as Sylla was dead, the old dissensions, that had been smothered a while by the terror of his power, burst out again into a flame between the two factions, supported severally by the two Consuls, Q. Catulus and M. Lepidus, who were wholly opposite to each other in party and politics. Lepidus resolved at all adventures to rescind the acts of Sylla, and recall the exiled Marians; and began openly to solicit the people to support him in that resolution: but his attempt, though plausible, was factious and unseasonable, tending to overturn the present settlement of the Republic, which after it's late wounds and loss of civil blood, wanted nothing so much as rest and quiet, to recover a tolerable degree of strength. Catulus's father, the ablest Statesman of his time, and the chief assertor of the *Aristocratical* interest, had been condemned to die by Marius: the son therefore, who inherited his virtues, as well as principles, and was confirmed in them by a resentment of that injury, vigorously opposed and effectually disappointed all the designs of his Colleague; who finding himself unable to gain his end without recurring to arms, retired to his government of Gaul, with intent to raise a force sufficient to subdue all opposition; where the fame of his levies and military preparations gave such umbrage to the Senate, that they soon abrogated his command. Upon this he came forward into Italy at the head of a great army, and having possessed himself of Etruria without opposition, marched in an hostile manner towards the City, to the demand of a se-

assuming the surname of Felix, soon after his first success, and defeat of the Chiefs, who were in arms against him at Rome.

I O V I
 QUOD PERICVLVM
 FELICITER EVASERIT
 L SVLLA.
 V. S. LA.

cond

cond Consulship. He had with him several of the chief Magistrates, and the good wishes of all the Tribuns, and hoped by the authority of the Marian cause, which was always favored by the populace, to advance himself into Sylla's place, and usurp the sovereign power of Rome. Catulus in the mean time upon the expiration of his office, was invested with Proconsular authority, and charged with the defense of the government; and Pompey also, by a decree of the Senate, was joined with him in the same commission; who having united their forces before Lepidus could reach the city, came to an engagement with him near the Milvian bridge, within a mile or two from the walls, where they totally routed and dispersed his whole army. But the Cisalpine Gaul being still in the possession of his Lieutenant, M. Brutus, the father of him who afterwards killed Cæsar, Pompey marched forward to reduce that Province: where Brutus, after sustaining a siege in Modena, surrendered himself into his hands; but being conducted, as he desired by a guard of horse to a certain village upon the Po, he was there killed by Pompey's orders. This act was censured as cruel and unjust, and Pompey generally blamed for killing a man of the first quality, who had surrendered himself voluntarily and on the condition of his life: but he acted probably by the advice of Catulus, in laying hold of the pretext of Brutus's treason, to destroy a man, who from his rank and authority, might have been a dangerous Head to the Marian party, and capable of disturbing that *Aristocracy*, which Sylla had established, and which the Senate and all the better sort were very desirous to maintain. Lepidus escaped into Sardinia, where he died soon after of grief, to see his hopes and fortunes so

miserably blasted: and thus ended *the civil war of Lepidus*, as the Roman writers call it, which, though but short lived, was thought considerable enough by Sallust to be made the subject of a distinct History, of which several fragments are still remaining [r]

As Cicero was returning from his travels towards Rome, full of hopes, and aspiring thoughts, his ambition was checked, as Plutarch tells us, by *the Delphic Oracle*: for upon consulting Apollo, by what means he might arrive at the height of glory, he was answered, *by making his own genius and not the opinion of the people, the guide of his life*; upon which he carried himself after his return with great caution, and was very shy of pretending to public honors. But though the rule be very good, yet Cicero was certainly too wise, and had spent too much of his time with Philosophers, to fetch it from *an Oracle*, which, according to his own account, had been in the utmost contempt for many ages, and was considered by all men of sense as a mere imposture [u]. But if he really went to Delphi, of which we have not the least hint in any of his writings, we must impute it to the same motive, that draws so many Travellers at this day to *the Holy House of Loretto*; the curio-

[r] M. Lepido, Q. Catulo
 Conf. civile bellum pæne ci-
 tius oppressum est, quam in-
 ciperet—fax illius motus ab
 ipso Syllæ rogo exarsit. Cu-
 pidus namque rerum novarum
 per insolentiam Lepidus, acla
 tanti viri rescindere parabat
 nec immerito, si tamen posset
 sine magna clade Reipub.
 &c. Flor. 3. 27. Vid. Plutar.
 in Pomp. Appian. l. 1. 416.
 Sallust. Fragment. Hill. l. 1.

Val. Max. 6. 2. Pigh. Annal.
 A. U. 676.

[u] Pyrrhi temporibus jam
 Apollo versus facere desierat
 —cur isto modo jam oracula
 non eduntur, non modo nostra
 ætate, sed jam diu, ut modo
 nihil possit esse contemptius?
 Quomodo autem ista vis eva-
 nuit? an postquam homines
 minus creduli esse cœperunt?
 De Div. 2. 56, 57.

sity of seeing a place so celebrated through the world for it's sanctity and riches. After his return however, he was so far from observing that caution which Plutarch speaks of, that he freely and forwardly resumed his former employment of pleading; and after one year more spent at the Bar, obtained in the next the dignity of *Quæstor*.

AMONG the causes which he pleaded before his Quæstorship was that of the famous Comedian Roscius, whom a singular merit in his art had recommended to the familiarity and friendship of the greatest men in Rome [x]. The cause was this; one Fannius had made over to Roscius a young slave, to be formed by him to the stage, on condition of a partnership in the profits, which the slave should acquire by acting: the slave was afterwards killed, and Roscius prosecuted the Murthrer for damages, and obtained, by a composition, a little farm worth about eight hundred pounds, for his particular share: Fannius also sued separately, and was supposed to have gained as much, but pretending to have recovered nothing, sued Roscius for the moiety of what he had received. One cannot but observe from Cicero's pleading the wonderfull esteem and reputation in which Roscius then florished, of whom he draws a very amiable picture. — Has Roscius then, says he, defrauded his partner? Can such a stain stick upon such a man? who, I speak it with confidence, has more integrity than skill, more veracity than experience: whom the people of Rome know to be a better man than he is an Actor; and while he makes the first figure on the stage for his art, is worthy of the Senate for his virtue [y]. In another place he says

[x] Nec vulgi tantum favorein, verum etiam principum familiaritates amplexus est. Val. Max. 8. 7.

[y] Quem pop. Rom. meliorem virum, quam histriorem esse arbitratur; qui ita dignissi-

says of him, *that he was such an artist, as to seem the onely one fit to come upon the stage; yet such a man, as to seem the onely one unfit to come upon it at all [z]: and that his action was so perfect and admirable, that when a man excelled in any other profession, it was grown into a proverb to call him a Roscius [a]. His dayly pay for acting is said to have been about thirty pounds sterling [b]. Pliny computes his yearly profit at four thousand pounds [c]; but Cicero seems to rate it at five thousand. He was generous, benevolent, and a contemner of money; and after he had raised an ample fortune from the stage, gave his pains to the publick for many years without any pay: whence Cicero urges it as incredible, that he, who in ten years past might honestly have gained fifty thousand pounds, which he refused, should be tempted to commit a fraud for the paultry sum of four hundred [d].*

AT the fame of Cicero's return from Greece, there reigned in the Forum two Orators of noble birth and great authority, Cotta and Hortensius, whose glory inflamed him with an emulation of their virtues. *Cotta's way of speaking was calm and easy, flowing with great elegance and propriety of diction; Hortensius's sprightly, elevated, and warming both by his words and action; who being the nearer to him in age, about eight years older, and excelling in his own taste and manner, was considered*

dignissimus est Scena, propter artificium, ut dignissimus fit Curia, propter abstinentiam. Pr. Q. Rosc. 6.

[z] Pro. Quint. 25.

[a] Ut in quo quisque artificio excelleret, is in suo genere Roscius diceretur. De Orat. 1. 28.

[b] Ut mercedem diurnam

de publico mille denarios solus acceperit. Macrob. Saturn. 2. 10.

[c] HS. quingenta annua meritasse prodatur. Plin. Hist. Nat. 7. 39.

[d] Decem his annis proximis HS. sexagies honestissime consequi potuit: noluit. Pro Roscio, 8.

by him more particularly as his pattern, or competitor rather in glory [e]. The business of pleading, though a profession of all others the most laborious, yet was not mercenary, or undertaken for any pay; for it was illegal to take money, or to accept even a present for it: but the richest, the greatest, and the noblest of Rome freely offered their talents to the service of their citizens, as the common Guardians and Protectors of the innocent and distressed [f]. This was a constitution as old as Romulus, who assigned the patronage of the people to the Patricians or Senators, without fee or reward: but in succeeding ages, when, through the avarice of the Nobles, it was become a custom for all Clients, to make annual presents to their Patrons, by which the body of the Citizens was made tributary as it were to the Senate, M. Cincius, a Tribun, published a law, prohibiting all Senators to take money or gifts on any account, and especially for pleading causes. In the contest about this law, Cicero mentions a smart reply made by the Tribun to C. Cento, one of the Orators who opposed it; for when Cento asked him with some scorn, *What is it, my little Cincius, that you are making all this stir about?* Cincius replied, *that you, Caius, may pay for what you use* [g]. We must

[e] Duo tum excellabant Oratores, qui me imitandi cupiditate incitarent, Cotta & Hortensius, &c. Brut. 440.

[f] Diserti igitur hominis, & facile laborantis, quodque in patriis est moribus, multorum causas & non gravate & gratuito defendentis, beneficia & patrocinia late patent. De Offic. 2. 19.

[g] Quid legem Cinciam

de donis & muneribus, nisi quia vectigalis jam & stipendiaria plebs esse Senatui cœperat? [Liv. 34. 4.] Confurgunt Patres legemque Cinciam flagitant, qua cavetur antiquitus, ne quis ob causam orandam pecuniam donumve accipiat. [Tacit. Annal. 11. 5.] M. Cincius, quo die legem de donis & muneribus tulit cum C. Cento prodiisset, & satis

must not imagine however, that this generosity of the Great was wholly disinterested, or without any expectation of fruit; for it brought the noblest which a liberal mind could receive, the fruit of praise and honor from the public voice of their country: it was the proper instrument of their ambition, and the sure means of advancing them to the first dignities of the State: they gave their labors to the people, and the people repaid them with the honors and preferments which they had the power to bestow: this was a wise and happy constitution, where by a necessary connection between virtue and honor, they served mutually to produce and perpetuate each other; where the reward of honors excited merit, and merit never failed to procure honors; the onely policy which can make a nation great and prosperous.

THUS *the three Orators* just mentioned, according to the custom and constitution of Rome, were all severally employed this summer in suing for the different Offices, to which their different age and rank gave them a right to pretend; *Cotta* for the Consulship, *Hortensius* the *Ædileship*, *Cicero* the *Quæstorskip*; in which they all succeeded: and *Cicero* especially had the honor to be chosen *the first of all his competitors by the unanimous suffrage of the Tribes*; and in the first year in which he was capable of it by law, *the thirty first of his age* [b].

THE *Quæstors* were the general Receivers or Treasurers of the Republic; whose number had

fatis contumeliose, quid fors Cinciole? quæsisset; ut emas, inquit, Cai, si uti velis. Cic. de Orat. 2. 71.

This *Cincian law* was made in the year of Rome 549; and recommended to the people, as *Cicero* tells

us, by *Q. Fabius Maximus*, in the extremity of his age. De Senect. 4. Vid. Pigh. Annal. tom 2. p. 218.

[b] Me cum Quæstorem in primis — cunctis suffragiis populus Romanus faciebat. In Pis. 1. Brut. 440.

been

been gradually enlarged with the bounds and revenues of the Empire from *two to twenty*, as it now stood from the last regulation of Sylla. They were sent annually into the several Provinces, one with every *Proconsul* or *Governor*, to whom they were the next in authority, and had the proper equipage of Magistrates, *the Lictors carrying the Fasces before them*; which was not however allowed to them at Rome. Besides the care of the revenues, it was their business also to provide corn and all sorts of grain for the use of the armies abroad, and the public consumption at home.

THIS was the first step in the legal ascent and gradation of public honors, which gave an immediate right to the Senate, and after the expiration of the office an actual admission into it during life: and though strictly speaking none were held to be complete Senators, till they were enrolled at the next *Lustrum in the list of the Censors*, yet that was onely a matter of form, and what could not be denied to them, unless for the charge and notoriety of some crime, for which every other Senator was equally liable to be degraded. These *Questors* therefore, chosen annually by the people, were the regular and ordinary supply of the vacancies of the Senate, which consisted at this time of about five hundred: by which excellent institution *the way to the highest Order of the State was laid open to the virtue and industry of every private citizen*; and the dignity of this Sovereign Council maintained by a succession of members, whose distinguished merit had first recommended them to the notice and favor of their Country [i].

THE

[i] *Quæstura*, primus gradus honoris— [in Ver. Act. 1. 4.] *Populum Romanum*, cujus

honoribus in amplissimo concilio, & in altissimo gradu dignitatis, atque in hac omnium terrarum

THE Consuls of this year were Cn. Octavius and C. Scribonius Curio; the first was Cicero's particular friend, a person of singular humanity and benevolence, but cruelly afflicted with the gout; whom Cicero therefore urges as an example against *the Epicureans, to shew that a life supported by innocence could not be made miserable by pain* [k] The second was a professed Orator, or Pleader at the Bar, where he sustained some credit, without any other accomplishment of art or nature, than *a certain purity and splendor of language*, derived from the institution of a Father, who was esteemed for his eloquence: his action was vehement, with so absurd a manner of *waving his body from one side to the other*, as to give occasion to a jest upon him, *that he had learnt to speak in a boat.* They were

terrarum arce collocati sumus. [Post red. ad Sen. 1.] Ita Magistratus annuos creaverunt, ut concilium Senatus Reip. proponerent sempiternum; deligerentur autem in id concilium ab universo populo, aditusque in illum summum ordinem omnium civium industriæ ac virtuti pateret. Pro Sext. 65.

This account of the manner of filling up the Senate is confirmed by many other passages of Cicero's works: for example; when Cicero was elected *Ædile*, the next superior Magistrate to the *Quæstor*, and before his entrance into that Office, he took a journey into Sicily to collect evidence against Verres; in the account of which voyage he says, *that he went at his own charges, though a*

Senator, into that Province, where he had before been Quæstor. [In Verr. 1. 1. 6.] Again; when the Government of Cilicia was allotted to him, he begged of young Curio, as he did of all his friends in the Senate, not to suffer it to be prolonged to him beyond the year. In his absence, Curio, who before had been onely *Quæstor*, was elected *Tribun*; upon which Cicero, in a congratulatory Letter to him on that promotion, taking occasion to renew his former request, says, *that he asked it of him before, as of a Senator of the noblest birth, and a youth of the greatest interest; but now of a Tribun of the people, who had the power to grant him what he asked.* Ep. fam. 2. 7.

[k] De Finib. 2. 28.

both

both of them however good Magistrates; such as the present state of the Republic required, firm to the interests of the Senate, and the late establishment made by Sylla, which the Tribuns were laboring by all their arts to overthrow. These Consuls therefore were called before the people by Sicinius, a bold and factious Tribun, to declare their opinion about *the revocation of Sylla's acts, and the restoration of the Tribunician power*, which was now the onely question that engaged the zeal and attention of the City: Curio spoke much against it with his usual vehemence and agitation of body; while Octavius sat by, crippled with the gout, and *wrapped up in plaisters and ointments*: when Curio had done, the Tribun, a man of a humorous wit, told Octavius, *that he could never make amends to his Collegue for the service of that day; for if he had not taken such pains to beat away the flies, they would certainly have devoured him* [l]. But while Sicinius was pursuing his seditious practices, and using all endeavours to excite the people to some violence against the Senate, he was killed by the management of Curio, in a tumult of his own raising [m].

WE have no account of the precise time of Cicero's *marriage*; which was celebrated most probably in the end of the preceding year, immediately after his return to Rome, when he was about thirty years old: it cannot be placed later, because his daughter was married the year be-

[l] Curio copia nonnulla verborum, nullo alio bono, tenuit Oratorum locum [Brut. 350. it. 323.] Motus erat is, quem C. Julius in perpetuum notavit, cum ex eo, in utramque partem toto corpore vacillante, quaesivit, quis loque-

retur e lintre—Nunquam, inquit, Octavi, Collegæ tuo gratiam referes: qui nisi se tuo more jactavisset, hodie te istic muscæ comedissent. Ib. 324.

[m] Vid. Sallust. Fragm. Hist. l. 3. Orat. Macri. Pigh. Ann. 677.

fore his Consulship, *at the age onely of thirteen*; though we suppose her to be born this year *on the fifth of August*, which is mentioned to be *her birth-day* [n]. Nor is there any thing certain delivered of the family and condition of his wife Terentia; yet from her name, her great fortune, and *her sister Fabia's being one of the Vestal Virgins* [o], we may conclude, that she was nobly descended. This year therefore was particularly fortunate to him, as it brought an increase not onely of issue, but of dignity into his family, by raising it from *the Equestrian to the Senatorian rank*; and by this early taste of popular favor gave him a sure presage of his future advancement to the superior honors of the Republic.

[n] Nonis Sextil. ad Att.
4. 1.

[o] Afcon, Orat. in Tog-
cand.

S E C T. II.

THE Provinces of the Quæstors being distributed to them always by lot, the Island of Sicily happened to fall to Cicero's share [a]. This was the first country, which, after the reduction of Italy, became a prey to the power of Rome [b], and was then thought considerable enough to be divided into two Provinces of Lilybeum and Syracuse; the former of which was allotted to Cicero: for though they were both united at this time under one Prætor or supreme Governor, S. Peducæus, yet they continued still to have each of them a distinct Quæstor [c]. He received this Office, not as a gift, but a trust; *and considered it, he says, as a public Theater, in which the eyes of the world were turned upon him;* and that he might act his part with the greater credit, resolved to devote his whole attention to it; and to deny himself every pleasure, every gratification of his appetites, even the most innocent and natural, which could obstruct the laudable discharge of it [d].

[a] Me Quæstorem Siciliensis excepit annus. Brut. 440.

[b] Prima omnium, id quod ornamentum Imperii est, provincia est appellata. In Verr. l. 3. 1.

[c] Quæstores utriusque Provinciæ, qui isto Prætore fuerunt. Ib. 4.

[d] Ita Quæstor sum factus, ut mihi honorem illum

non solum datum, sed etiam creditum, ut me Quæsturamque meam quasi in aliquo terrarum orbis teatro versari existimarem; ut omnia semper, quæ jucunda videntur esse, non modo his extraordinariis cupiditatibus, sed etiam ipsi naturæ ac necessitati denegarem. In Verr. l. 5. 14.

SICILY was usually called *the Granary of the Republic* [e]; and the Quæstor's chief employment in it was to supply corn and provisions for the use of the City: but there happening to be a peculiar scarcity this year at Rome, it made the people very clamorous, and gave the Tribuns an opportunity of inflaming them the more easily, by charging it *to the loss of the Tribunician power*, and their being left a prey by that means to the oppressions of the great [f]. It was necessary therefore to the public quiet, to send out large and speedy supplies from Sicily, by which the Island was like to be drained; so that Cicero had a difficult task to furnish what was sufficient for the demands of the City, without being grievous at the same time to the poor natives: yet he managed the matter with so much prudence and address, that he made *very great exportations*, without any burthen upon the Province; shewing great courtesy all the while to the dealers, justice to the merchants, generosity to the inhabitants, humanity to the allies; and in short, doing all manner of good offices to every body; by which he gained the love and admiration of all the *Sicilians, who decreed greater honors to him at his departure, than they had ever decreed before to any of their Chief Governors* [g]. During his residence in the Country, *several young Romans of quality*, who served in the army, having committed some

[e] Ille M. Cato sapiens, cellam penariam Reipublicæ, nutricem plebis Romanæ Siciliam nominavit. In Verr. l. 2. 2.

[f] Vid. Orat. Cottæ in fragment. Sallust.

[g] Frumenti in summa caritate maximum numerum

miseram: negociatoribus comis, mercatoribus justus, municipibus liberalis, sociis abstinens, omnibus eram visus in omni officio diligentissimus: excogitati quidam erant a Siculis honores in me inauditi. Pr. Planc. 26.

great disorder and offence against martial discipline, ran away to Rome for fear of punishment; where being seized by the Magistrates, they were sent back to be tried before the Prætor in Sicily: but Cicero undertook their defence, and pleaded for them so well, that he got them all acquitted [b]; and by that means obliged many considerable families of the City.

In the hours of leisure from his Provincial affairs, he employed himself very diligently, as he used to do at Rome, in his rhetorical studies; agreeably to the rule which he constantly inculcates, never to let one day pass without some exercise of that kind: so that on his return from Sicily his oratorical talents were, according to his own judgement, in their full perfection and maturity [i]. The Country itself, famous of old for its school of eloquence, might afford a particular invitation to the revival of those studies: for the Sicilians, as he tells us, being a sharp and litigious people, and after the expulsion of their Tyrants, having many controversies among themselves about property, which required much pleading, were the first who invented rules and taught an art of speaking, of which Corax and Tysias were the first Professors: an art which, above all others, owes its birth to liberty, and can never flourish but in a free air [k].

[b] Plutarch's life of Cic.

[i] Jam videbatur illud in me, quicquid esset, esse perfectum, & habere maturitatem quandam suam. Brut. 440.

[k] Cum sublatis in Sicilia tyrannis res privatæ longo intervallo judiciis repeterentur, tum primum, quod esset

acuta illa gens & controversa natura, artem & præcepta Siculos Coracem & Tysiam conscripsisse. Brut. 75. Hæc una res in omni libero populo, maximeque in pacatis, tranquillisque civitatibus semper floruit, semperque dominata est. De Orat. 1. 8.

BEFORE he left Sicily he made the tour of the Island, to see every thing in it that was curious, and especially the city of Syracuse, which had always made the principal figure in it's history. Here his first request to the Magistrates, who were shewing him the curiosities of the place, was to let him see *the tomb of Archimedes*, whose name had done so much honor to it; but to his surprize he perceived, that they knew nothing at all of the matter, and even denied that there was any such tomb remaining: yet as he was assured of it beyond all doubt by the concurrent testimony of writers, and remembered the verses inscribed, and that there was *a Sphere with a Cylinder* engraved on some part of it, he would not be dissuaded from the pains of searching it out. When they had carried him therefore to the gate, where the greatest number of their old Sepulchers stood, he observed in a spot overgrown with shrubs and briars, a small Column, whose head just appeared above the bushes, *with the figure of a Sphere and Cylinder upon it*; this, he presently told the company, *was the thing that they were looking for*; and sending in some men to clear the ground of the brambles and rubbish, he found the inscription also which he expected, though the latter part of all the verses was effaced. Thus, says he, *one of the noblest Cities of Greece, and once likewise the most learned, had known nothing of the Monument of it's most deserving and ingenious Citizen, if it had not been discovered to them by a Native of Arpinum* [1]. At the expiration of his year he took leave of the Sicilians by a kind and affectionate speech, assuring them of his protection in all their affairs at Rome; in which he was as good as his word, and continued ever

[1] *Plin. Hist. Nat.* 5. 3.

after their constant Patron, to the great benefit and advantage of the Province.

HE came away extremely pleased with the success of his administration; and flattering himself, that *all Rome was celebrating his praises, and that the people would readily grant him every thing that he desired*; in which imagination he landed at Puteoli, a considerable port adjoining to Baiæ, the chief seat of pleasure in Italy, where there was a perpetual resort of all the rich and the great, as well for the delights of it's situation, as the use of it's baths and hot waters. But here, as he himself pleasantly tells the story, he was not a little mortified by the first friend whom he met; *who asked him, How long he had left Rome, and what news the e? when he answered, That he came from the Provinces: From Afric, I suppose, says another: and upon his replying with some indignation, No; I come from Sicily: a third, who stood by, and had a mind to be thought wiser, said presently, How! did you not know that Cicero was Quæstor of Syracuse?* Upon which, perceiving it in vain to be angry, he fell into the humor of the place, and made himself one of the company who came to the waters. This mortification gave some little check to his ambition, or taught him rather, how to apply it more successfully; and *did him more good, he says, than if he had received all the compliments that he expected*; for it made him reflect, *that the people of Rome had dull ears, but quick eyes; and that it was his business to keep himself always in their sight; nor to be so sollicitous how to make them hear of him, as to make them see him: so that from this moment he resolved to stick close to the Forum, and to live perpetually in the view of the City; nor to suffer either his porter or his sleep to hinder any man's access to him [m].*

[m] Pro Plancio, 26.

AT his return to Rome he found the Consul, L. Lucullus, employing all his power to repell the attempts of a *turbulent Tribune*, L. Quinctius, who had a manner of speaking peculiarly adapted to inflame the multitude, and was perpetually exerting it, to persuade them to reverse Sylla's acts [n]. These acts were odious to all who affected popularity, especially to the Tribuns, who could not brook with any patience the diminution of their ancient power; yet all prudent men were desirous to support them, as the best foundation of a lasting peace and firm settlement of the Republic. The Tribune Sicinius made the first attack upon them soon after Sylla's death, but lost his life in the quarrel; which, instead of quenching, added fuel to the flame; so that C. Cotta, one of the next Consuls, a man of moderate principles and obnoxious to neither party, made it his business to mitigate these heats, by mediating between the Senate and the Tribuns, and remitting a part of the restraint that Sylla had laid upon them, so far as to restore them to a capacity of holding the superior Magistracies. But a partial restitution could not satisfy them; they were as clamorous still as ever, and thought it a treachery to be quiet, till they had recovered their whole rights: for which purpose Quinctius was now imitating his predecessor Sicinius, and exciting the populace to do themselves justice against their oppressors, nor suffer their power and liberties to be extorted from them by the Nobles. But the vigor of Lucullus prevented him from gaining any farther advantage, or making any impression this year to the disturbance of the public peace [o].

C. VERRÉS,

[n] Homo cum summa potestate præditus, tum ad inflammandos animos multitudinis accommodatus. Pro

Cluent. 29. Plutarch. in Lucull.

[o] Nisi forte C. Cotta, ex factione media Consul, aliter quam

C. VERRES, of whom we shall have occasion to say more hereafter, was now also *Prætor* of the City, or the supreme Administrator of Justice; whose decrees were not restrained to the strict letter of the law, but formed usually upon the principles of common equity; which, while it gives a greater liberty of doing what is right, gives a greater latitude withal of doing wrong; and the power was never in worse hands, or more corruptly administered than by Verres: *for there was not a man in Italy, says Cicero, who had a law-suit at Rome, but knew, that the rights and properties of the Roman people were determined by the will and pleasure of his whore* [p].

THERE was a very extraordinary Commission granted this year to M. Antonius, *the father of the Triumvir; the inspection and command of all the coasts of the Mediterranean: a boundless power, as Cicero calls it* [q], which gave him an opportunity of plundering the Provinces, and committing all kinds of outrage on the Allies. He invaded Crete without any declaration of war, on purpose to enslave it, and with such an assurance of victory, that *he carried more fetters with him than arms* [r]. But he met with the fate that he deserved: for the

quam metu jura quædam tribunis pleb. restituit; & quamquam L. Sicinius primus de potestate tribunicia loqui ausus, mussitantibus vobis circumventuserat.—Lucullus superiore anno quantis animis ierit in L. Quinctium, vidistis.—Vid. Sallust. Hist. Fragment. l. 3. Orat. Macri Licinii. Plut. in Lucull.

[p] Ut nemo tam rusticanus homo, Romam ex ullo municipio vadimonii causa

venerit, quin sciret jura omnia Prætoris urbani nutu atque arbitrio Chelidonis metreticulæ gubernari. In Verr. 5. 13.

[q] M. Antonii infinitum illud imperium. Ib. 2. 3.

[r] Primus invasit insulam M. Antonius, cum ingenti quidem victoriæ spe atque fiducia, adeo ut plures catenas in navibus, quam arma portaret. Flor. 3. 7.

Cretans totally routed him in a naval engagement, and returned triumphant into their ports, with the bodies of their enemies hanging on their masts. Antonius died soon after this disgrace, infamous in his character, *nor in any respect a better man*, says Asconius, *than his son* [s]. But Metellus made the Cretans pay dear for their triumph, by the intire conquest of their country: *in which war*, as Florus says, *if the truth must be told, the Romans were the aggressors; and though they charged the Cretans with favoring Mithridates, yet their real motive was, the desire of conquering so noble an Island* [t].

MITHRIDATES also had now renewed the war against Rome; encouraged to it by the diversion which Sertorius was giving at the same time in Spain to their best troops and ablest Generals, Metellus and Pompey: so that Lucullus, who on the expiration of his Consulship had the Province of Asia allotted to him, obtained with it of course the command of this war. But while their arms were thus employed in the different extremities of the Empire, an ugly disturbance broke out at home, which, though contemptible enough in it's origin, began in a short time to spread terror and consternation through all Italy. It took it's rise from *a few Gladiators, scarce above thirty at the first, who broke out of their school at Capua*, and having seized a quantity of arms, and drawn a number of slaves after them, posted themselves on *Mount Vesuvius*: here they were

[s] Antonium, cum multa contra sociorum salutem, multa contra utilitatem provinciarum & faceret & cogitaret, in mediis ejus injuriis & cupiditatibus mors oppressit.

In Verr. 3. 91.

[t] Creticum bellum, si vera volumus noscere, nos fecimus sola vincendi nobilem insulam cupiditate. Flor. ib.

presently surrounded by the *Prætor Clodius Glaber*, with a good body of regular troops; but forcing their way through them with sword in hand, they assaulted and took his camp, and made themselves masters of all Campania. From this success their numbers presently increased to the size of a just army of forty thousand fighting men: with which they made head against the Roman legions, and sustained a vigorous war for three years in the very bowels of Italy; where they defeated several Commanders of *Consular and Prætorian rank*; and, puffed up with their victories, began to talk of attacking Rome. But M. Crassus the *Prætor*, to whom the war was committed, having gathered about him all the forces which were near home, chastised their insolence, and drove them before him to the extremity of Rhegium; where, for want of vessels to make their escape, the greatest part was destroyed, and among them their *General Spartacus*, fighting bravely to the last at the head of his desperate troops [u]. This was called the *servile war*, for which Crassus had the honor of an *Ovation*; it being thought beneath the dignity of the Republic to grant a *ful Triumph* for the conquest of slaves: but to bring it as near as possible to a *Triumph*, Crassus procured a special decree of the Senate to authorize him to wear the *laurel Crown*, which was the proper ornament of the *Triumph*, as *myrtle was of the Ovation* [x].

THE *Sertorian war* happened to be finished also fortunately near the same time. The author of it, Sertorius, was bred under C. Marius, with whom he had served in all his wars, with a singular reputation, not onely of martial virtue, but of justice

[u] Vid. Flor. 3. 20.

[x] Plut. in Crass. — Crasse, quid est, quod confecto for-

midolossissimo bello, coronam illam lauream tibi tantopere decerni volueris? In Pison. 24.

and clemency; for though he was firm to the Marian party, he always disliked and opposed their cruelty, and advised a more temperate use of their power. After the death of Cinna, he fell into Sylla's hands, along with *the Consul Scipio*, when the army abandoned them: Sylla dismissed him with life, on the account perhaps of his known moderation: yet taking him to be an utter enemy to his cause, he soon after proscribed and drove him to the necessity of seeking his safety in foreign countries. After several attempts on Afric and the coasts of the Mediterranean, he found a settlement in Spain, whither all who fled from Sylla's cruelty resorted to him, of whom he formed a Senate, which gave laws to the whole Province. Here, by his great credit and address, he raised a force sufficient to sustain a war of eight years against the whole power of the Republic; and to make it a question, *whether Rome or Spain should possess the empire of the world.* Q. Metellus, an old experienced Commander, was sent against him singly at first; but was so often baffled and circumvented by his superior vigor and dexterity, that the people of Rome were forced to send their favorite Pompey to his assistance, with the best troops of the Empire. Sertorius maintained his ground against them both; and after many engagements, *in which he generally came off equal, often superior*, was basely murdered at a private feast by the treachery of Perperna; who, being the next to him in command, was envious of his glory, and wanted to usurp his power. Perperna was of noble birth, and had been *Prætor of Rome*, where he took up arms with the Consul Lepidus to reverse the acts of Sylla, and recall the proscribed Marians, and after their defeat carried off the best part of their troops to the support of Ser-

torius [y]: but instead of gaining what he expected from Sertorius's death, he ruined the cause, of which he had made himself the chief, and put an end to a war that was wholly supported by the reputation of the General: for the revolted Provinces presently submitted; and the army having no confidence in their new leader, was easily broken and dispersed, and Perperna himself taken prisoner.

POMPEY is celebrated on this occasion for an act of great prudence and generosity: for when Perperna, in hopes of saving his life, offered to make some important discoveries, and to put into his hands all Sertorius's papers, in which were several letters from the principal Senators of Rome, pressing him to bring his army into Italy for the sake of overturning the present Government, he ordered the papers to be burnt without reading them, and Perperna to be killed without seeing him [z]. He knew, that the best way of healing the discontents of the City, where faction was perpetually at work

[y] Sylla & Consulem, ut prædiximus, exarmatumque Sertorium, proh quanti mox belli facem! & multos alios dimisit incolumes. Vell. Pat. 2. 25. 29.

Jam Africa, Jam Balearibus Insulis fortunam expertus, missusque in oceanum — tandem Hispanium armavit — Satis tanto hosti uno Imperatore resistere res Romana non potuit: additus Metello Cn. Pompeius. Hi copias viri diù, & ancipiti semper acie attrivere: nec tamen prius bello, quam suorum scelere, & insidiis, extinctus est. Flor. 3. 22.

Illa in tantum Sertorium armis extulit, ut per quinquennium dijudicari non potuerit, Hispanis, Romanisve in armis plus esset roboris, & uter populus alteri pariturus foret. Vell. Pat. 2. 90.

A M. Perperna & aliis conjuratis convivio interfectus est, octavo ducatus sui anno; magnus dux, & adversos duos Imperatores, Pompeium & Metellum, sæpe par, frequentius victor. Epit. Liv. 96. Vid. etiam Plutarch. in Sertorio & Pomp. Appian. p. 418.

[z] Plutarch. in Pomp. Appian. 423.

to disturb the public quiet, was, to ease people of those fears which a consciousness of guilt would suggest, rather than push them to the necessity of seeking their security from a change of affairs, and the overthrow of the State [a]. As he returned into Italy at the head of his victorious army, he happened to fall in luckily with the remains of those fugitives, who, after the destruction of Spartacus, had escaped from Crassus, and were making their way in a body towards the Alps, whom he intercepted and intirely cut off to the number of five thousand; and in a letter upon it to the Senate, said, *that Crassus indeed had defeated the Gladiators, but that he had plucked up the war by the roots* [b]. Cicero likewise, from a particular dislike to Crassus, affected in his public speeches to give Pompey the honor of finishing this war, declaring, *that the very fame of his coming had broken the force of it, and his presence extinguished it* [c].

FOR this victory in Spain Pompey obtained a *second Triumph*, while he was still onely a private Citizen, and of the *Equestrian rank*: but the next day he took possession of the Consulship, to which he had been elected in his absence; and as if he had been born to command, made his first entry into the Senate in the proper post to preside in it. He was not yet *full thirty six years old*, but the Senate, by a decree, *dispensed with the incapacity of his age and absence; and qualified him to hold the*

[a] In tanto civium numero, magna multitudo est eorum, qui propter metum pœnæ peccatorum suorum conscii, novos motus conversionesque Rep. quærunt. Pro Sext. 46.

[b] Plut. ibid.

[c] Quod bellum expectatione Pompeii attenuatum atque imminutum est; adventu sublatum & sepultum. Pro leg. Manil. xi. it.—Qui etiam servitia virtute victoriaque domuisset. Pro Sext. 31.

highest Magistracy, before he was capable by law of pretending even to the lowest; and by his authority M. Crassus was elected also for his Colleague [d].

CRASSUS's father and elder brother lost their lives in the massacres of Marius and Cinna; but he himself escaped into Spain, and lay there concealed till Sylla's return to Italy, whither he presently resorted to him, in hopes to revenge the ruin of his fortunes and family on the opposite faction. As he was attached to Sylla's cause both by interest and inclination, so he was much considered in it; and being extremely greedy and rapacious, made use of all his credit to enrich himself by the plunder of the enemy, and the purchase of confiscated estates, which Cicero calls his harvest. By these methods he raised an immense wealth, computed at many millions, gathered from the spoils and calamities of his country. He used to say, *that no man could be reckoned rich, who was not able to maintain an army out of his own rents* [e]: and if the accounts of Antiquity be true, the number of his slaves was scarce inferior to that of a full army: which, instead of being a burthen, made one part of his revenue; being all trained to some useful art or profession, which enabled them not onely to support themselves, but to bring a share of profit to their master. Among the other trades

[d] Pompeius hoc quoque triumpho, adhuc Eques Romanus, ante diem quam Consulatum iniret, curru urbem invehctus est. Vell. Pat. 2. 20.

Quid tam singulare, quam ut ex S. C. legibus solutus, Consul ante fieret, quam ulum alium Magistratum per leges capere licuisset? Quid

tam incredibile, quam ut iterum Eques Romanus S. C. triumpharet? Pro leg. Man. 21. Vid. Plutarch. in Pomp.

[e] Illam Syllani temporis messem—Parad. 6. 2.

Multi ex te audierunt, cum diceres, neminem esse divitem, nisi qui exercitum alere posset suis fructibus. Ib. 1.

in his family, he is said to have had *above five hundred masons and architects constantly employed in building or repairing the houses of the City* [f]. He had contracted an early envy to Pompey, for his superior credit both with Sylla and the people; which was still aggravated by Pompey's late attempt to rob him of the honor of *ending the servile war*; but finding himself wholly unequal to his Rival in military fame, he applied himself to the arts of peace and eloquence; in which he obtained the character of a good speaker, and by his easy and familiar address, and a readiness to assist all, who wanted either his protection or his money, acquired a great authority in all the public affairs; so that Pompey was glad to embrace and oblige him, by taking him for his partner in the Consulship.

FIVE years were now almost elapsed, since Cicero's election to the *Questorship*: which was the *proper interval prescribed by law*, before he could hold the next office of *Tribun* or *Ædile*; and it was necessary to pass through one of these in his way to the superior dignities: he chose therefore to drop *the Tribunate*, as being stript of it's ancient power by the late ordinance of Sylla, and began to make interest for *the Ædileship*, while Hortensius at the same time was suing for *the Consulship*. He had employed all this interval in a close attendance on the Forum, and a perpetual course of pleading [g], which greatly advanced his interest in the City; especially when it was observed, that *he strictly complied with the law, by refusing not onely to take fees, but to accept even any presents*, in which the generality of patrons were less scrupulous [b].

[f] Plutarch. in Craff.

[g] Cum igitur essem in plurimis causis, & in princi-

pibus patronis quinquennium fere versatus. Brut. p. 440.

[b] Plutarch. Cicer.

Yet all his Orations within this period are lost; of which number were those for M. Tullius and L. Varenus, mentioned by Quintilian and Priscian, as extant in their time.

SOME writers tell us, *that he improved and perfected his action by the instructions of Roscius and Æsopus; the two most accomplished Actors in that, or perhaps in any other age, the one in Comedy, the other in Tragedy* [i]. He had a great esteem indeed for them both, and admired the uncommon perfection of their art: but though he condescended to treat them as friends, he would have disdained to use them as masters. He had formed himself upon a nobler plan, drawn his rules of action from nature and philosophy, and his practice from the most perfect speakers then living in the world; and declares the Theatre to be an improper school for the institution of an Orator, as teaching *gestures too minute and unmanly, and laboring more about the expression of words, than of things* [k]: nay, he laughs sometimes at Hortensius for an action *too foppish and theatrical* [l], who used to be rallied on that very account by the other pleaders with the title of *the Player*; so that, in the cause of P. Sylla, Torquatus, a free speaker on the other side, called him by way of

[i] Ibid.

[k] Quis neget opus esse Oratori in hoc oratorio motu, statuque Roscii gestum? — tamen nemo suaserit studiosis dicendi adolescentibus in gestu discendo histrionum more elaborare. De Orat. 1. 59. Vid. Tusc. Disp. 4. 25.

Omnes autem hos motus subsequi debet gestus; non

hic, verba exprimens, scenicus, sed universam rem & sententiam: non demonstratione, sed significatione declarans, laterum inflectione hac forti ac virili, non ab scena & histrionibus. Ib. 3. 59.

[l] Putamus — Patronum tuum cerviculam jactaturum. In Verr. l. 3. 19.

ridicule,

ridicule. Dionysia, an actress of those times, in great request for her dancing [m]. Yet Hortensius himself was so far from borrowing his manner from the Stage, that the Stage borrowed from him; and the two celebrated Actors just mentioned, Roscius and Æsopus, are said to have attended all the trials in which he pleaded, in order to perfect the action of the Theatre by that of the Forum: which seems indeed to be the more natural method of the two, that they who act in *feigned life* should take their pattern from *the true*; not those, *who represent the true*, copy from that which is *feigned* [n]. We are told however by others, what doth not seem wholly improbable, that Cicero used to divert himself sometimes with Roscius, and make it an exercise, or trial of skill between them, *which could express the same passion the most variously the one by words, the other by gestures* [o]

As he had now devoted himself to a life of business and ambition, so he omitted none of the usual arts of recommending himself to popular favor, and facilitating his advancement to the superior honors. He thought it absurd, *that when every little Artificer knew the name and use of all his tools, a Statesman should neglect the knowledge of men,*

[m] L. Torquatus, subgreffi homo ingenio & infestivo — non jam histrionem illum diceret, sed gesticulariam, Dionysiamque eum notissimæ saltatriculæ nomine appellaret. Aul. Gell. 1. 5.

[n] Genus hoc totum Oratores, qui sunt veritatis ipsius actores, reliquerunt; imitatores autem veritatis, histriones, occupaverunt.—At sine

dubio in omni re vincit imitationem veritas. De Orat. 3. 56.

[o] Satis constat, contendere eum cum ipso histrione solitum, utrum ille sæpius eandem sententiam variis gestibus efficeret, an ipse per eloquentiæ copiam sermone diverso pronunciaret. Macrobr. Saturn. 2. x.

who were the proper instruments, with which he was to work: he made it his business therefore to learn the name, the place, and the condition of every eminent Citizen; what estate, what friends, what neighbours he had; and could readily point out their several houses, as he travelled through Italy [p]. This knowledge, which is usefull in all popular Governments, was peculiarly necessary at Rome; where the people having much to give, expected to be much courted; and where their high spirits and privileges placed them as much above the rank of all other Citizens, as the grandor of the Republic exceeded that of all other States; so that every man, who aspired to any public dignity, kept a slave or two in his family, whose sole business it was to learn the names and know the persons of every Citizen at sight, so as to be able to whisper them to his Master, as he passed through the streets, that he might be ready to salute them all familiarly, and shake hands with them, as his particular acquaintance [q].

PLUTARCH says, that the use of these Nomenclators was contrary to the laws; and that Cato for that reason, in suing for the public offices, would not employ any of them, but took all that trouble upon himself [r]. But that notion is fully confuted by Cicero, who, in his Oration for Murena, rallies the absurd rigor of Cato's stoical principles, and their inconsistency with common life. from the very circumstance of his having a Nomenclator—
 “ What do you mean, says he, by keeping a

[r] Plutarch in Cic.

pondera dextram

[p] Vid. de petitione Consulatus. xi.

Porrigerere. Hic multum in Fabia valet, ille Velina:

Mercemur servum, qui dicet nomina: lævum

Cuilibet hic fasces dabit, &c. Hor. Epist. 1. 6.

Qui fodiat laras, & cogat trans

[r] Plutarch. in Cato.

“ *Nomenclator*? The thing itself is a mere cheat:
 “ for if it be your duty to call the Citizens by
 “ their names, it is a shame for your slave to know
 “ them better than yourself.—Why do you
 “ not speak to them before he has whispered you?
 “ Or, after he has whispered, why do you salute
 “ them, as if you knew them yourself? Or, when
 “ you have gained your election, why do you
 “ grow careless about saluting them at all? All
 “ this, if examined by the rules of social life, is
 “ right; but if by the precepts of your Philo-
 “ sophy, very wicked [s].” As for Cicero him-
 self, whatever pains he is said to have taken in
 this way, it appears from several passages in his
 letters, that he constantly had a *Nomenclator* at
 his elbow on all public occasions [t].

HE was now in his thirty seventh year, the proper
 age for holding the *Ædileship*, which was the first
 public preferment that was properly called a *Ma-
 gistracy*; the *Quæstorship* being an office onely or
 place of trust, without any jurisdiction in the City,
 as the *Ædiles* had [u]. These *Ædiles*, as well as
 all the inferior officers, were chosen by the people
voting in their Tribes; a manner of electing of all
 the most free and popular: in which Cicero was
 declared *Ædile*, as he was before elected *Quæstor*
*by the unanimous suffrage of all the tribes, and pre-
 ferably to all his competitors* [w].

[s] Pro Murena, 36.

[t] Ut nemo nullius ordi-
 nis homo nomenclatori notus
 fuerit, qui mihi obviam non
 venerit. Ad Att. 4. 1.

[u] This will explain what
 Cicero says above of *Pompey's*
entring upon the Consulship, at
an age, when he was incapable
even of the lowest Magistracy.
 But though strictly speaking,

the *Ædileship* was the first
 which was called a *Magistracy*;
 yet Cicero himself, and all
 the old writers, give the same
 title also to the *Tribunate* and
Quæstorship.

[w] Me cum Quæstorem
 in primis, Ædilem priorem—
 cunctis suffragiis populus Ro-
 manus faciebat. In Pison. 1.

THERE were originally but *two* *Ædiles* chosen from the body of the people on pretence of easing the Tribuns of a share of their trouble: whose chief duty, from which the name itself was derived, was to take care of *the Ædifices of the City*; and to inspect the markets, weights, and measures; and regulate the shows and games, which were publicly exhibited on the festivals of their Gods [w]. The Senate afterwards, taking an opportunity when the people were in good humor, prevailed to have *two more* created from their order and of superior rank, called *Curule Ædiles*, from *the arm-chair of Ivory*, in wick they sat [x]: But the Tribuns presently repented of their concession, and forced the Senate to consent, that *these new Ædiles should be chosen indifferently from the Patrician or Plebeian families* [y]. But whatever difference there might be at first between the *Curule and Plebeian Ædiles*, their province and authority seem in later times to be the same, without any distinction but what was nominal; and the two, who were chosen the first, were probably called *the Curule Ædiles*, as we find Cicero to be now stiled. This magistracy gave a precedence in the Senate, or a priority of voting and speaking, next after the Consuls and Prætors; and was the first that qualified a man to have a picture or statue of himself, and consequently ennobled his family [z]: for it was from *the number of these statues of ancestors, who had born Curule Offices*, that

[w] Dionys. Hal. l. 6. Et totum Numidæ sculptile
411. dentis opus.

[x] —dabit, eripietque
curule Ovid. de Pont. 4. 9.

Cui volet importunus ebur—
Hor. Ep. 1. 6. [y] Liv. l. 6. ad fin.

Signa quoque in sella nossem
formata curuli, [z] Antiquiorem in senatu
sententiæ dicendæ locum—jus
imaginis ad memoriam; posteritatemque prodendam. In
Verr. 5. 14.

the families of Rome were esteemed the more or less noble.

AFTER Cicero's election to the *Ædileship*, but before his entrance into the office, he undertook the famed prosecution of C. Verres, the late *Prætor of Sicily*; charged with many flagrant acts of injustice, rapine, and cruelty, during his triennial government of that Island. And since this was one of the memorable transactions of his life, and for which he is greatly celebrated by Antiquity, it will be necessary to give a distinct and particular relation of it.

THE public administration was at this time, in every branch of it, most infamously corrupt: the great, exhausted by their luxury and vices, made no other use of their governments, than to enrich themselves by the spoils of the foreign Provinces: their business was to extort money abroad, that they might purchase offices at home, and to plunder the allies, in order to corrupt the Citizens. The oppressed in the mean while found it in vain to seek relief at Rome, where there was none who cared either to impeach or to condemn a noble criminal; the decision of all trials being in the hands of men of the same condition, who were usually involved in the same crimes, and openly prostituted their judgement on these occasions for favor or a bribe. This had raised a general discontent through the Empire, with a particular disgust to that change made by Sylla, of *transferring the right of judicature from the Equestrian to the Senatorian order*, which the people were now impatient to get reversed: the prosecution therefore of Verres was both seasonable and popular, as it was likely to give some check to the oppressions of the nobility, as well as comfort and relief to the distressed subjects.

ALL the cities of Sicily concurred in the impeachment, excepting Syracuse and Messana; for these two being the most considerable of the Province, Verres had taken care to keep up a fair correspondence with them. Syracuse was the place of his residence, and Messana the repository of his plunder, whence he exported it all to Italy: and though he would treat even these on certain occasions very arbitrarily, yet in some flagrant instances of his rapine, that he might ease himself of a part of the envy, he used to oblige them with a share of the spoil [a]: so that partly by fear, and partly by favor, he held them generally at his devotion; and at the expiration of his government procured ample testimonials from them both in praise of his administration. All the other Towns were zealous and active in the prosecution, and by a common petition to Cicero implored him to undertake the management of it; to which he consented, out of regard to the relation which he had born to them as *Questor*, and his promise made at parting, of his protection in all their affairs. Verres, on the other hand, was supported by the most powerfull families of Rome, the Scipio's and the Metelli, and defended by Hortensius, who was the reigning Orator at the Bar, and usually stiled *the King of the Forum* [b]; yet the difficulty of the cause, instead of discouraging, did but animate Cicero the more, by the greater glory of the victory.

[a] Ergo, inquiet aliquis, prædarum ac furtorum recepdonavit populo Syracusano trix, &c. In Verr. 3. 8. istam hereditatem, &c. In it. 11.
Ver. 2. 18.

[b] In foro ob eloquentiam Rege causarum. Afcon. Argum. in Divinat.
Messana tuorum adjutrix scelerum, libidinum testis,

HE had no sooner agreed to undertake it, than an unexpected rival started up, one Q. Cæcilius, a Sicilian by birth, who had been *Quæstor* to Verres; and by a pretence of personal injuries received from him, and a particular knowledge of his crimes, claimed a preference to Cicero in the task of accusing him, or at least to bear a joint share in it. But this pretended enemy was in reality a secret friend, employed by Verres himself to get the cause into his hands in order to betray it: his pretensions however were to be previously decided by a kind of process called *Divination*, on account of it's being wholly conjectural; in which the Judges, without the help of witnesses, were to *divine*, as it were, what was fit to be done: but in the first hearing Cicero easily shook off this weak Antagonist, rallying his character and pretensions with a great deal of wit and humor, and shewing, " that the proper patron of such a cause
 " could not be one who offered himself forwardly,
 " but who was drawn to it unwillingly from the
 " mere sense of his duty; one whom the profes-
 " sors desired, and the criminal dreaded; one
 " qualified by his innocence, as well as experience,
 " to sustain it with credit; and whom the custom
 " of their ancestors pointed out and preferred to
 " it." In this speech, after opening the reasons why, contrary to his former practice, and the rule which he had laid down to himself, *of dedicating his labors to the defence of the distressed*, he now appeared as *an Accuser*, he adds; " the Provinces
 " are utterly undone; the allies and tributaries so
 " miserably oppressed, that they have lost even
 " the hopes of redress, and seek onely some comfort in their ruin: those, who would have the
 " trials remain in the hands of the Senate, complain, that there are no men of reputation to
 " undertake

“ undertake impeachments, no severity in the
 “ Judges: the people of Rome in the mean
 “ while, though laboring under many other grie-
 “ vances, yet desire nothing so ardently, as the
 “ ancient discipline and gravity of trials. For the
 “ want of trials, the Tribunician power is called
 “ for again; for the abuse of trials, a new order
 “ of Judges is demanded; for the scandalous be-
 “ haviour of Judges, the authority of the *Cen-*
 “ *sors*, hated before as too rigid, is now desired
 “ and grown popular. In this license of proflig-
 “ ate criminals, in the daily complaints of the
 “ Roman people, the infamy of trials, the dis-
 “ grace of the whole Senatorian order, as I
 “ thought it the onely remedy to these mischiefs,
 “ for men of abilities and integrity to undertake
 “ the cause of the Republic and the laws, so I
 “ was induced the more readily, out of regard to
 “ our common safety, to come to the relief of that
 “ part of the administration, which seemed the
 “ most to stand in need of it [c].”

THIS previous point being settled in favor of
 Cicero, a hundred and ten days were granted to
 him by law for preparing the evidence; in which
 he was obliged to make a voyage to Sicily, in order
 to examine witnesses, and collect facts to support
 the indictment. He was aware, that all Verres’s
 art would be employed to gain time, in hopes to
 tire out the Prosecutors, and allay the heat of the
 public resentment: so that for the greater dispatch
 he took along with him his cousin, L. Cicero, to
 ease him of a part of the trouble, and finished his
 progress through the island in less than half the
 time which was allowed to him [d].

[c] Divinat. 3. quinquaginta diebus sic obii.

[d] Ego Siciliam totam In Verr. Act. 1. 2.

IN all the journeys of this kind, the Prosecutor's charges used to be publicly defrayed by the Province, or the Cities concerned in the impeachment: but Cicero, to shew his contempt of money, and disinterestedness in the cause, resolved to put *the Island to no charge on his account*; and in all the places to which he came, *took up his quarters with his particular friends and acquaintance in a private manner, and at his own expence.* [e].

THE Sicilians received him every where with all the honors due to his uncommon generosity, and the pains which he was taking in their service: but at Syracuse he met with some little affronts from the influence of the Prætor Metellus, who employed all his power to obstruct his enquiries, and discourage the people from giving him information. He was invited however by the Magistrates with great respect *into their Senate*, where after he had expostulated with them a little *for the gilt Statue of Verres, which stood there before his face, and the testimonial which they had sent to Rome in his favor*; they excused themselves to him in their speeches, and alledged, *that what they had been induced to do on that occasion was the effect of force and fear, obtained by the intrigues of a few, against the general inclination*; and to convince him of their sincerity, *delivered into his hands the authentic accounts of many robberies and injuries which their own City had suffered from Verres in common with the rest of the Province.* As soon as Cicero retired, they declared his cousin Lucius *the public*

[e] In Siciliam sum inquirendi causa profectus, quo in negotio—ad hospites meos, ac necessarios, causæ communis defensor diverti potius, quam ad eos, qui a me con-

filium petivissent. Nemini meus adventus labori aut sumptui, neque publice neque privatim fuit. In Verr. i. 1. 6.

guest and friend of the City, for having signified the same good will towards them, which Cicero himself had always done; and, by a second decree, revoked the public praises which they had before given to Verres. Here Cicero's old Antagonist, Cæcilius, appealed against them to the Prætor; which provoked the populace to such a degree, that Cicero could hardly restrain them from doing him violence: the Prætor dismissed the Senate, and declared their act to be irregular, and would not suffer a copy of it to be given to Cicero; whom he reproached at the same time for betraying the dignity of Rome by submitting not only to speak in a foreign Senate, but in a foreign language, and to talk Greek among Grecians [f]. But Cicero answered him with such spirit and resolution, urging the sanction of the laws, and the penalty of contemning them, that the Prætor was forced at last to let him carry away all the vouchers and records which he required [g].

BUT the City of Messana continued obstinate to the last, and firm to its engagements with Verres: so that when Cicero came thither, he received no compliments from the Magistrates, no offer of refreshments or quarters; but was left to

[f] Ait indignum facinus esse, quod ego in senatu Græca verba facissem: quod quidem apud Græcos Græcè locutus essem, id ferri nullo modo posse. in Verr. 4. 66. Vid. 62. 63, 64.

Valerius Maximus says that the Roman Magistrates were anciently so jealous of the honor of the Republic, that they never gave an answer to Foreigners but in Latin: and obliged the Greeks themselves to speak to them always by an

Interpreter, not only in Rome, but in Greece and Asia; in order to inculcate a reverence for the Latin tongue through all nations [Lib. 7. 2] This piece of discipline had long been laid aside; and the Greek language had obtained such a vogue in Rome itself, that all the great and noble were obliged not only to learn, but ambitious every where to speak it.

[g] Vid. in Verr. l. 4. 62, 63, 64, 65.

shift for himself, and to be taken care of by private friends. An indignity, he says, which had never been offered before to a Senator of Rome; *whom there was not a King or City upon earth, that was not proud to invite and accommodate with a lodging.* But he mortified them for it severely at the trial, and threatened to call them to an account before the Senate, as for an affront to the whole order [b]. After he had finished his business in Sicily, having reason to apprehend some danger in returning home by land, not onely from the robbers, who infested all those roads, but from the malice and contrivance of Verres, he chose to come back by sea, and arrived at Rome, to the surprize of his adversaries, *much sooner than he was expected* [i], and full charged with most manifest proofs of Verres's guilt.

ON his return he found, what he suspected, a strong cabal formed to prolong the affair by all the arts of delay which interest or money could procure [k], with design to throw it off at least to the next year, when Hortensius and Metellus were to be *Consuls*, and Metellus's brother a *Prætor*, by whose united authority the prosecution might easily be baffled: and they had already carried the matter so far, that there was not time enough left within the current year to go through the cause in the ordinary forms. This put Cicero upon a new pro-

[b] *Ecquæ civitas est—Rex denique ecquis est, qui Senatorem populi Romani tecto ac domo non invitet? &c.* In Verr. 4. 11.

[i] *Non ego a Vibone Velliam parvulo navigio inter fugitivorum prædonum, ac tua tela venissem—omnis illa mea festinatio fuit cum peri-*

culo capitis. In Verr. 1. 2. 40. Vid. *Ascon. Argum. in Divinat.*

[k] *Reperio, judices, hæc ab istis consilia inita & constituta, ut quacunque opus esset ratione res ita duceretur, ut apud M. Metellum Prætorem causa diceretur.* In Verr. Act. 1. 9.

ject,

ject, of shortening the method of the proceeding [l], so as to bring it to an issue at any rate before the present *Prætor* M. Glabrio and his assessors, who were like to be equal Judges [m]. Instead therefore of spending any time in speaking, or employing his eloquence, as usual, in enforcing and aggravating the several articles of the charge, he resolved to do nothing more than *produce his witnesses, and offer them to be interrogated*: where the novelty of the thing, and the notoriety of the guilt, which appeared at once from the very recital of the depositions, *so confounded Hortensius, that he had nothing to say for his Client; who, despairing of all defence, submitted, without expecting the sentence, to a voluntary exile* [n].

FROM this account it appears, that of the seven excellent orations, which now remain on the subject of this trial, the two first onely were spoken, the one called *the Divination*, the other *the first action*, which is nothing more, than a general Preface to the whole cause: the other five were published afterwards, as they were prepared and intended to be spoken, if Verres had made a regular defence: for as this was the onely cause in which Cicero had yet been engaged, or ever designed to be engaged as an *accuser*, so he was willing to leave these orations as a specimen of his abilities in that way, and

[l] Cicero summo consilio videtur in Verrem vel contra here tempora dicendi maluisse, quam in eum annum, quo erat Q. Hortensius Consul futurus, incidere. Quintil. 6. 5.

[m] Mihi certum est non committere, ut in hac causa Prætor nobis consiliumque mutetur. Act. 1. 18.

[n] Faciam hoc — ut utar

testibus statim. Ibid. — Sed tantummodo citaret testes — & eos Hortensio interrogandos daret: qua arte ita est fatigatus Hortensius, ut nihil, contra quod diceret, inveniret: ipse etiam Verres, desperato patrocinio, sua sponte discederet in exilium. Argum. Asconii in Act. 1.

the pattern of a just and diligent impeachment of a great and corrupt magistrate [o].

IN the first contest with Cæcilius he estimates *the damages of the Sicilians at above eight hundred thousand pounds [p]*; but this was a computation at large, before he was distinctly informed of the facts: for after he had been in Sicily, and seen what the proofs actually amounted to, he charges them *at somewhat less than half that sum [q]*: and though the law in these cases gave *double damages*, yet no more seems to have been allowed in this than *the single sum*; which gave occasion, as Plutarch intimates, *to a suspicion of some corruption, or connivence in Cicero, for suffering so great an abatement of the fine*: but if there was any abatement at all, it must needs have been made by the consent of all parties, out of regard perhaps to Verres's submission, and shortening the trouble of the Prosecutors: for it is certain, that so far from leaving any imputation of that sort upon Cicero, it highly raised the reputation both of his abilities and integrity, as of one, *whom neither money could bribe, nor power terrify from prosecuting a public oppressor*; and *the Sicilians* ever after retained the highest sense of his services, and on all occasions testified the utmost zeal for his person and interests.

FROM the conclusion of these orations we may observe, that Cicero's vigor in this cause had

[o] In cæteris orationibus defensor futurus, accusationis officium his libris, qui Verri-
narum nomine nuncupantur, compensare decrevit; &—in una causa vim hujus artis & eloquentiæ demonstrare. Afcon Argum. in Lib. & in Verr.

[p] Quo nomine abs te, C. Verres, sestertium millies ex lege repeto. Divin. in Cæcil. 5.

[q] Dicimus C. Verrem—quadringentis sestertium ex Sicilia contra leges abstulisse. Act. 1. 18.

drawn upon him the envy and ill will of the Nobility: which was so far however from moving him, that in open defiance of it he declares, “ that the Nobles were natural enemies to the
 “ virtue and industry of all new men; and, as if
 “ they were of another race and species, could
 “ never be reconciled or induced to favor them,
 “ by any observance of good offices whatsoever:
 “ that for his part therefore, like many others
 “ before him, he would pursue his own course,
 “ and make his way to the favor of the people,
 “ and the honors of the state, by his diligence
 “ and faithfull services, without regarding the
 “ quarrels to which he might expose himself. —
 “ That if in this trial the judges did not answer
 “ the good opinion which he had conceived of
 “ them, he was resolved to prosecute, not onely
 “ those who were actually guilty of corruption,
 “ but those too who were privy to it: and if any
 “ should be so audacious, as to attempt by power
 “ or artifice to influence the Bench, and screen
 “ the criminal, he would call him to answer for
 “ it before the people, and shew himself more
 “ vigorous in pursuing him than he had been
 “ even in prosecuting Verres [r].

BUT before I dismiss the cause of Verres, it will not be improper to add a short account of some of his principal crimes, in order to give the reader a clearer notion of the usual method of governing Provinces, and explaine the grounds of those frequent impeachments and public trials, which he will meet with in the sequel of this History: for though few of their Governors ever

[r] Proinde siqui sunt, qui in hoc reo aut potentes, aut audaces, aut artifices ad corruptendum judicium velint esse, ita sint parati, ut disceptante populo Romano mecum sibi rem videant futuram, &c. In Verr. 5. 71.

came up to the full measure of Verres's iniquity, yet the greatest part were guilty in some degree of every kind of oppression, with which Verres himself was charged. This Cicero frequently intimates in his pleading, and urges the necessity of condemning him for the sake of the example, and to prevent such practices from growing too general to be controuled [s].

THE accusation was divided into four heads; 1. *Of corruption in judging causes*; 2. *Of extortion in collecting the tithes and revenues of the Republic*; 3. *Of plundering the subjects of their statues and wrought plate*, which was his peculiar taste; 4. *Of illegal and tyrannical punishments*. I shall give a specimen or two of each from the great number that Cicero has collected, which yet, as he tells us, was but a small extract from an infinitely greater, of which Verres had been actually guilty.

THERE was not an estate in Sicily, of any considerable value, which had been disposed of by will for twenty years past, where Verres had not his emissaries at work to find some flaw in the title, or some omission in executing the conditions of the Testator, as a ground of extorting money from the Heir. Dio of Halefa, a man of eminent quality, was in quiet possession of a great inheritance, left to him by the will of a relation, who had enjoined him to erect certain Statues in the square of the City, on the penalty of forfeiting the estate to the *Erycinian Venus*. The Statues were erected according to the will; yet Verres

[t] Quid igitur dicet? fecisse alios. — Sunt quædam omnino in te singularia — quædam tibi cum multis communia. Ergo omittam tuos

peculatus, ut ob jus dicendum pecunias acceptas — quæ forsitan alii quoque fecerint, &c. In Verr. 1. 3. 88.

having

having found some little pretense for cavilling, suborned an obscure Sicilian, one of his own informers, to sue for the estate in the name of Venus; and when the cause was brought before him, forced Dio to compound with him for about *nine thousand pounds*, and to yield to him also *a famous breed of mares, with all the valuable plate and furniture of his house* [t].

SOPATER, an eminent Citizen of Haliciæ, had been accused before the late Prætor C. Sacerdos of a capital crime, of which he was honorably acquitted: but when Verres succeeded to the government, the Prosecutors renewed their charge, and brought him to a second trial before their new Prætor; to which Sopater, trusting to his innocence and the judgement of Sacerdos, readily submitted without any apprehension of danger. After one hearing the cause was adjourned, when Timarchides, the freedman and principal agent of Verres, came to Sopater, and admonished him as a friend, not to depend too much on the goodness of his cause and his former absolution, for that his adversaries had resolved to offer money to the Prætor, who would rather take it for saving, than destroying a criminal, and was unwilling likewise to reverse the judgement of his predecessor. Sopater, surprized at this intimation, and not knowing what answer to make, promised to consider of it; but declared himself unable to advance any large sum. Upon consulting his friends, they all advised him to take the

[t] Hic est Dio — de quo multis primariis viris testibus satisfactum est, H-S undecies numeratum esse, ut eam causam, in qua ne tenuissima quidem suspicio posset esse,

isto cognoscante obtineret: præterea greges nobilissimarum equarum abactos: argenti vestisque stragulæ domi quod fuerit esse direptum. In Verr. 1. 2. 7.

hint,

hint, and make up the matter; so that in a second meeting with Timarchides, after alledging his particular want of money, he compounded the affair for about *seven hundred pounds*, which he paid down upon the spot [u]. He now took all his trouble to be over: but after another hearing, the cause was still adjourned; and Timarchides came again to let him know, that his accusers had offered a much larger sum than what he had given, and advised him, if he was wise, to consider well what he had to do. But Sopater, provoked by a proceeding so impudent, had not the patience even to hear Timarchides, but flatly told him, *that they might do what they pleased, for he was determined to give no more.* All his friends were of the same mind, imagining, that whatever Verres himself might intend to do, he would not be able to draw the other judges into it, being all men of the first figure in Syracuse, who had judged the same cause already with the late Prætor, and acquitted Sopater. When the third hearing came on, Verres ordered Petilius, a Roman Knight, who was one of the Bench, to go and hear a private cause, which was appointed for that day, and of which he was likewise the Judge. Petilius refused, alledging that the rest of his assessors would be engaged in the present trial. But Verres declared, that they might all go with him too if they pleased, for he did not desire to detain them; upon which they all presently withdrew, some to sit as Judges, and some to serve their friends in the other cause. Minucius, Sopater's advocate, seeing the Bench thus cleared, took it for granted

[u] Post ad amicos retulit. Qui cum ei fuissent auctores redimendæ salutis, ad Timarchidem venit. Expositis suis

difficultatibus, hominem ad H-S LXXX perducit, eamque ei pecuniam numerat. In Verr. 1. 2. 28.

that Verres would not procede in the trial that day, and was going out of the Court along with the rest; when Verres called him back, and ordered him to enter upon the defence of his Client. *Defend him!* says he, *before whom? Before me,* replied Verres, *if you think me worthy to try a paultry Greek and Sicilian. I do not dispute your worthiness,* says Minucius, *but wish onely that your Assessors were present, who were so well acquainted with the merits of the cause. Begin, I tell you,* says Verres, *for they cannot be present. No more can I,* replied Minucius; *for Petilius begged of me also to go, and sit with him upon the other trial.* And when Verres with many threats required him to stay, he absolutely refused to act, since the Bench was dismissed, and so left the Court together with all the rest of Sopater's friends.—This somewhat discomposed Verres; but after he had been whispered several times by his Clark Timarchides, he commanded Sopater to speak what he had to say in his own defence. Sopater implored him by all the Gods not to procede to sentence, till the rest of the Judges could be present: but Verres called for the witnesses, and after he had heard one or two of them in a summary way, without their being interrogated by any one, put an end to the trial, and condemned the Criminal [x].

AMONG the various branches of Verres's illegal gains, the sale of offices was a considerable article: for there was not a Magistracy of any kind to be disposed of either by lot or a free vote, which he

[x] Tum repente iste testes citari jubet. Dicit unus & alter breviter. Nihil interrogatur. Præco, dixisse pronunciat. Ille—properans de sella exiit: hominem inno-

centem, a C. Sacerdote absolutum, indicta causa, de sententia scribæ, medici, haruspicipisque condemnavit. Ib. 30.

did not arbitrarily fell to the best bidder. The *Priesthood* of Jupiter at Syracuse was of all others the most honorable: the method of electing into it was to chuse three by a general vote out of three several classes of the Citizens, whose names were afterwards cast into an urn, and the first of them that was drawn out obtained the Priesthood. Verres had sold it to Theomnastus, and procured him to be named in the first instance among the three; but as the remaining part was to be decided by lot, people were in great expectation to see how he would manage that which was not so easily in his power. He commanded therefore in the first place, that Theomnastus should be declared Priest without casting lots; but when the Syracusians remonstrated against it as contrary to their religion and the law, he called for the law, which ordered, that *as many lots should be made, as there were persons nominated, and that he, whose name came out the first, should be the Priest.* He asked them, *How many were nominated;* they answered, *Three;* and what more then, says he, *is required by the law, than that three lots should be cast, and one of them drawn out?* They answered, *Nothing:* upon which he presently ordered *three lots, with Theomnastus's name upon every one of them, to be cast into the urn,* and so by drawing out any one, the election was determined in his favor [y].

THE tenth of the corn of all the conquered Towns in Sicily belonged to the Romans, as it had formerly done to their own Princes, and was always gathered in kind and sent to Rome: but as

[y] Numquid igitur oportet nisi tres sortes conjici, unam educi? Nihil. Conjici, jubet tres, in quibus omnibus scriptum esset nomen *Theom-*

nasti. Fit clamor maximus—ita. Jovis illud sacerdotium amplissimum per hanc rationem *Theomnaste* datur. Ibid.

this was not sufficient for the public use, the Prætors had an appointment also of money from the treasury to purchase such farther stores as were necessary for the current year. Now the manner of collecting and ascertaining the quantity of the tithes was settled by an old law of King Hiero, the most moderate and equitable of all their ancient Tyrants: but Verres, by a strange sort of edict, ordered, *that the owner should pay whatever the Collector demanded; but if he exacted more than his due, that he should be liable to a fine of eight times the value* [z]. By this Edict he threw the property, as it were of the Island into the power of his officers, to whom he had farmed out the tithes; who in virtue of the new law seized into their hands the whole crop of every Town, and obliged the owners to give them whatever share of it, or composition in money they thought fit; and if any refused, *they not only plundered them of all their goods, but even tortured their persons, till they had forced them to a compliance* [a]. By this means Verres having gathered a sufficient quantity of corn from the very tithes to supply the full demand of Rome, *put the whole money, that he had received from the treasury, into his own pocket* [b]; and used to brag, that he had got enough from this single article to skreen him from any impeachment: and not without reason; since one of his Clerks, who had the management of this corn-

[z] Tota Hieronica lege—
rejeſta & repudiata—edictum,
judices, audite præclarum:
quantum decumanus edidiſſet
aratoreſ ſibi decumæ dare
oportere, ut tantum arator
decumano dare cogereſetur—
&c. In Verr. l. 3. 10.

[a] Apronius venit, omne

instrumentum diripuit, fami-
liam abduxit, pecus abegit—
hominem corripit & ſuſpendi
juſſit in oleaſtro, &c. Ib. 23,

[b] Jam vero ab iſto om-
nem illam ex ærario pecu-
niam, quam his oportuit civi-
tatibus pro frumento dari, lu-
criſactam videtiſ. Ib. 75, &c.

money, was proved to have got *above ten thousand pounds* from the very fees which were allowed for collecting it [c]. The poor Husbandmen in the mean time, having no remedy, were forced to run away from their houses, and desert the tillage of the ground; so that from the registers, which were punctually kept in every Town, of all the occupiers of arable lands in the Island, it appeared, that during the three years government of Verres, *above two thirds of the whole number* had intirely deserted their farms, and left their lands uncultivated [d].

APRONIUS, a man of infamous life and character, was the principal farmer of the tithes: who when reproached with the cruelty of his exactions, made no scruple to own, that *the chief share of the gain was placed to the account of the Prætor*. These words were charged upon him in the presence of Verres and the Magistrates of Syracuse by one Rubrius, who offered a *wager and trial upon the proof of them*; but Verres, without shewing any concern or emotion at it, privately took care to hush up the matter, and prevent the dispute from proceeding any farther [e].

THE same wager was offered a second time, and in the same public manner, by one Scandilius,

[c] Tu ex pecunia publica H-S tredecies scribam tuum permissu tuo cum abstulisse fateare, reliquam tibi ullam defensionem putas esse? Ib 80.

[d] Agyrinensis ager—ducentos quinquaginta aratores habuit primo anno Præturæ tuæ. Quid tertio anno? Octoginta—hoc præque in omni agro decumano reperietis. Ib. 51, 52, &c.

[e] Eorum omnium, qui

decumani vocabantur, princeps erat Q. ille Apronius, quem videtis: de cujus improbitate singulari gravissimarum legationum querimonias audistis. Ib. 9.

Cum palam Syracusis, te audiente, maximo conventu, P. Rubrius Q. Apronium sponcione lacesiviv, ni Apronius disclitaret, te sibi in decumis esse socium, &c. Ib. 57.

who

who loudly demanded Judges to decide it: to which Verres, not being able to appease the clamor of the man, was forced to consent, and named them presently out of his own band, Cornelius *his Physician*, Volufius *his S utksayer*, and Valerius *his Crier*; to whom he usually referred all disputes, in which he had any interest. Scandilius insisted to have them named out of the Magistrates of Sicily, or that the matter should be referred to Rome: but Verres declared, *that he would not trust a cause in which his own reputation was at stake, to any but his own friends*; and when Scandilius refused to produce his proofs before such arbitrators, Verres condemned him in the forfeiture of his wager, *which was forty pounds*, to Apronius [f].

C. HEIUS was the principal Citizen of Messana, where he lived very splendidly in the most magnificent house of the city, and used to receive all the Roman Magistrates with great hospitality. He had a Chapel in his house, built by his ancestors, and furnished with certain images of the Gods, of admirable sculpture and inestimable value. On one side stood a *Cupid of marble, made by Praxiteles*: on the other, a *Hercules of brass, by Miron*; with a little altar before each God, to denote the religion and sanctity of the place. There were likewise two other figures of brass of two young women, called Canephoræ, with baskets on their

[f] Hic tu medicum & Scandilius postulare de con-
 haruspicem, & præconem tu-
 um recuperatores dabis? [ib. ventu recuperatores. Tum
 60.] Iste negat se de exultatione iste negat se de exultatione
 sua cuiquam, nisi suis, com-
 missurum—coget Scandilius
 medicum Cornelianum, & ha-
 quinque illa millia nummum
 ruspicem Volufianum, & Va-
 dare atque adnumerare A-
 lerium præconem. Ibid. 21. pronio. Ib. 60.
 it. 11.

heads, carrying things proper for sacrifice after the manner of the Athenians, the work of Polycletus. These statues were an ornament not onely to Heius, but to Messana itself, being known to every body at Rome, and constantly visited by all strangers, to whom Heius's house was always open. The Cupid had been borrowed by C. Claudius, for the decoration of the Forum in his Ædileship, and was carefully sent back to Messana; but Verres, while he was Heius's guest, would never suffer him to rest, till he had stript his Chapel of *the Gods and the Canephoræ*; and to cover the act from an appearance of robbery, forced Heius to enter them into his accounts, as if they had been sold to him *for fifty pounds*; whereas at a public auction in Rome, as Cicero says, they had known *one single statue of brass, of a moderate size, sold a little before for a thousand* [g]. Verres had seen likewise at Heius's house *a suit of curious Tapestry*, reckoned the best in Sicily, being of the kind which was called Attalic, richly interwoven with gold; this he resolved also to extort from Heius, but not till he had secured the statues. As soon therefore as he left Messana, he began to urge Heius by letters, *to send him the tapestry to Agrigentum*, for some particular service which he pretended; but when he had once got it into his

[g] Erat apud Heium sacrarium magna cum dignitate in ædibus, a majoribus traditum, perantiquum; in quo signa pulcherrima quatuor, summo artificio, summa nobilitate, &c. [In Verr. l. 4. 2.] C. Claudius, cujus Ædilitatem magnificentissimum fecimus fuisse, usus est hoc Cupidine tam diu, dum forum

Diis immortalibus, populoque Romano habuit ornatum.— Hæc omnia, quæ dixi, signa ab Heio de sacrario Verres abstulit, &c. ib. 3. Ita jussisti, opinor, ipsum in tabulas referre. [ib. 6.] In auctione signum æneum non magnum H-S cxx millibus venire non vidimus? lb. 7.

hands,

hands, he never restored it [b]. Now Messana, as it is said above, was the only City of Sicily that persevered to the last in the interest of Verres; and at the time of the trial sent a public testimonial in his praise by a deputation of it's eminent Citizens, of which this very Heius was the chief. Yet when he came to be interrogated and cross-examined by Cicero, he frankly declared, that *though he was obliged to perform what the authority of his City had imposed upon him, yet that he had been plundered by Verres of his Gods, which were left to him by his Ancestors, and which he never would have parted with on any conditions whatsoever, if it had been in his power to keep them* [i].

VERRES had in his family two brothers of Cilicia, the one a Painter, the other a Sculptor, on whose judgement he chiefly relied in his choice of pictures and statues, and all other pieces of art. They had been forced to fly from their country for robbing a Temple of Apollo, and were now employed to hunt out every thing that was curious and valuable in Sicily, whether of public or private property. These brothers having given Verres notice of a large silver Ewer, belonging to Pamphilus of Lilybæum, of most elegant work, made by Boethus [k], Verres immediately sent for it, and seized it to his own use: and while Pamphilus was sitting pensive at home, lamenting the

[b] Quid? illa Attalica, tota Sicilia nominata, ab eodem Heio peripetasmata emere oblitus es?—At quomodo abstulit? &c. ib. 12.

[i] Quid enim poterat Heius respondere?—Primo dixit, se illum publice laudare, quod sibi ita mandatum esset: deinde neque se illa

habuisse venalia, neque ulla conditione, si utrum vellet liceret, adduci unquam potuisse ut venderet illa, &c. In Verr. 4. 7.

[k] A celebrated Carthaginian sculptor, who left many famous works behind him. Vid. Plin. Hist. Nat. lib. 33. 12. it. lib. 34. 8.

loſs of his rich veſſel, the chief ornament of his ſide-board, and the pride of his feaſts, another meſſenger came running to him, with orders to bring *two ſilver cups* alſo, which he was known to have, adorned *with figures in relief*, to be ſhewn to the Prætor. Pamphilus, for fear of greater miſchief, took up his cups and carried them away himſelf: when he came to the palace Verres happened to be aſleep, but the brothers were walking in the Hall, and waiting to receive him; who, as ſoon as they ſaw him, aſked for the cups, which he accordingly produced. They commended the work; whilſt he with a ſorrowful face began to complain, that if they took his cups from him, he ſhould have nothing of any value left in his houſe. The brothers, ſeeing his concern, aſked how much he would give to preſerve them; in a word, they demanded forty crowns; he offered twenty: but while they were debating, Verres awaked and called for the cups; which being preſently ſhewn to him, the brothers took occaſion to obſerve, *that they did not answer to the account that had been given of them, and were but of paultry work, not fit to be ſeen among his plate*; to whoſe authority Verres readily ſubmitted, and ſo Pamphilus ſaved his cups [1].

In the City of Tindaris there was a celebrated Image of Mercury, which had been reſtored to them from Carthage by Scipio, and was worſhipped by the people with ſingular devotion, and an annual Feſtival. This ſtatue Verres reſolved to

[1] Cybirate ſunt fratres—
 quorum alterum fingere opinor
 e cera ſolitum eſſe, alterum
 eſſe pictorem.—Canes venaticos
 diceret, ita odorabantur omnia
 & perveſtigabant. In Verr. 4. 13.

Memini Pamphilum Lily-

bætanum—mihi narrare, cum iſte ab ſeſe hydriam Boethi manu factam, præclaro opere & grandi pondere per poteſtatem abſtuliffet; ſe ſane triſtem & conturbatum domum revertiſſe, &c. Ib. 14.

have, and commanded the chief Magistrate, Sopater, to see it taken down and conveyed to Messana. But the people were so inflamed and mutinous upon it, that Verres did not persist in his demand at that time; but when he was leaving the place, renewed his orders to Sopater, with severe threats, to see his command executed. Sopater proposed the matter to the Senate, who universally protested against it: in short Verres returned to the Town, and inquired for the statue; but was told by Sopater, that the Senate would not suffer it to be taken down, and had made it capital for any one to meddle with it without their orders.

Do not tell me, says Verres, of your Senate and your orders; if you do not presently deliver the statue, you shall be scourged to death with rods. Sopater with tears moved the affair again to the Senate, and related the Prætor's threats; but in vain; they broke up in disorder, without giving any answer. This was reported by Sopater to Verres, who was sitting in his Tribunal: it was the midst of winter, the weather extremely cold, and it rained very heavily, when Verres ordered Sopater *to be stripped, and carried into the market place, and there to be tied upon an Equestrian statue of C. Marcellus, and exposed naked as he was, to the rain and the cold, and stretched in a kind of torture upon the brazen horse;* where he must necessarily have perished, if the people of the Town, out of compassion to him, had not forced their Senate to grant the Mercury to Verres [m].

YOUNG

[m] Tum iste: Quam mihi religionem narras? quam pecnam? quem senatum? Vivum te non relinquam: moriere virgis, nisi signum traditur—

Erat hiems summa, tempestas, ut ipsum Sopatrum dicere audistis, perfrigida; imber maximus, cum ipse imperat licitoribus, ut Sopatrum — præcipitem

YOUNG Antiochus, King of Syria, having been at Rome to claim the Kingdom of Egypt in right of his mother, passed through Sicily at this time on his return home, and came to Syracuse; where Verres, who knew that he had a great treasure with him, received him with a particular civility; made him large presents of wine, and all refreshments for his table, and entertained him most magnificently at supper. The King, pleased with this compliment, invited Verres in his turn to sup with him; when his side-board was dressed out in a royal manner with his richest plate, and many vessels of solid gold set with precious stones; among which there was *a large Jugg for wine, made out of one entire gemm,* with a handle of gold to it. Verres greedily surveyed and admired every piece; and the King rejoiced to see the Roman Prætor so well satisfied with his entertainment. The next morning Verres sent to the King to borrow some of his choicest vessels, and particularly the Jugg, for the sake of shewing them, as he pretended, to his own workmen; all which the King, having no suspicion of him, readily sent. But besides these vessels of domestic use, the King had brought with him *a large Candlestick, or Branch* for several lights, of inestimable value, all made of precious stones, and adorned with the richest jewels, which he had designed for *an offering to Jupiter Capitolinus*; but finding the repairs of the *Capitol* not finished, and no place yet ready for the reception of his offering,

cipitem in forum dejiciant, nudumque constituent—cum esset vinctus nudus in ære, in imbri, in frigore. Neque tamen finis huic injuriæ crudelitatiq; fiebat, donec populus

atque universa multitudo atrocitate rei commota senatum clamore coegit, ut ei simulacrum illud Mercurii polliceretur. Ib. 39, 40.

he resolved to carry it back without shewing it to any body, that the beauty of it might be new and the more surprizing, when it came to be first seen in that Temple. Verres having got intelligence of this *Candlestick*, sent again to the King, to beg by all means that he would favor him with a sight of it, promising that he would not suffer any one else to see it. The King sent it presently by his servants, who after they had uncovered and shewn it to Verres, expected to carry it back with them to the King; but Verres declared, that he could not sufficiently admire the beauty of the work, and must have more time to contemplate it; and obliged them therefore to go away and leave it with him. Several days passed, and the King heard nothing from Verres; so that he thought proper to remind him by a civil message of sending back the vessels: but Verres ordered the servants to call again some other time. In short, after a second message with no better success, the King was forced to speak to Verres himself: upon which Verres earnestly entreated him to make him a present of the *Candlestick*. The King affirmed it to be impossible, on the account of *his vow to Jupiter*, to which many nations were witnesses. Verres then began to drop some threats; but finding them of no more effect than his entreaties, *he commanded the King to depart instantly out of his Province*; declaring, *that he had received intelligence of certain Pirates, who were coming from his Kingdom to invade Sicily*. The poor King finding himself thus abused and robbed of his treasure, went into the great square of the City, and in a public assembly of the people, calling upon the Gods and men to bear testimony to the injury, made *a solemn dedication to Jupiter of the Candlestick, which he had vowed and designed for the Capitol,*

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pitol, and which Verres had forcibly taken from him [n].

WHEN any vessel, richly laden, happened to arrive in the ports of Sicily, it was generally seized by his spies and informers, on pretence of its coming from Spain, and being filled with *Sertorius's soldiers*: and when the Commanders exhibited their bills of lading, with a sample of their goods, to prove themselves to be fair traders, who came from different quarters of the world, some producing *Tyrian purple*, others *Arabian spices*, some *jewels and precious stones*, others *Greek wines and Asiatic slaves*; the very proof, by which they hoped to save themselves, was their certain ruin: Verres declared their goods to have been acquired by piracy, and seizing the ships with their cargoes to his own use, committed the whole crew to prison, though the greatest part of them perhaps were *Roman Citizens*. There was a famous dungeon at Syracuse, called the *Latomixæ*, of a vast and horrible depth, dug out of a solid rock which having originally been a quarry of stone, was converted to a prison by *Dionysius the Tyrant*. Here Verres kept great numbers of *Roman Citizens* in chains, whom he had first injured to a degree that made it necessary to destroy them; whence few or none ever saw the light again, but were commonly strangled by his orders [o].

ONE

[n] Rex maximo conventu Syracusis in foro—flens, ac Deos hominesque contestans clamare cœpit, candelabrum factum e gemmis, quod in Capitolium missurus esset—id sibi C. Verrem abstulisse.—Id etsi antea jam mente & cogitatione sua consecratum esset,

tamen tum se in illo conventu civium Romanorum dare, donare, dicare, consecrare Jovi Opt. Max. &c. lb. 28, 29.

[o] Quæcunque navis ex Aha—veniret, statim certis indicibus & custodibus tenebatur: vectores omnes in Latomias conjiciebantur: o-

nera

ONE Gavius however, a Roman Citizen of the Town of Cosa, happened to escape from this dreadful place, and run away to Messana; where fancying himself out of danger, and being ready to embark for Italy, he began to talk of the injuries which he had received, and of *going streight to Rome, where Verres should be sure to hear of him.* But he might as well have said the words in the Prætor's Palace, as at Messana; for he was presently seized and secured till Verres's arrival, who coming thither soon after, condemned him as a spy of the fugitives, first to be scourged in the market place, and then nailed to a cross erected for the purpose on a conspicuous part of the shore, and looking towards Italy, that the poor wretch might have the additional misery of suffering that cruel death in sight as it were of his home [p].

THE coasts of Sicily being much infested by Pirates, it was the custom of all Prætors to fit out a fleet every year, for the protection of it's trade and navigation. This fleet was provided by a contribution of the maritime Towns, each of which usually furnished a ship, with a certain number of men and provisions: but Verres for a valuable

nera atque merces in Prætoriam domum deferebantur—eos Sertorianos milites esse, atque a Dianio fugere dicebat, &c. In Verr. l. 5. 56.

Latomias Syracusanas omnes audistis. Opus est ingens magnificum regum ac tyrannorum. Totum est ex saxo mirandam in altitudinem depresso—nihil tam clausum ad exitus, nihil tam tutum ad custodias, nec fieri nec cogitari potest. [lb. 27.] Carcer ille, qui est a crudelissimo ty-

ranno Dionysio factus, quæ Latomiæ vocantur, in istius imperio domicilium civium Romanorum fuit. Ib. 55.

[p] Gavius hic, quem dico, Cofanus, cum in illo numero civium ab isto in vincla coniectus esset, & nescio qua ratione clam e Latomiis profugisset—loqui Messanæ cœpit, & queri, se civem Romanum in vincla coniectum, sibi recta iter esse Romam, Verri se præsto adveniendi futurum, &c. Ib. 61.

confide-

consideration sometimes remitted the ship, and always discharged as many of the men as were able to pay for it. A fleet however was equipped of *seven ships*; but for shew rather than service, without their compliment either of men or stores, and wholly unfit to act against an enemy; and the command of it was given by him, not to his *Quæstor*, or one of his Lieutenants, as it was usual, but to Cleomenes a *Syracusan*, whose wife was his mistress, that he might enjoy her company the more freely at home, while the husband was employed abroad. For instead of spending the summer, as other Governors used to do, in a progress through his province, he quitted the palace of Syracuse, and retired to a little Island adjoining to the City, to lodge in tents, or rich pavilions, pitched close by the fountain of Arethusa; where forbidding the approach of men or business to disturb him, he passed two of the hot months in the company of his favorite women, in all the delicacy of pleasure that art and luxury could invent [q].

THE fleet in the mean time sailed out of Syracuse in great pomp, and saluted Verres and his company, as it passed; when the *Roman Prætor*, says Cicero, who had not been seen before for many days, shewed himself at last to the sailors, standing on the shore in slippers, with a purple cloak and vest

[q] Erat & Nice, facie eximia, uxor Cleomenis Syracusani—iste autem cum vir esset Syracusis, uxorem ejus parum poterat animo soluto ac libero tot in actâ dies secum habere. Itaque excogitat rem singularem. Naves, quibus legatus præfuerat, Cleomeni tradit. Classi populi Romani Cleomenem Syracusanum præesse ju-

bet. Hoc eo facit, ut non solum ille abesset a domo— Nam æstate summa, quo tempore cæteri Prætores obire provinciam, & concurrere consueverunt — eo tempore ad luxuriam, libidineque suas— tabernacula—carbasseis intenta velis collocari jussit in litore, &c. In Verr. 5. 31.

flowing

flowing down on his heels, and leaning on the shoulder of a girl, to view this formidable squadron [r]: which, instead of scouring the seas, failed no farther after several days, than into the port of Pachynus. Here, as they lay peaceably at anchor, they were surpris'd with an account of a number of *Pirate Frigates*, lying in another harbour very near to them: upon which *the Admiral Cleomenes* cut his cables in a great fright, and with all the sail that he could make, fled away towards Pelorus, and escaped to land: the rest of the ships followed him as fast as they could; but two of them, which failed the slowest, were taken by the Pirates, and one of the Captains killed: the other Captains quitted their ships, as Cleomenes had done, and got safe to land. The Pirates finding the ships deserted, set fire to them all that evening, and the next day failed boldly into the port of Syracuse, which reached into the very heart of the Town; where after they had satisfied their curiosity, and filled the City with a general terror, they failed out again at leisure, and in good order, in a kind of triumph over Verres and the authority of Rome [s].

[r] Ipse autem, qui visus multis diebus non esset, tum se tamen in conspectum nautis paullisper dedit. Stetit soleatus Prætor populi Romani cum pallio purpureo, tunicaque talari, muliercula nixus in littore. Ib. 33.

Quintilian greatly admires this short description, as placing the very scene and fact before our eyes, and suggesting still much more than is expressed by it. [l. 8. 3.] but

the concise elegance and expressive brevity, in which it's beauty consists, cannot possibly be preserved in a translation.

[.] Tunc Prædonum dux Heracleo repente præter spem, non sua virtute—victor, classẽ pulcherrimam populi Romani in littus expulsum & ejectam, cum primum advesperâceret, inflammari incendique jussit, &c. Ib. 35, 36.

THE news of a Roman fleet burnt, and Syracuse insulted by Pirates, made a great noise through all Sicily. The Captains, in excuse of themselves, were forced to tell the truth; that their ships were scandalously unprovided both with men and stores, and in no condition to face an enemy; each of them relating how many of their sailors had been discharged by Verres's particular orders, on whom the whole blame was justly laid. When this came to his ears, he sent for the Captains, and after threatening them very severely for talking in that manner, forced them to declare, and to testify it also in writing, *that every one of their ships had it's full compliment of all things necessary*: but finding after all, that there was no way of stifling the clamor, and that it would necessarily reach to Rome, he resolved for the extenuation of his own crime to sacrifice the poor Captains, and put them all to death, except the Admiral Cleomenes, the most criminal of them all, and at his request the Commander also of his ship. In consequence of this resolution, the four remaining Captains, after fourteen days from the action, when they suspected no danger, were arrested and clapt into irons. They were all young men, of the principal families of Sicily, some of them the onely sons of aged parents, who came presently in great consternation to Syracuse, to sollicit the Prætor for their pardon. But Verres was inexorable; and having thrown them into his dungeon, where no body was suffered to speak with them, condemned them to lose their heads; whilst all the service that their unhappy parents could do for them, was to bribe the executioner to dispatch them with one stroke, instead of more, which he brutally refused to do, unless he was paid for it, and to purchase of
Timarchides

Timarchides the liberty of giving them burial [1].

It happened however before this loss of the fleet, that a single Pirate ship was taken by Verres's Lieutenants, and brought into Syracuse; which proved to be a very rich prize, and had on board a great number of handsome young fellows. There was a band of musicians among them, whom Verres sent away to Rome a present to a friend; and the rest, who had either youth or beauty, or skill in any art, were distributed to his Clerks and dependents, to be kept for his use; but the few who were old and deformed, were committed to the dungeon and reserved for punishment [2]. The Captain of these Pirates had long been a terror to the Sicilians; so that they were all eager to see his person, and to feed their eyes with his execution: but being rich, he found means to redeem his head, and was carefully kept out of sight, and conveyed to some private custody, till Verres could make the best market of him. The people in the mean time grew impatient and clamorous for the death of the Pirates, whom all other Prætors used to

[1] Cleomenem & navarchos ad se vocari jubet; accusat eos, quod hujusmodi de se sermones habuerint: rogat ut id facere desistant, & in sua quisque navi dicat se tantum habuisse nautarum, quantum oportuerit — Illi se ostendunt quod vellet esse facturos — Ille in tabulas refert; obsignat signis amicorum — Ille hominibus miseris innocentibusque injici catenas jubet — Veniunt Syracusas parentes propinque miserorum adolescentium — &c. In

Verr. 5, 39, 40, &c.

[2] Erat ea navis plena juventutis formosissimæ, plena argenti facti atque signati, multa cum stragula veste — fiqui senes aut deformes erant, eos in hostium numero ducit: qui aliquid formæ, ætatis, artificiique habebant, abducit omnes, nonnullos scribis suis, filio, cohortique distribuit. Symphonicos homines sex cuidam amico suo Romam muneri misit, &c. Ib. 25, &c.

execute as soon as taken; and knowing the number of them to be great, could not be satisfied with the few old and decrepit, whom Verres willingly sacrificed to their resentment. He took this opportunity therefore to clear the dungeon of those *Roman Citizens*, whom he had reserved for such an occasion, and now brought out to execution as a part of *the Piratical crew*; but to prevent the imprecations and cries, which Citizens used to make of their being *free Romans*, and to hinder their being known also to any other Citizens there present, he produced them all with their heads and faces so muffled up, that they could neither be heard or seen, and in that cruel manner destroyed great numbers of innocent men [x]. But to finish at last this whole story of Verres: After he had lived many years in a miserable exile, forgotten and deserted by all his friends, he is said to have been relieved by the generosity of Cicero [y]; yet was proscribed and murdered after all by Marc Anthony, for the sake of *his fine statues and Corinthian vessels*, which he refused to part with [z]: happy onely, as Lactantius says before his death, to have seen the more deplorable end of his old enemy and accuser Cicero [a].

BUT neither the condemnation of this criminal, nor the concessions already made by the Senate,

[x] Archipiratum ipsum vidit nemo—cum omnes, ut mos est, concurrerent, quærent, videre cuperent, &c. [ib. 26.] Cum maximus numerus deesset, tum iste in eorum locum, quos domum suam de piratis obduxerat, substitueræ cœpit cives Romanos, quos in carcerem antea conjeceat—Itaque alii cives Romani ne cognoscerentur, capitibus ob-

volutis de carcere ad palum atque necem rapiebantur, &c. Ib. 28, &c.

Quid de multitudine dicemus eorum, qui capitibus involutis in piratarum captivorumque numero producebantur, ut securi ferirentur. Ib. 60.

[y] Senec. l. 6. Suasor. 6.

[z] Plin. Hist. N. l. 34. 2.

[a] Lactan. 2. 4.

were

were able to pacify the discontents of the people : they demanded still, as loudly as ever, the restoration of *the Tribunician power*, and *the right of judicature to the Equestrian order* ; till after various contests and tumults, excited annually on that account by the Tribuns, they were gratified this year in them both ; in the first by Pompey *the Consul*, in the second by L. Cotta *the Prætor* [b]. The Tribuns were strenuously assisted in all this struggle by J. Cæsar [c], and as strenuously opposed by all who wished well to the tranquillity of the City : for long experience had shewn, that they had always been, not onely the chief disturbers of the public peace, by the abuse of their extravagant power, but the constant tools of all the ambitious, who had any designs of advancing themselves above the laws [d] : for by corrupting one or more of the Tribuns, which they were sure to effect by paying their full price, they could either obtain from the people whatever they wanted, or obstruct at least whatever should be attempted against them ; so that this act was generally disliked by the better sort, and gave a suspicion of no good intentions in Pompey ; who to remove all jealousies against him on this, or any other account, voluntarily *took an oath, that on the expiration of his Consulship he would accept no public command or government, but content himself with the condition of a private Senator* [e].

[b] Hoc consulatu Pompeius Tribuniciam potestatem restituit, cujus imaginem Sylla sine re reliquerat. Vell. Pat. 2. 30.

[c] Auctores restituendæ Tribunicie potestatis enixif-

sime jovit. Sueton. J. Cæs. 5.

[d] De Legib. 3. 9.

[e] Qui cum Consul laudabiliter jurasset, se in nullam provinciam ex eo magistratu iturum. Vell. Pat. 2. 31.

PLUTARCH speaks of this act, *as the effect of Pompey's gratitude to the people* for the extraordinary honors which they had heaped upon him: but Cicero makes the best excuse for it after Pompey's death, which the thing itself would bear, by observing, *that a Statesman must always consider not only what is best, but what is necessary to the times; that Pompey well knew the impatience of the people; and that they would not bear the loss of the Tribunician power much longer; and it was the part therefore of a good Citizen, not to leave to a bad one the credit of doing what was too popular to be withstood [f].* But whatever were Pompey's views in the restitution of this power, whether he wanted the skill or the inclination to apply it to any bad purpose, it is certain, *that he had cause to repent of it afterwards*, when Cæsar, who had a better head with a worse heart, took the advantage of it to his ruin; and by *the help of the Tribuns was supplied both with the power and the pretext for overturning the Republic [g].*

As to the other dispute, about *restoring the right of judging to the Knights*, it was thought the best way of correcting the insolence of the Nobles, to subject them *to the judicature of an inferior order*, who from a natural jealousy and envy towards them, would be sure to punish their oppressions with proper severity. It was ended however at last by a compromise, and a new law was prepared by common consent, *to vest his power jointly in the Senators and the Knights*; from each of which orders a certain number was to be drawn annually by lot, to sit in judgement together with *the Prætor upon all causes [h].*

BUT

[f] De Legib. 3. 11.

[g] "Οσι δὴ κ' μάλιστ' αὐτῶ
Πομπηϊῶ μεμείλησε τὴν δημοαρ-
χίαν—ἀναγκαγόντι αὐθις ἐπὶ τὸ

ἀρχαῖον. Appian. 2. p. 445.

[h] Per idem tempus Cotta
judicandi munus, quod C.
Gracchus

BUT for the more effectual cure of that general licence and corruption of morals, which had infected all orders, another remedy was also provided this year, *an election of Censors*: it ought regularly to have been made *every five years*, but had now been intermitted from the time of Sylla for about *seventeen*. These *Censors* were the *guardians of the discipline and manners of the City* [*i*], and had a power to punish vice and immorality by some mark of infamy in all ranks of men, from the highest to the lowest. The persons now chosen were L. Gellius and Cn. Lentulus; both of them mentioned by Cicero as his particular acquaintance, and the last as his intimate friend [*k*]. Their authority, after so long an intermission, was exercised with that severity which the libertinism of the times required; for they expelled above sixty four from the Senate for notorious immoralities, the greatest part for the detestable practice of taking money for judging causes [*l*], and among them C. Antonius, the uncle of the Triumvir; subscribing their reasons for it, that he had plundered the allies, declined a trial, mortgaged his lands, and was not master of his estate [*m*]: yet this very Antonius was elected *Ædile and Prætor* soon after in his proper course, and within six years advanced to the

Gracchus creptum Senatui, ad Equites, Sylla ab illis ad Senatum transtulerat, æqualiter inter utrumque ordinem partitus est. Vell. Pat. 2. 32.

[*i*] Tu es præfectus moribus, magister veteris disciplinæ ac severitatis. Pro Cluentio, 46.

[*k*] Nam mihi—cum ambobus est amicitia: cum altero vero—magnus usus &

summa necessitudo. Pro Cluentio, 42.

[*l*] Quos autem duo Censores, clarissimi viri furti & captarum pecuniarum nomine notaverunt; ii non modo in Senatum redierunt, sed etiam illarum ipsarum rerum judiciis absoluti sunt. Ibid. Vid. Pigh. Annal. ad A. U. 683.

[*m*] Asconius in Orat. in Tog. cand.

Consulship: which confirms what Cicero says of *this Censorian animadversion*, that it was become merely nominal, and had no other effect, than of putting a man to the blush [n].

FROM the impeachment of Verres, Cicero entered upon the *Ædileship*, and in one of his speeches gives us a short account of the duty of it: "I am now chosen *Ædile*, says he, and am sensible of what is committed to me by the Roman people: I am to exhibit with the greatest solemnity the most sacred sports to Ceres, Liber, and Libera; am to appease and conciliate the mother Flora to the people and city of Rome by the celebration of the public games; am to furnish out those ancient shews, the first which were called Roman, with all possible dignity and religion, in honor of Jupiter, Juno, Minerva; am to take care also of all the sacred *Ædifices*, and indeed of the whole City, &c. [o]" The people were passionately fond of all these games and diversions; and the public allowance for them being but small, according to the frugality of the old Republic, the *Ædiles* supplied the rest at their own cost, and were often ruined by it. For every part of the Empire was ransacked for what was rare and curious to adorn the splendor of their shews: the *Forum*, in which they were exhibited, was usually beautified with *porticos* built for the purpose, and filled with *the choicest statues and pictures* which Rome and Italy afforded. Cicero reproaches Appius for draining Greece and the Islands of all their furniture of this kind for the ornament of his

[n] Censoris judicium nihil fere damnato affert præter ruborem. Itaque quod omnis ea judicatio versatur tantummodo in nomine, ani-

madversio illa ignominia dicta est. Fragment. e lib. 4. de Repub. ex Nonio.

[o] In Verr. 5. 14.

Ædileship [p]: and Verres is said to have supplied his friends Hortensius and Metellus with all the fine statues of which he had plundered the Provinces [q].

SEVERAL of the greatest men of Cicero's time had distinguished themselves by an extraordinary experience and magnificence in this magistracy; Lucullus, Scæurus, Lentulus, Hortensius [r], and C. Antonius; who, though expelled so lately from the Senate, entertained the City this year with stage plays, whose scenes were covered with silver; in which he was followed afterwards by Murena [s]: yet J. Cæsar outdid them all; and in the sports exhibited for his Father's Funeral, made the whole furniture of the Theatre of solid silver, so that wild beasts were then first seen to tread on that metal [t]: but the excess of his expense was but in proportion to the excess of his ambition; for the rest were only purchasing the Consulship, he the Empire. Cicero took the middle way, and observed the rule which he prescribed afterwards to his son, of an expense agreeable to his circumstances [u]; so as

[p] Omnia signa, tabulas, ornamentorum quod superfuit in fanis & communibus locis, tota e Græcia atque Insulis omnibus, honoris populi Rom. causa—deportavit. Pro Dom. ad Pont 43.

[q] Asconius.

[r] De Offic. 2. 16.

[s] Ego qui trinos ludos Ædilis feceram, tamen Antonii ludis commovebar. Tibi, qui casu nullos feceras, nihil hujus itam ipsam, quam tu irrides, argenteam scenam adversatam putas? Pro Muren. 20.

Mox, quod etiam in municipiis imitantur, C. Antonius ludos scena argentea fecit: item L. Murena. Plin. Hist. N. 33. 3.

[t] Cæsar, qui postea Dictator fuit, primus in Ædilitate, munere patris funebri, omni apparatu arenæ argenteo usus est, feræque argenteis vasis incedere tum primum visum. Ibid.

[u] Quare si postulatur a populo—faciendum est, modo pro facultatibus; nos ipsi ut fecimus. De Offic. 2. 17.

neither to hurt his character by a sordid illiberality, nor his fortunes by a vain ostentation of magnificence; since the one, by making a man odious, deprives him of the power of doing good; the other, by making him necessitous, puts him under the temptation of doing ill: thus Mamercus, *by declining the Ædileship through frugality, lost the Consulship* [x]: and Cæsar, by his prodigality, was forced to repair his own ruin by ruining the Republic.

BUT Cicero's popularity was built on a more solid foundation, the affection of his Citizens, from a sense of his merit and services; yet in compliance with the custom and humor of the City, *he furnished the three solemn shews above-mentioned, to the entire satisfaction of the people*: an expence which he calls *little, in respect of the great honors which he had received from them* [y]. The Sicilians, during his Ædileship, gave him effectual proofs of their gratitude, by supplying him largely with all manner of provisions, which their island afforded, for the use of his table and the public feasts, which he was obliged to provide in this magistracy: but instead of making any private advantage of their liberality, *he applied the whole to the benefit of the poor; and by the help of this extraordinary supply contrived to reduce the price of victuals in the Markets* [z].

HORTENSIVS was one of the Consuls of this year; which produced nothing memorable but *the dedication of the Capitol by Q. Lutatius Catulus*. It had been burnt down in Sylla's time, who undertook the care of rebuilding it, but did not live to

[x] Ibid.

[y] Nam pro amplitudine honorum, quos cunctis suffragiis adepti sumus — sane

exiguus sumtus Ædilitatis fuit. Ibid.

[z] Plutarch. in Cic.

see it finished, which he lamented in his last illness, *as the onely thing wanting to complete his felicity* [a]. By his death that charge fell to Catulus, as being Consul at the time, who dedicated it this summer with great pomp and solemnity, and had the honor to have *his name inscribed on the front* [b].

On the occasion of this Festival, he is said to have introduced some instances of luxury not known before in Rome, of covering the area, in which the people sat, *with a purple veil imitating the color of the sky, and defending from the injuries of it; and of gilding the tiles of this noble fabric, which were made of copper: for though the cielings of Temples had before been sometimes gilt, yet this was the first use of gold on the outside of any building* [c]. Thus *the Capitol*, like all ancient

[a] Hoc tamen felicitati suæ defuisse confessus est, quod Capitolium non dedicavisset. Plin. Hist. N. 7. 43.

Curam victor Sylla suscipit, neque tamen dedicavit: hoc unum felicitati negatum. Tacit. Hist. 3. 72.

[b] The following Inscription was found in the ruins of the *Capitol*, and is supposed by some to be the very original which Catulus put up; where it remained, as Tacitus says, *to the time of Vitellius*. Ibid.

Q. LVTATIVS Q. F.
Q. N. CATVLVS. COS.
SVBSTRVCTIONEM. ET
TABVLARIVM. EXS.C.
FACIVNDVM. CVRAV.

[c] Quod primus omnium invenit Q. Catulus, cum Capitolium dedicaret. Plin. 19. 1. Cum sua ætas varie de Catulo existimaverit, quod te-

gulas æreas Capitolii inaurasset primus. Ib. 33. 3. Though Pliny calls Catulus the first inventor of these purple veils, yet Lucretius, who, as some think, died in this year, or, as others more probably, about sixteen years after, speaks of them as of common use in all the Theaters.

Carbasus ut quondam magnis intenta Theatris.

Lib. 6. 108.
Et vulgo faciunt id lutea,
ruffaque vela,
Et ferrugina cum magnis
intenta Theatris,
Per malos volgata, trabesque
tremencia flutant.

Lib. 4. 73.
J. Cæsar covered the whole Forum with them, and the later Emperors the Amphitheaters, in all their shews of Gladiators and other sports. Dio. l. 43.

structures,

structures, rose the more beautifull from it's ruins; which gave Cicero an opportunity of paying a particular compliment to Catulus in Verres's trial, where he was one of the Judges: for Verres having intercepted, as it is said above, the rich Candlestick of King Antiochus, which was designed for *the Capitol*, Cicero after he had charged him with it, takes occasion to say, " I
 " address myself here to you, Catulus, for I am
 " speaking of your noble and beautifull monu-
 " ment: it is your part to shew not onely the
 " severity of a judge, but the animosity of an
 " accuser. Your honor is united with that of
 " this Temple, and, by the favor of the Senate
 " and people of Rome, your name is consecrated
 " with it to all posterity: it must be your care
 " therefore that the *Capitol*, as it is now restored
 " more splendidly, may be furnished also more
 " richly than it was before; as if the fire had
 " been sent on purpose from heaven, not to de-
 " stroy the Temple of Jupiter, but to require
 " from us one more shining and magnificent
 " than the former [*d*].

In this year Cicero is supposed to have defended Fonteius and Cæcina. Fonteius had been *Prætor of the Narbonese Gaul* for three years, and was afterwards accused by the people of the Province and one of their Princes, Induciomarus, of *great oppression and exactions* in his government, and especially of *imposing an arbitrary tax on the exportation of their wines*. There were two hearings in the cause, yet but one speech of Cicero's remaining, and that so imperfect, that we can hardly form a judgement either of the merit, or the issue of it. Cicero allows *the charge of the wines to be a heavy one, if true* [*e*]; and by his

[*d*] In Verr. 4. 31.

[*e*] Pro Fonteio, 5.

method of defense one would suspect it to be so, since his pains are chiefly employed in exciting an aversion to the accusers, and a compassion to the criminal. For, to destroy the credit of the witnesses, he represents the whole nation, “ as a
 “ drunken, impious, faithless people; natural
 “ enemies to all religion, without any notion of
 “ the sanctity of an oath, and polluting the altars
 “ of their Gods with human sacrifices: and what
 “ faith, what piety, says he, can you imagine to
 “ be in those, who think that the Gods are to be
 “ appeased by cruelty and human blood [f]?”
 And to raise at last the pity of the Judges, he urges in a pathetic peroration *the intercession and tears of Fonteius’s sister, one of the Vestal virgins, who was then present; opposing the piety and prayers of this holy suppliant, to the barbarity and perjuries of the impious Gauls; and admonishing the Bench of the danger and arrogance of slighing the suit of one, whose petitions, if the Gods should reject, they themselves must all be undone, &c. [g].*

THE cause of Cæcina was about the right of succession to a private estate, which depended on a subtle point of law [h], arising from the interpretation of the *Prætor’s interdicit*: it shews however his exact knowledge and skill in the civil law, and that his public character and employment gave no interruption to his usual diligence in pleading causes.

AFTER the expiration of his *Ædileship* he lost his Cousin Lucius Cicero, the late companion of his journey to Sicily; whose death he laments with all the marks of a tender affection, in the following letter to Atticus.

[f] Ibid. 10.

[g] Ibid. 17.

[h] Tota mihi causa pro

Cæcina, de verbis interdicti
fuit: res involutas definiendo
explicavimus. Orator. 29.

“ You,

“ You, who of all men know me the best, will easily conceive how much I have been afflicted, and what a loss I have sustained both in my public and domestic life: for in him I had every thing which could be agreeable to a man, from the obliging temper and behaviour of another. I make no doubt therefore, but that you also are affected with it, not onely for the share which you bear in my grief, but for your own loss of a relation and a friend, accomplished with every virtue; who loved you, as well from his own inclination, as of what he used to hear of you from me, &c.” [i].

WHAT made his kinsman's death the more unlucky to him at this juncture was the want of his help in making interest for the *Prætorship*, for which he now offered himself a candidate, after the usual interval of *two years* [k], from the time of his being chosen *Ædile*: but the City was in such a ferment all this summer, that there was like to be no election at all: the occasion of it arose from the publication of some *new laws*, which were utterly disliked and fiercely opposed by the Senate. The first of them was proposed in favor of Pompey by A. Gabinius, one of the Tribuns, as a testimony of their gratitude, and the first fruits as it were of that power which he had restored to them. It was to grant him *an extraordinary commission for quelling the Pirates, who infested the coasts and navigation of the Mediterranean*, to the disgrace of the Empire, and the ruin of all commerce [l]; by which *an absolute command was conferred upon*

[i] Ad Attic. 1. 5.

[k] Ut si Ædilis fuisses, post biennium tuus annus esset. Ep. fam. 10. 25.

[l] Quis navigavit, qui

non se aut mortis aut servitutis periculo committeret, cum aut hieme aut referto prædonum mari navigaret? Pro leg. Manil. 11.

him through all the Provinces bordering on that sea, as far as fifty miles within land. These Pirates were grown so strong, and so audacious, that they had taken several Roman Magistrates and Ambassadors prisoners, made some successful descents on Italy itself, and burnt the navy of Rome in the very port of Ostia [m]. Yet the grant of a power so exorbitant and unknown to the laws was strenuously opposed by Catulus, Hortensius, and all the other chiefs of the Senate, as dangerous to the public liberty, nor fit to be entrusted to any single person: they alledged, “ That these unusual grants
 “ were the cause of all the misery that the Re-
 “ public had suffered from the Proscriptions of
 “ Marius and Sylla, who, by a perpetual succes-
 “ sion of extraordinary commands, were made
 “ too great to be controuled by the authority of
 “ the laws; that though the same abuse of power
 “ was not to be apprehended from Pompey, yet
 “ the thing itself was pernicious, and contrary to
 “ the constitution of Rome; that the equality of
 “ a Democracy required, that the public honors
 “ should be shared alike by all who were worthy
 “ of them; that there was no other way to make
 “ men worthy, and to furnish the City with a
 “ number and choice of experienced command-
 “ ers: and if, as it was said by some, there were
 “ really none at that time fit to command but
 “ Pompey, the true reason was, because they

[m] Qui ad vos ab exteris nationibus venirent, querar, cum legati populi Romani redempti sint? Mercatoribus tutum mare non fuisse dicam, cum duodecim secures in potestatem prædonum pervenerint? — Quid ego Ostiense in-

commodum, atque illam labem & ignominiam Reipub. querar, cum prope inspectantibus vobis, classis ea, cui Consul populi Romani præpositus esset, a prædonibus capta atque oppressa est? Ib. 12.

“ would suffer none to command but Pompey [n].” All the friends of Lucullus were particularly active in the opposition; apprehending, that this new commission would encroach upon his Province and command *in the Mithridatic war*: so that Gabinius, to turn the popular clamor on that side, got a plan of the magnificent Palace, which Lucullus was building, painted upon a banner, and carried about the streets by his mob; to intimate, that he was making all that expence out of the spoils of the Republic [o].

CATULUS, in speaking to the people against this law, demanded of them, *If every thing must needs be committed to Pompey, what they would do if any accident should befall him?* Upon which, as Cicero says, *he reaped the just fruit of his virtue, when they all cried out with one voice, that their dependence would then be upon him [p].* Pompey himself, who was naturally a great dissembler, affected not onely an indifference, but a dislike to the employment, and begged of the people to confer it on some body else; and after all the fatigues which he had undergone in their service, to give him leave to retire to the care of his domestic affairs, and spare him the trouble and odium of so invidious a commission [q]. But this seeming self-denial gave a handle onely to his friends to extoll his modesty and integrity the more effectually; and since there had been a precedent for the law a few years be-

[n] Dio. l. 36. p. 15.

[o] Tugurium ut jam videtur esse illa villa, quam ipse Tribunus plebis pictam olim in concionibus explicabat, quo fortissimum ac summum civem—in invidiam vocaret. Pro Sexto, 43.

[p] Qui cum ex vobis quaer-

reret, si in uno Cn. Pompeio omnia poneretis, si quid eo factum esset, in quo spem essetis habituri? — Cepit magnum suæ virtutis fructum, cum omnes una prope voce, in eo ipso vos spem habituros esse dixistis. Pro leg. Man. 20.

[q] Dio. l. 36. p. 11.

fore, in favor of a man much inferior both in merit and interest, M. Antonius [r], it was carried against the united authority of all the Magistrates, but with the general inclination of the people: when *from the greatest scarcity of provisions which had been known for a long time in Rome, the credit of Pompey's name sunk the price of them at once, as if plenty had been actually restored* [s]. But though the Senate could not hinder the law, yet they had their revenge on Gabinus, the author of it, by preventing his being chosen one of Pompey's Lieutenants, which was what he chiefly aimed at, and what Pompey himself solicited [t]: though Pompey probably made him amends for it in some other way; since, as Cicero says, *he was so necessitous at this time, and so profligate, that, if he had not carried his law, he must have turned Pirate himself* [u]. Pompey had a fleet of *five hundred sail* allowed for this expedition, with *twenty four Lieutenants* chosen out of the Senate [x]; whom he distributed so skillfully through the several stations of the *Mediterranean*, that *in less than fifty days he drove the Pirates out of all their lurking holes, and in four months put an end to the whole war*: for he did not prepare for it till the end of winter, set out

[r] Sed idem hoc ante biennium in M. Antonii prætura decretum. Vell. Pat. 2. 31.

[s] Quo die a vobis maritimo bello præpositus est imperator, tanta repente vilitas annonæ ex summa inopia & caritate rei frumentariæ consecuta est, unius hominis spe & nomine, quantum vix ex summa ubertate agrorum di-

uturna pax efficere potuisset. Pro leg. Man. 15.

[t] Ne legaretur A. Gabinus Cn. Pompeio expetenti ac postulanti. Ib. 19.

[u] Nisi rogationem de piratico bello tulisset, profecto egestate ac improbitate coactus piraticam ipse fecisset. Post redit. in Senat. 5.

[x] Plutarch, in Pomp.

upon it in the beginning of Spring, and finished it in the middle of summer [y].

A SECOND law was published by L. Otho, for the assignment of distinct seats in the Theatres to the Equestrian order, who used before to sit promiscuously with the populace: but by this law fourteen rows of benches, next to those of the Senators, were to be appropriated to their use; by which he secured to them, as Cicero says, both their dignity and their pleasure [z]. The Senate obtained the same privilege of separate seats about an hundred years before, in the Consulship of Scipio Africanus, which highly disgusted the people, and gave occasion, says Livy, as all innovations are apt to do, to much debate and censure; for many of the wiser sort condemned all such distinctions in a free City, as dangerous to the public peace: and Scipio himself afterwards repented, and blamed himself for suffering it [a]. Otho's law, we may imagine, gave still greater offence, as it was a greater affront to the people, to be removed yet farther from what of all things they were fondest of, the sight of plays and shews: it was carried however by the authority of the Tribun, and is frequently referred to by the Classic writers,

[y] Ipse autem, ut a Brun-
disio profectus est, undequin-
quagesimo die totam ad im-
perium populi Romani Cili-
ciam adjunxit—ita tantum
bellum—Cn. Pompeius ex-
trema hieme apparavit, ine-
unte vere suscepit. media
æstate confecit. Pro. leg.
Man. 12.

[z] L. Otho, vir fortis,
meus necessarius, Equestri or-
dini restituit non solum dig-
nitatem, sed etiam volupta-
tem. Pro Mur. 19.

[a] P. Africanus ille supe-
rior, ut dicitur, non solum a
sapientissimis hominibus, qui
tum erant, verum etiam a
seipso sæpe accusatus est,
quod cum Consul esset—pas-
sus esset tum primum a po-
pulari confesso senatoria sub-
sellia separari. Pro Cornel.
1. Fragment. ex Asconio.

[Liv. l. 34. 54] Ea res a-
vertit vulgi animum & favo-
rem Scipionis vehementer
quassavit. Val. Max. 2. 4.

as an act very memorable, and [b] what made much noise in it's time.

C. Cornelius also, another Tribun, was pushing forward a *third law*, of a graver kind, *to prohibit bribery in elections by the sanction of the severest penalties*: the rigor of it highly displeas'd the Senate, whose warm opposition rais'd great disorders in the City, so that all other business was interrupted, the elections of magistrates adjourn'd, and the Consuls forced to have a guard. The matter however was compounded, by moderating the severity of the penalties in a new law offer'd by the Consuls, which was accepted by Cornelius, and enacted in proper form under the title of *the Calpurnian law*, from the name of the Consul C. Calpurnius Piso [c]. Cicero speaks of it still *as rigorously drawn* [d]; for besides a pecuniary fine, it rendered the guilty *incapable of any public office or place in the Senate*. This Cornelius seems to have been a brave and honest Tribun, though somewhat too fierce and impetuous in asserting the rights of the Citizens; he published another law, *to prohibit any man's being absolv'd from the obligation of the laws, except by the authority of the people*; which, though a part of the old constitution, had long been usurped by the Senate, who dispens'd with the laws by their own decrees, and those often made clandestinely, when a few only were privy to them. The Senate being resolv'd not to part with so valuable a privilege, prevail'd with another Tribun to inhibit the publication of

[b]—sedilibusque magnus stinxit, Othoni.

in primis Eques

Juv. 3. 159.

Othone contempto fedet—

[c] Dio. l. 36. c. 18.

Hor. Ep. 4. 15.

[d] Erat enim severissime scripta Calpurnia. Pro. Mur.

Sic libitum vano, qui nos di-

23.

it, when it came to be read; upon which Cornelius took the book from the Clerk, and read it himself. This was irregular, and much inveighed against, as *a violation of the rights of the Tribunate*; so that Cornelius was once more forced to compound the matter by a milder law, forbidding the Senate to *pass any such decrees, unless when two hundred Senators were present* [e]. These disturbances however proved the occasion of an unexpected honor to Cicero, by giving him a more ample and public testimony of the people's affection; for *in three different assemblies convened for the choice of Prætors, two of which were dissolved without effect, he was declared every time the first Prætor, by the suffrages of all the Centuries* [f].

THE Prætor was a magistrate next in dignity to the *Consuls*, created originally as a colleague or assistant to them in the administration of Justice, and to supply their place also in absence [g]. At first there was but one; but as the dominion and affairs of the Republic increased, *so the number of Prætors was gradually enlarged from one to eight*. They were chosen not as the inferior magistrates, by the people voting *in their Tribes, but in their Centuries* as the *Consuls* and *Censors* also were. In the first method, *the majority of votes in each Tribe determined the general vote of the Tribe, and a majority of Tribes determined the election*, in which the meanest citizen had as good a vote as the best: but in the second the balance of power was thrown into the hands of the better sort, by a wise contrivance of one of their Kings, Servius Tullius; *who divided the whole body of the Citizens into a*

[e] Asconii argument. pro Cornelio.

[f] Nam cum propter dilationem comitiorum ter Præ-

tor primus centuriis cunctis renunciatus sum. Pro leg.

Manil. 1.

[g] Aul. Gellius, 13. 15.

hundred

hundred and ninety three Centuries, according to a Census or valuation of their estates; and then reduced these Centuries into six Classes according to the same rule, assigning to the first or richest Class ninety seven of these Centuries, or a majority of the whole number: so that if the Centuries of the first Class agreed, the affair was over, and the votes of all the rest insignificant [b].

THE business of the Prætors was to preside and judge in all causes, especially of a public or criminal kind, where their several jurisdictions were assigned to them *by lot* [i]; and it fell to Cicero's to sit upon actions of extortion and rapine, brought against Magistrates and Governors of Provinces [k]. in which, he tells us himself, he had acted as an accuser, sat as a judge, and presided as Prætor [l]. In this office he acquired a great reputation of integrity by the condemnation of Licinius Macer, a person of Prætorian dignity and great eloquence, who would have made an eminent figure at the Bar, if his abilities had not been sullied by the infamy of a vicious life [m]. “ This man, as Plutarch relates it, depending upon his interest, and the influence of Crassus, who supported him with all his power, was so confident of being acquitted, that without waiting for sentence, he went home to dress himself, and, as if already absolved, was returning towards the Court in a white gown; but being met on his way by Crassus, and in-

[b] From this division of the people into *Classes*, the word *Classical*, which we now apply to writers of the first rank, is derived: for it signified originally persons of the first Class, all the rest being stiled *infra Classem*. Ib. 7. 13.

[i] In Verr. Act. 1. 8.

[k] Postulatur apud me Prætozem primum de pecuniis repetundis. Pro Cornel. 1. fragm.

[l] Accusavi de pecuniis repetundis, Judex sedi, Prætor quærsivi, &c. Pro Rabir. Post. 4.

[m] Brutus, 352.

formed that he was condemned by the unanimous suffrage of the Bench, he took to his bed, and died immediately." The story is told differently by other writers: "That Macer was actually in the Court expecting the issue; but perceiving Cicero ready to give judgement against him, he sent one to let him know that he was dead, and stopping his breath at the same time with an handkerchief, instantly expired; so that Cicero did not procede to sentence, by which Macer's estate was saved to his son Licinius Calvus, an orator afterwards of the first merit and eminence [n]." But from Cicero's own account it appears, that after treating Macer in the trial with *great candour and equity he actually condemned him with the universal approbation of the people; and did himself much more honor and service by it, than he could have reaped, he says, by Macer's friendship and interest, if he had acquitted him* [o]

MANILIUS, one of the new Tribuns, no sooner entered into his office, than he raised a fresh disturbance in the City, by the promulgation of a law for granting to slaves set free a right of voting among the Tribes; which gave so much scandal to all, and was so vigorously opposed by the Senate, that he was presently obliged to drop it [p]: but being always venal, as Velleius says, and the tool of other men's power, that he might recover his credit with the people, and engage the favor of Pompey, he proposed a second law, that Pompey,

[n] Plutarch. Cic. Valer. Max. 9. 12.

[o] Nos hic incredibili ac singulari populi voluntate de C. Macro transegimus: cui cum æqui fuisset, tamen multo majorem fructum ex

Populi exultatione, illo damnato, cepimus, quam ex ipso, si absolutus esset, gratia cepissemus. Ad Att. 1. 4.

[p] Aſcon. in Orat. pro Cornel. Dio. l. 36. 20.

who was then in Cilicia extinguishing the remains of the Piratic war, should have the government of Asia added to his commission, with the command of the Mithridatic war, and of all the Roman armies in those parts [q]. It was about eight years since Lucullus was first sent to that war, in which, by a series of many great and glorious acts, he had acquired reputation both of courage and conduct, equal to that of the greatest Generals: he had driven Mithridates out of his kingdom of Pontus, and gained several memorable victories against him, though supported by the whole force of Tigranes, the most potent Prince of Asia; till his army, harassed by perpetual fatigues, and debauched by his factious officers, particularly by his brother in law young Clodius [r], began to grow impatient of his discipline, and to demand their discharge. Their disaffection was still encreased by the unlucky defeat of one of his Lieutenants, Triarius; who, in a rash engagement with Mithridates, was destroyed with the loss of his camp, and the best of his troops: so that as soon as they heard that Glabrio, the Consul of the last year, was appointed to succede him, and actually arrived in Asia, they broke out into an open mutiny, and refused to follow him any farther, declaring themselves to be no longer his soldiers: but Glabrio, upon the news of these disorders, having no inclination to enter upon so troublesome a command, chose to stop short in Bithynia, without ever going to the army [s].

[q] Semper venalis, & culli sollicitato per nefandum alienæ ministæ potentia, legem talit, ut bellum Mithridaticum per Cn. Pompeium administraretur. Vell. Pat. scelus, fugit illinc. De Aruspicum respons. 20. Plutarch. in Lucull.

[r] Pro leg. Manil. 2. 9. Plutarch. ib. Dio, 1. 36.

[s] Post, exercitu L. Lu- p. 7.

THIS mutinous spirit in Lucullus's troops, and the loss of his authority with them, which Glabrio was still less qualified to sustain, gave a reasonable pretext to *Manilius's law*; and Pompey's success against the *Pirates*, and his being upon the spot with a great army, made it likewise the more plausible: so that after a sharp contest and opposition from some of the best and greatest of the Senate, the Tribun carried his point, and got the law confirmed by the people. Cicero supported it with all his eloquence, in a speech from *the Rostra*, which he had never mounted till this occasion: where, in displaying the character of Pompey, he draws the picture of a consummate General, with all the strength and beauty of colors, which words can give. He was now in the career of his fortunes, and in sight as it were of the Consulship, the grand object of his ambition; so that his conduct was suspected to flow from an interested view of facilitating his own advancement, by paying this court to Pompey's power: but the reasons already intimated, and Pompey's singular character of modesty and abstinence, joined to the superiority of his military fame, might probably convince him, that it was not only safe, but necessary at this time, to commit a war, which no body else could finish, to such a General; and a power, which no body else ought to be entrusted with, to such a man. This he himself solemnly affirms in the conclusion of his speech: " I call the Gods to
 " witness, says he, and especially those who pre-
 " side over this Temple, and inspect the minds
 " of all who administer the public affairs that I
 " neither do this at the desire of any one, nor to
 " conciliate Pompey's favor, nor to procure from
 " any man's greatness, either a support in dan-
 " gers, or assistance in honors: for as to dangers
 " I shall

“ I shall repell them as a man ought to do, by
 “ the protection of my innocence; and for hon-
 “ nors, I shall obtain them, not from any single
 “ man, nor from this place, but from my usual
 “ laborious course of life, and the continuance
 “ of your favor. Whatever pains therefore I
 “ have taken in this cause, I have taken it all, I
 “ assure you, for the sake of the Republic; and
 “ so far from serving any interest of my own by
 “ it, have gained the ill will and enmity of ma-
 “ ny, partly secret, partly declared; unnecessary
 “ to myself, yet not useles perhaps to you: but
 “ after so many favors received from you, and
 “ this very honor which I now enjoy, I have
 “ made it my resolution, Citizens, to prefer your
 “ will, the dignity of the Republic, and the
 “ safety of the Provinces, to all my own interests
 “ and advantages whatsoever [*t*].”

J. Cæsar also was a zealous promoter of this law; but from a different motive than the love either of Pompey, or the *Republic*: his design was, *to recommend himself by it to the people*, whose favor, he foresaw, would be of more use to him than the Senate's, and *to cast a fresh load of envy on Pompey*, which, by some accident, might be improved afterwards to his hurt; but his chief view was *to make the precedent familiar*, that, whatever use Pompey might make of it, he himself might one day make a bad one [*u*]. For this is the common effect of breaking through the barrier of the laws, by which many states have been ruined; when, from a confidence in the abilities and integrity of some eminent Citizen, they invest him, on pressing occasions, with extraordinary powers, for the common benefit and defence

[*t*] Pro leg. Manil. 24.[*u*] Dio, l. 36. 21.

of the society: for though power so entrusted may in particular cases be of singular service, and sometimes even necessary; yet the example is always dangerous, furnishing a perpetual pretense to the ambitious and ill-designing, to grasp at every prerogative which had been granted at any time to the virtuous, till the same power, which would save a country in good hands, oppresses it at last in bad.

THOUGH Cicero had now full employment as *Prætor*, both in the affairs of state and public trials: yet he found time still to act *the Advocate*, as well as *the Judge*, and not only to hear causes in his own Tribunal, but to plead them also at the Tribunals of the other *Prætors*. He now defended A. Cluentius, a Roman Knight of splendid family and fortunes, accused before the *Prætor* Q. Naso, of *poysoning his father in law Oppianicus*, who a few years before had been *tried and banished for an attempt to poyson Cluentius*. The oration, which is extant, lays open a scene of such complicated villainy, by *poysons, murder, incest, suborning witnesses, corrupting judges*, as the Poets themselves have never feigned in any one family; all contrived by the mother of Cluentius against the life and fortunes of her son: “ But what a mother! says Cicero; “ one, who is hurried blindfold by the most cruel “ and brutal passions; whose lust no sense of shame “ restrains; who by the viciousness of her mind “ perverts all the laws of men to the worst ends; “ who acts with such folly, that none can take her “ for a human creature; with such violence, that “ none can imagine her to be a woman; with “ such cruelty, that none can conceive her to be “ a mother; one, who has confounded not onely “ the name and the rights of nature, but all the “ relations of it too: the wife of her son in law! “ the

“ the stepmother of her son! the invader of her
 “ daughter’s bed! in short, who has nothing left
 “ in her of the human species, but the mere
 “ form [x].

HE is supposed to have defended several other criminals this year, though the pleadings are now lost, and particularly M. Fundanius; but what gives the most remarkable proof of his industry, is, *that during his Prætorship*, as some of the ancient writers tell us, though he was in full practice and exercise of speaking, *yet he frequented the school of a celebrated Rhetorician*, Gnipho [y]. We cannot suppose that his design was to learn any thing new, but to preserve and confirm that perfection which he had already acquired, *and prevent any ill habit from growing insensibly upon him, by exercising himself under the observation of so judicious a master*. But his chief view certainly was, to give some countenance and encouragement to Gnipho himself, as well as to the art which he professed; and by the presence and authority of one of the first Magistrates of Rome, to inspire the young Nobles with an ambition to excell in it.

WHEN his Magistracy was just at an end, Manilius, whose *Tribunate* expired a few days before, was accused before him *of rapine and extortion*: and though *ten days* were always allowed to the criminal to prepare for his defence, he appointed the very next day for the trial. This startled and offended the Citizens, who generally favored Manilius, and looked upon the prosecution as the effect of malice and resentment on the part of the Senate, for his law in favor of Pompey. The

[x] Pro Cluent. 70.

Prætura fungeretur. Sueton.
 de clar. Grammat. 7. Macrobr.
 Saturn. 3. 12.

[y] Scholam ejus claros
 viros frequentasse aiunt; in
 his M. Ciceronem etiam cum

Tribuns therefore called Cicero to an account before the people, for treating Manilius so roughly; who in defence of himself said, *That as it had been his practice to treat all criminals with humanity, so he had no design of acting otherwise with Manilius, but on the contrary had appointed that short day for the trial, because it was the onely one of which he was master; and that it was not the part of those, who wished well to Manilius, to throw off the cause to another Judge.* This made a wonderfull change in the minds of the audience, who applauding his conduct, desired then that he would undertake the defence of Manilius, to which he consented; and stepping up again into the *Rostra*, laid open the source of the whole affair, with many severe reflections upon the enemies of Pompey [z]. The trial however was dropt, on account of the tumults which arose immediately after in the City, from some new incidents of much greater importance.

At the *Consular election*, which was held this summer, P. Autronius Pætus and P. Cornelius Sylla were declared Consuls; but their election was no sooner published, than they were accused of bribery and corruption by the *Calpurnian law*, and being brought to trial, and found guilty before their entrance into office, forfeited the Consulship to their accusers and competitors, L. Manlius Torquatus and L. Aurelius Cotta. Catiline also, who from his *Prætorship* had obtained the *Province of Afric*, came to Rome this year to appear a candidate at the election, but being accused of extortion and rapine in that government, was not permitted by the Consuls to pursue his pretensions [a].

THIS

[z] Plutarch. in Cic.

in Tog. cand.

[a] Qui tibi, cum L. Volcatius Consul in consilio fuisset, ne petendi quidem potestatem esse voluerunt. Orat.

Catilina, pecuniarum repetundarum reus, prohibitus erat petere Consulatum. Sall. 18.

THIS disgrace of men so powerfull and desperate engaged them presently *in a conspiracy against the State*, in which it was resolved *to kill the new Consuls*, with several others of the Senate, and share the government among themselves: but the effect of it was prevented by some information given of the design, which was too precipitately laid to be ripe for execution. Cn. Piso, *an audacious, needy, factious young nobleman*, was privy to it [b]; and, as Suetonius says, two more of much greater weight, M. Crassus and J. Cæsar; the first of whom was to be created *Dictator*, the second *his Master of the Horse*: but Crassus's heart failing him, either through fear or repentance, he did not appear at the appointed time, so that Cæsar would not give the signal agreed upon, of letting his robe drop from his shoulder [c]. The Senate was particularly jealous of Piso, and hoping to cure his disaffection by making him easy in his fortunes, or to remove him at least from the cabals of his associates, gave him *the government of Spain*, at the instance of Crassus, who strenuously supported him as a determined enemy to Pompey. But before his setting out, *Cæsar and he are said to have entered into a new and separate engagement, that the one should begin some disturbance abroad, while the other was to prepare and inflame matters at home*:

[b] Cn. Piso, adolescens nobilis, summx audaciæ, e-gens, factiosus — cum hoc Catilina & Autronius — consilio communicato, parabant in Capitolio L. Cottam & L. Torquatam Coss. interficere. Ea re cognita, rufus in Nonas Feb. consilium cædis transtulerant. Ibid.

[c] Ut principio anni Se-

natum adorirentur, & trucidatis, quos placitum esset, Dictaturam Crassus invaderet, ipse ab eo Magister Equitum diceretur. — Crassum pernitentia vel metu diem cædi destinatum non obiisse, idcirco, ne Cæsarem quidem signum, quod ab eo dari convenerat, dedisse. Sueton. in J. Cæs. 9.

but

but this plot also was defeated by the unexpected death of Piso; who was assassinated by the Spaniards, as some say, for his cruelty, or, as others, by Pompey's clients, and at the instigation of Pompey himself [d].

CICERO, at the expiration of his *Prætorship*, would not accept any *foreign Province* [e], the usual reward of that Magistracy, and the chief fruit which the generality proposed from it. He had no particular love for money, nor genius for arms, so that those governments had no charms for him: the glory which he pursued was to shine in the eyes of the City, as the Guardian of it's laws, and to teach the Magistrates how to execute, the Citizens how to obey them. But he was now preparing to sue for the *Consulship*, the great object of all his hopes; and his whole attention was employed how to obtain it in his proper year, and without a repulse. There were *two years* necessarily to intervene between the *Prætorship* and *Consulship*: the first of which was usually spent in forming a general interest, and soliciting for it as it were in a private manner; the second in suing for it openly, in the proper form and habit of a candidate. The affection of the City, so signally declared for him in all the inferior steps of honor, gave him a strong presumption of success in his present pretensions to the highest: but as he had reason to apprehend a great opposition from the Nobility, who looked upon the public dignities

[d] Pactumque, ut simul foris ille, ipse Romæ, ad res novas confurgerent. Ibid.

Sunt, qui dicant, imperia ejus injusta—barbaros nequissime pati: alii autem, equites illos, Cn. Pompeii veteres cli-

entes, voluntate ejus Pisonem aggressos. Sall. 19.

[e] Tu in provinciam ire noluisti: non possum id in te reprehendere, quod in meipso Prætor—probavi. Pro Muren. 20.

as a kind of birth-right, and could not brook their being intercepted and snatched from them by *new men* [f]; so he resolved to put it out of their power to hurt him, by omitting no pains which could be required of a candidate, of visiting and soliciting all the Citizens in person. At the election therefore of *the Tribuns on the sixteenth of July*, where the whole City was assembled *in the field of Mars*, he chose to make his first effort, and to mix himself with the crowd, on purpose to caress and salute them familiarly by name; and as soon as there was any vacation in *the Forum*, which happened usually *in August*, he intended to make an excursion into *the Cisalpine Gaul*, and in the character of a *Lieutenant to Piso*, the Governor of it, to visit *the Towns and Colonies of that Province*, which was reckoned very strong in the number of it's votes, and so return to Rome in January following [g]. While he was thus employed in suing for the Consulship, L. Cotta, a remarkable lover of wine, was one of the *Censors*, which gave occasion to one of Cicero's jokes, that Plutarch has transmitted to us. that happening one day to be dry with the fatigue of his task, he called for a glass of water to quench his thirst; and when his friends stood close around him as he was drinking, *You do well*, says he, *to cover me, lest Cotta should censure me for drinking water.*

HE wrote about the same time to Atticus, then at Athens, to desire him to engage all that band of Pompey's dependents, who were serving under

[f] Non idem mihi licet quod iis, qui nobili genere nati sunt, quibus omnia populi Romani beneficia dormientibus deferuntur. In Verr. 5. 70.

[g] Quoniam videtur in suffragiis multum posse Gallia, cum Romæ a judicii Forum refrixerit, excurremus mense Septembri legati ad Pisonem. Ad Att. 1. 1.

him in the *Mithridatic war*, and by way of jest bids him tell Pompey himself, *that he would not take it ill of him, if he did not come in person to his election* [b]. Atticus spent many years in this residence at Athens, which gave Cicero an opportunity of employing him to buy a great number of statues for the ornament of his several Villa's, especially that at Tusculum, in which he took the greatest pleasure [i], for it's delightfull situation in the neighbourhood of Rome, and the convenience of an easy retreat from the hurry and fatigues of the City: here he had built several rooms and galleries, in imitation of the *Schools and Portico's of Athens*, which he called likewise by their *Attic names of the Academy and Gymnasium*, and designed for the same use of Philosophical conferences with his learned friends. He had given Atticus a general commission to purchase for him any piece of *Grecian art or sculpture*, which was elegant and curious, especially of *the literary kind, or proper for the furniture of his Academy* [k]; which Atticus executed to his great satisfaction, and sent him at different times several cargoes of statues, which arrived safe at *the port of Cajeta*, near to his *Formian Villa* [l]; and pleased him always so well, both in the choice and the price of them, that upon the receipt of each parcel he still renewed his orders for more.

[b] Illam manum tu mihi cura ut præstes, Pompeii nostri amici. Nega me ei iratum fore, si ad mea comitia non venerit. Ibid.

[i] Quæ tibi mandavi, & quæ tu convenire intelliges nostro Tusculano, velim, ut scribis, cures: nos ex omnibus molestiis & laboribus uno illo in loco conquiescimus.

Ibid. 5.

[k] Quicquid ejusdem generis habebis, dignum Academia quod tibi videbitur, ne dubitaveris mittere, & arcæ nostræ confidito. Ad Att. 1. 9. Vid. it. 5, 6, 10.

[l] Signa quæ curasti, ea sunt ad Cajetam exposita, Ib. 3.

“ I HAVE paid, says he, a hundred and sixty
 “ four pounds, as you ordered, to your agent
 “ Cincius, for the *Megaric* statues. The Mer-
 “ curies which you mentioned, of *Pentelician*
 “ marble with brazen heads, give me already
 “ great pleasure: Wherefore I would have you
 “ send me as many of them as you can, and as
 “ soon as possible, with any other statues and or-
 “ naments which you think proper for the place,
 “ and in my tast, and good enough to please
 “ yours; but above all, such as will suit my
 “ Gymnasium and Portico; for I am grown so
 “ fond of all things of that kind, that though
 “ others probably may blame me, yet I depend
 “ on you to assist me [m].”

OF all the pieces which Atticus sent, he seems to have been the most pleased with a sort of *compound emblematical figures*, representing Mercury and Minerva, or Mercury and Hercules jointly upon one base, called *Hermathenæ* and *Hermeraclæ*: for Hercules being the proper Deity of the *Gymnasium*, Minerva of the *Academy*, and Mercury common to both, they exactly suited the purpose for which he desired them [n]. But he was so intent

[m] Ibid. 8.

[n] *Hermathena tua me valde delectat. Ib. 1. Quod ad me de Hermathena scribis, per mihi gratum est—quod & Hermes commune omnium, & Minerva singulare est infigne ejus gymnasii. Ib. 4. Signa nostra & Hermeraclas, cum commodissime poteris, velim imponas. Ib. 10.*

The learned generally take these *Hermeraclæ* and *Hermathenæ* to be nothing more than a tall square pedestal of

stone, which was the emblem of *Mercury*, with the head of the other Deity, *Minerva* or *Hercules* upon it, of which sort there are several still extant, as we see them described in the books of Antiquities. But I am apt to think, that the heads of both the Deities were sometimes also joined together upon the same pedestal, looking different ways, as we see in those antique figures which are now indiscriminately called *Janus's*.

ON embellishing this *Tusculan Villa* with all sorts of *Grecian work*, that he sent over to Atticus *the plans of his ceilings*, which were of *Stucco-work*, in order to bespeak pieces of sculpture or painting to be inserted in the compartments; with *the covers of two of his wells or fountains*, which according to the custom of those times they used to form after some elegant pattern, and adorn with figures in relief [o].

NOR was he less eager in making a collection of *Greek books*, and forming a library, by the same opportunity of Atticus's help. This was Atticus's own passion, who having free access to all the libraries of Athens, was employing his slaves in copying the works of their best writers, not onely for his own use, but for sale also, and the common profit both of the slave and the master: for Atticus was remarkable above all men of his rank for a family of learned slaves, having scarce a foot-boy in his house, who was not trained both to read and write for him [p]. By this advantage he had made a very large collection of choice and curious books, and signified to Cicero his design of selling them; yet seems to have intimated withal, that he expected a larger sum for them than Cicero would easily spare: which gave occasion to Cicero to beg of him in several letters to reserve the whole number for him, till he could raise money enough for the purchase.

“ PRAY keep your books, says he, for me,
“ and do not despair of my being able to make

[o] Præterea typos tibi
mando, quos in tectorio atri-
oli possim includere, & pute-
alia sigillata duo. Ibid.

[p] In ea erant pueri lite-
ratissimi, anagnostæ optimi,

& plurimi librarii; ut ne pe-
dissequus quidem quisquam
esset, qui non utrumque ho-
rum pulchre facere posset.
Corn Nep. in vita Attici 13.

“ them

“ them mine ; which if I can compass, I shall
 “ think myself richer than Crassus, and despise
 “ the fine Villa’s and Gardens of them all [g].”
 Again: “ Take care that you do not part with
 “ your library to any man, how eager soever he
 “ may be to buy it ; for I am setting apart all my
 “ little rents to purchase that relief for my old
 “ age [r].” In a third letter, he says, “ That he
 “ had placed all his hopes of comfort and plea-
 “ sure, whenever he should retire from business,
 “ on Atticus’s reserving these books for him [s].”

BUT to return to the affairs of the City. Cicero was now engaged in the defense of C. Cornelius, who was accused and tried *for practices against the state in his late Tribunate*, before the Prætor Q. Gallius. This trial, which lasted four days, was one of the most important in which he had ever been concerned: the *two Consuls* presided in it; and all the chiefs of the Senate, Q. Catulus, L. Lucullus, Hortensius, &c. *appeared as witnesses against the criminal [t]*; whom Cicero defended, as Quintilian says, *not onely with strong, but shining arms*, and with a force of eloquence, that drew *acclamations from the people [u]*. He published *two Oration*s spoken in this cause, who e loss is a public detriment to the literary world, since they were

[g] Libros tuos conserva, & noli desperare, eos me meos facere posse: quod si assequor, supero Crassum divitiis, atque omnium vicos & prata contemno. Ad Attic. 1. 4.

[r] Bibliothecam tuam cave cuiquam despondeas, quamvis acrem amatorem inveneris. Ibid. 10.

[s] Velim cogites, id quod mihi pollicitus es, quemad-

modum bibliothecam nobis conficere possis. Omnem spem delectationis nostræ, quam cum in otium venerimus, habere volumus, in tua humanitate positam habemus. Ibid. 7.

[t] Ascon. Argum.

[u] Nec fortibus modo, sed etiam fulgentibus præliatus est Cicero in causa Cornelii. Lib. 8. 3.

reckoned among the most finished of his compositions: he himself refers to them as such [x]; and the old Critics have drawn many examples from them of that genuin eloquence, which *extorts applause and excites admiration.*

C. PAPIUS, one of the Tribuns, published a law this year *to oblige all strangers to quit the City* as one of his predecessors, Pennus, had done likewise many years before him. The reason, which they alledged for it, was the confusion occasioned by the multitude and insolence of foreigners, who assumed the habit and usurped the rights of Citizens: but Cicero condemns all these laws as *cruel and inhospitable, and a violation of the laws of nature and humanity* [y].

CATILINE was now brought to a trial *for his oppression in Afric*: he had been solliciting Cicero to undertake his defense; who at one time was much inclined, or determined rather to do it, for the sake of obliging *the Nobles*, especially Cæsar and Crassus, or of making Catiline at least his friend, as he signifies in a letter to Atticus: “ I
 “ design, says he, at present to defend my com-
 “ petitor Catiline: We have judges to our mind,
 “ yet such as the accuser himself is pleased with:
 “ I hope, if he be acquitted, that he will be the
 “ more ready to serve me in our common peti-
 “ tion; but if it fall out otherwise, I shall bear it
 “ with patience. It is of great importance to me
 “ to have you here as soon as possible: for there’s
 “ a general persuasion, that certain Nobles of your
 “ acquaintance will be against me; and you, I
 “ know, could be of the greatest service in gain-
 “ ing them over [z].” But Cicero changed his

[x] Orator. 67, 70.

manum est. De Offic. 3.

[y] Ufu vero urbis prohibere peregrinos sane inhu-

11.

[z] Ad Attic. 1, 2.

mind, and *did not defend him* [a]; upon a nearer view perhaps of his designs and traiterous practices; to which he seems to allude, when describing the art and dissimulation of Catiline, he declares, *that he himself was once almost deceived by him, so as to take him for a good Citizen, a lover of honest men, a firm and faithfull friend, &c.* [b]. But it is not strange, that a candidate for the Consulship, in the career of his ambition, should think of defending a man of the first rank and interest in the City, when *all the Consular Senators, and even the Consul himself*, Torquatus, appeared with him at the trial, and gave testimony in his favor. Whom Cicero excused, when they were afterwards reproached with it, by observing, *that they had no notion of his treasons, nor suspicion at that time of his conspiracy; but out of mere humanity and compassion defended a friend in distress, and in that crisis of his danger overlooked the infamy of his life* [c].

His prosecutor was P. Clodius, a young Nobleman as profligate as himself; so that it was not difficult to make up matters with such an accuser, who for a sum of money agreed to betray the cause, and suffer him to escape [d]: which gave occasion to what Cicero said afterwards in a speech against him in the Senate, while they were suing together for the Consulship: *Wretch! not to see that thou art not acquitted, but reserved onely to a se-*

[a] Afcon. in Tog. candid.

[b] Me ipsum, me, inquam, quondam ille pæne decepit, cum & civis mihi bonus, & optimi cujusque cupidus, & firmus amicus & fidelis videretur. Pro Cælio, 6.

[c] Accusati sunt uno no-

mine Consulares — affuerunt Catilinæ, eumque laudarunt. Nulla tum patebat, nulla erat cognita conjuratio, &c. Pro Syll. 29.

[d] A Catilina pecuniam accepit, ut turpissime prævaricaretur. De Harusp. resp. 20.

verer trial and heavier punishment [e]. It was in this year, as Cicero tells us, under the Consuls Cotta and Torquatus, that those prodigies happened, which were interpreted to portend the great dangers and plots, that were now hatching against the State, and broke out two years after, in Cicero's Consulship; when the turrets of the Capitol, the statues of the Gods, and the brazen image of the infant Romulus sucking the wolf, were struck down by lightning [f].

CICERO being now in his forty third year, the proper age required by law [g], declared himself

[e] O miser, qui non sentias illo iudicio te non absolutum, verum ad aliquod feverius iudicium, ac majus supplicium reservatum. Orat. in Tog. cand.

[f] Tactus est ille etiam, qui hanc urbem condidit, Romulus: quem inauratum in Capitolio parvum atque lactantem, uberibus lupinis inhiantem fuisse meministis. In Catil. 3. 3.

This same figure, as it is generally thought, formed in brass, of the infants Romulus and Remus sucking the wolf, is still preserved and shewn in the Capitol, with the marks of a liquefaction by a stroke of lightning on one of the legs of the wolf. Cicero himself has described the prodigy in the following lines.

Hic silvestris erat Romani
nominis altrix
Marta; quæ parvos Mavortis
femine natos
Uberibus gravidis vitali rore
rigabat.

Quæ tum cum pueris flammato fulminis ictu
Concidit, atque avulsa pedum
vestigia liquit.

De Divinat. 1. 12.

It was the same statue, most probably, whence Virgil drew his elegant description.

—Geminos huic ubera circum

Ludere pendentes pueros, &
lambere matrem

Impavidos. Illam tereti cer-
vice reflexam

Mulcere alternos, & corpora
fingere lingua.

Æneid. 8. 631.

The martial twins beneath
their mother lay,

And hanging on her dugs
with wanton play

Securely suck'd: whilst she
reclin'd her head

To lick their tender limbs,
and form them as they fed.

[g] Nonne tertio & tricesimo anno mortem obiit? quæ est ætas, nostris legibus, decem annis minor, quam consularis. Philip. 5. 17.

a candidate for the Consulship along with six competitors, P. Sulpicius Galba, L. Sergius Catilina, C. Antonius, L. Cassius Longinus, Q. Cornificius, C. Licinius Sacerdos. The two first were *Patricians*, the two next *Plebeians*, yet noble; the two last the sons of fathers who had first imported the public honors into their families: Cicero was the onely new man among them, or one born of *Equestrian rank* [b]. Galba and Cornificius were persons of great virtue and merit; Sacerdos without any particular blemish upon him; Cassius lazy and weak, but not thought so wicked as he soon after appeared to be; Antonius and Catiline, though infamous in their lives and characters, yet by intrigue and faction had acquired a powerfull interest in the City, and joined all their forces against Cicero, as their most formidable antagonist, in which they were vigorously supported by Crassus and Cæsar [i].

THIS was the state of the competition; in which the practice of bribing was carried on so openly and

[b] The distinction of *Patrician*, *Plebeian*, and *Noble*, may want a little explication. The title of *Patrician* belonged onely, in a proper sense, to those families of which the Senate was composed in the earliest times, either of the Kings, or the first Consuls, before the Commons had obtained a promiscuous admission to the public honors, and by that means into the Senate. All other families, how considerable soever, were constantly stiled *Plebeian*. *Patrician* then and *Plebeian* are properly opposed to each other; but *Noble* common to them both: for the character

of Nobility was wholly derived from the *Curule Magistracies* which any family had born; and those which could boast of the greatest number, were always accounted the *Noblest*; so that many *Plebeians* surpassed the *Patricians* themselves in the point of *Nobility*. Vid. Alcon. argum. in Tog. cand.

[i] Catilina & Antonius, quanquam omnibus maxime infamæ eorum vita esset, tamen multum poterant. Coerant enim ambo, ut Cicero nem consulatu desicerent, adiutoribus usi firmissimis, M. Crasso & C. Cæsare. Alcon. argum. in Tog. cand.

shamefully by Antonius and Catiline, that the Senate thought it necessary to give some check to it by a new and more rigorous law; but when they were proceeding to publish it, L. Mucius Orestinus, one of the Tribuns, put his negative upon them. This Tribun had been Cicero's client, and defended by him in an impeachment of *plunder* and *robbery*; but having now sold himself to his enemies, made it the subject of all his harangues to ridicule his birth and character, as unworthy of the Consulship; in the debate therefore which arose in the Senate upon the merit of his negative, Cicero, provoked to find so desperate a confederacy against him, rose up, and after some raillery and expostulation with Mucius, made a most severe invective on the flagitious lives and practices of *his two competitors*, in a speech usually called *in Toga candida*, because it was delivered *in a white Gown*, the proper habit of *all Candidates*, and from which the name itself was derived [k].

THOUGH he had now business enough upon his hands to engage his whole attention, yet we find him employed in the defense of Q. Gallius, the Prætor of the last year, accused of *corrupt practices* in procuring that magistracy. Gallius, it seems, when chosen *Ædile*, had disgusted the people by not providing *any wild beasts* for their entertainment in his public shews; so that to put them into good humor when he stood for the *Prætorship*, he entertained them with *Gladiators*, on pretense of giving them *in honor of his deceased father* [l]. This was his crime, of which he was accused by M. Callidius, whose father had been impeached before by Gallius. Callidius was one of the *most eloquent and accurate speakers of his time, of an easy,*

[k] Ibid.

[l] Aſcon. not. ibid.

flowing, copious stile, always delighting, though seldom warming his audience; which was the onely thing wanting to make him a Complete Orator. Besides the public crime just mentioned, he charged Gallius with a private one against himself, a design to poyson him; of which he pretended to have manifest proofs, as well from the testimony of witnesses, as of his own hand and letters: but he told his story with so much temper and indolence, that Cicero, from his coldness in opening a fact so interesting, and where his life had been attempted, formed an argument to prove that it could not be true. “How is it possible, says he, Callidius, for you to plead in such a manner, if you did not know the thing to be forged? How could you, who act with such force of eloquence in other men’s dangers, be so indolent in your own? Where was that grief, that ardor, which was to extort cries and lamentations from the most stupid? We saw no emotion of your mind, none of your body; no striking your forehead, or your thigh; no stamping with your foot: so that instead of feeling ourselves inflamed, we could hardly forbear sleeping, while you were urging all that part of your charge [m].” Cicero’s speech is lost, but Gallius was acquitted; for we find him afterwards revenging himself in the same kind on this very Callidius, by accusing him of bribery in his suit for the Consulship [n].

J. CÆSAR was one of the assistant judges this year to the Prætor, whose province it was to sit upon the Sicarii, that is, those who were accused of killing, or carrying a dagger with intent to kill. This gave him an opportunity of citing before him as criminals, and condemning by the law of assassinate all those, who in Sylla’s proscription had been

[m] Brutus, p. 402. 3. [n] Epist. fam. 8. 4.

known to kill, or receive money for killing a proscribed Citizen; which money Cato also, when he was *Quæstor* the year before, had made them refund to the treasury [o]. Cæsar's view was, to mortify the Senate and ingratiate himself with the people, by reviving *the Marian cause*, which had always been popular, and of which he was naturally the head, on account of his near relation to old Marius: for which purpose he had the hardiness likewise to replace in the Capitol the trophies and statues of Marius, which Sylla had ordered to be thrown down and broken to pieces [p]. But while he was prosecuting with such severity the agents of Sylla's cruelty, he not onely spared but favored Catiline, who was one of the most cruel in spilling the blood of the proscribed; having butchered with his own hands, and in a manner the most brutal, C. Marius Gratidianus, a favorite of the people, nearly related both to Marius and Cicero; whose head he carried in triumph through the streets to make a present of it to Sylla [q]. But Cæsar's zeal provoked L. Paullus to bring Catiline also under the lash of the same law, and to accuse him in form, after his repulse from the Consulship, of the murder of many Citizens in Sylla's proscription: of which though he was notoriously guilty, yet contrary to all expectation, he was acquitted [r].

[o] Plutarch. in Cato. Sueton. J. Cæs. 11.

[p] Quorum auctoritatem, ut, quibus posset modis, diminueret, trophæa C. Marii—a Sylla olim disjecta, restituit. Suet. ib.

[q] Qui hominem carissimum populo Romano—omni cruciatu vivam lacerarit; stanti collum gladio sua dextera secuerit; cum sinistra

capillum ejus a vertice tene-ret, &c. Vid. de petitione Consulat. 3.

Quod caput etiam tum plenum animæ & spiritus, ad Syllam, usque a janiculo ad ædem Apollinis, manibus ipse suis detulit. In Tog. cand.

[r] Bis absolutum Catilinam. Ad Att. 1. 16. Sallust. 31. Dio, l. 56. p. 34.

CATILINE was suspected also at the same time of another heinous and capital crime, an incestuous commerce with Fabia, *one of the Vestal Virgins*, and sister to Cicero's wife. This was charged upon him so loudly by common fame, and gave such scandal to the City, that Fabia was brought to a trial for it; but either through her innocence, or the authority of her brother Cicero, she was readily acquitted: which gave occasion to Cicero to tell him, among the other reproaches on his flagitious life, *that there was no place so sacred, whither his very visits did not carry pollution, and leave the imputation of guilt, where there was no real crime subsisting* [1].

As the election of Consuls approached, Cicero's interest appeared to be superior to that of all the candidates: for the Nobles themselves, though always envious and desirous to depress him, yet out of regard to the dangers which threatened the City from many quarters, and seemed ready to burst out into a flame, began to think him the onely man qualified to preserve the Republic, and break the cabals of the desperate, by the vigor and prudence of his administration: *for in cases of danger, as Sallust observes, pride and envy naturally subside, and yield the poſſeſſion of honor to virtue* [2]. The method of choosing Consuls was not by an open vote, but by a kind of ballot, or little tickets of wood, distributed to the Citizens with the names of the candidates severally inscribed upon each: but in Cicero's case, the people were not content with this secret and silent way of testifying their

[1] Cum ita vixisti, ut non esset locus tam sanctus, quo non adventus tuus, etiam cum culpa nulla subesset, crimen afferret. Orat. in Tog. cand.

Vid. Acon. ad locum.

[2] Sed ubi periculum advenit, invidia atque superbia post fuere. Sall. 23.

inclinations; but before they came to any scrutiny, loudly and universally proclaimed Cicero the first Consul; so that, as he himself declared in his speech to them after his election, *he was not chosen by the votes of particular Citizens, but the common suffrages of the City; nor declared by the voice of the crier, but of the whole Roman people* [u]. He was the *only new man* who had obtained this sovereign dignity, or, as he expresses it, *had forced the entrenchments of the Nobility for forty years past, from the first Consulship of C. Marius, and the only one likewise who had ever obtained it in his proper year, or without a repulse* [x]. Antonius was chosen his Colleague by the majority of a few Centuries above his friend and partner Catiline; which was effected probably by Cicero's management, who considered him as the less dangerous and more tractable of the two.

CICERO'S Father died this year on the twenty-fourth of November [y] in a good old age, with the comfort to have seen his son advanced to the supreme honor of the City, and wanted nothing to complete the happiness of his life, but the addition of one year more, to have made

[u] Sed tamen magnificentius esse illo nihil potest, quod meis comitiis non tabellam vindicem tacitæ libertatis, sed vocem vivam præ vobis indicem vestrarum erga me voluntatum tulistis. — Itaque me non extrema tribus suffragiorum, sed primi illi vestri concursus, neque singulæ voces præconum, sed una voce universus populus Romanus Consullem declaravit. De leg. Agrar. con. Rull. 2. 2. in Pison. 1.

[x] Eum locum, quem nobilitas præfidiis firmatum, atque omni ratione obvallatam tenebat, me duce rescidistis — Me esse unum, ex omnibus novis hominibus, de quibus meminisse possumus, qui Consulatum petierim, cum primum licitum sit; Consul factus sim, cum primum petierim. De leg. Agrar. ib. 1, 2.

[y] Pater nobis decessit ad diem viii. Kal. Decemb. Ad Att. 1. 6.

him a witness of the glory of his Consulship. It was in this year also most probably, though some Critics seem to dispute it, that Cicero gave his daughter Tullia in marriage at the age of thirteen to C. Piso Frugi, a young Nobleman of great hopes, and one of the best families in Rome [z]: it is certain at least, that his son was born in this same year, as he expressly tells us, in the Consulship of L. Julius Cæsar and G. Marcius Figulus [a]. So that with the highest honor which the public could bestow, he received the highest pleasure which private life ordinarily admits, by the birth of a son and heir to his family.

[z] Tulliam C. Pisoni, L. F. Frugi despondimus. lb. 3. If Casaubon, rather than give up an hypothesis which he had formed about the earlier date of this letter, will hardly allow that Tullia was marriageable at this time,

though Cicero himself expressly declares it. Vid. not. varior. in locum.

[a] L. Julio Cæsare & C. Marcio Figulo Coss. filiolo me auctum scito, salva Terentia. Ad Attic. 1, 2.

S E C T. III.

CICERO was now arrived through the usual gradation of honors, at the highest which the people could regularly give, or an honest Citizen desire. The offices which he had already born had but a partial jurisdiction, confined to particular branches of the Government; but the Consuls held the reins, and directed the whole machine with an authority as extensive as the Empire itself [a]. The subordinate Magistracies therefore, being the steps onely to this sovereign dignity, were not valued so much for their own sake, as for bringing the candidates still nearer to the principal object of their hopes, who through this course of their ambition were forced to practise all the arts of popularity; to court the little as well as the great, to espouse the principles and politics in vogue, and to apply their talents to conciliate friends, rather than to serve the public [b]. But the Consulship put an end to this subjection, and with the command of the state gave them the command of themselves: so that the onely care left was, how to execute this high office with credit and dignity, and employ the power entrusted to them for the benefit and service of their country.

[a] Omnes enim in Consulibus jure & imperio debent esse provinciarum. Philip. 4. 4. Tu summum imperium—gubernacula Reip.—orbis terrarum imperium a pop. Romano petebas. Pro Mur. 35.

[b] Jam urbanam multitudinem, & eorum studia, quæ conciones tenent, adeptus es, in Pompeio orando, Manilii causa recipienda, Cornelio defendendo, &c.—Nec tamen in petendo Respub. capeffenda est, neque in Senatu, neque in concione: sed hæc tibi retinenda, &c. De petitione Consulatus. 13.

WE are now therefore to look upon Cicero in a different light, in order to form a just idea of his character: to consider him, not as an ambitious Courtier, applying all his thoughts and pains to his own advancement; but as a great Magistrate and Statesman, administering the affairs and directing the counsils of a mighty empire. And according to the accounts of all the ancient writers, *Rome* never stood in greater need of the skill and vigilance of an able Consul than in this very year. For besides the traiterous cabals and conspiracies of those who were attempting to subvert the whole Republic, the new Tribuns were also laboring to disturb the present quiet of it: some of them were publishing laws *to abolish every thing that remained of Sylla's establishment, and to restore the sons of the proscribed to their estates and honors*: others to reverse the punishment of P. Sylla and Autronius, *condemned for bribery, and replace them in the Senate* [c]: some were for *expunging all debts*, and others, *for dividing the lands of the public to the poorer citizens* [d]: so that, as Cicero declared both to the Senate and the people, *the Republic was delivered into his hands full of terrors and alarms; distracted by pestilent laws and seditious harangues; endangered not by foreign wars, but intestine evils, and the traiterous designs of profligate Citizens; and that there was no mischief incident to a State, which the honest had not cause to apprehend, the wicked to expect* [e].

WHAT gave the greater spirit to the authors of these attempts, was Antonius's advancement to the Consulship: they knew him to be of the same principles, and embarked in the same designs

[c] Pro Sylla, 22, 23.

[e] De leg. Agrar. cont.

[d] Dio, l. 37. p. 14.

Rull, 1, 8, 9: 2. 3.

with themselves, which by his authority they now hoped to carry into effect. Cicero was aware of this; and foresaw the mischief of a Collegue equal to him in power, yet opposite in views, and prepared to frustrate all his endeavours for the public service: so that his first care, after their election, was to gain the confidence of Antonius, and to draw him from his old engagements to the interests of the Republic; being convinced that all the success of his administration depended upon it. He began therefore to tempt him by a kind of argument which seldom fails of its effect with men of his character, the offer of power to his ambition, and of money to his pleasures: with these baits he caught him; and a bargain was presently agreed upon between them, that *Antonius* should have the choice of the best Province which was to be assigned to them at the expiration of their year [f]. It was the custom for the Senate to appoint what particular Provinces were to be distributed every year to the several Magistrates, who used afterwards to cast lots for them among themselves; the Prætors for the Prætorian, the Consuls for the Consular Provinces. In this partition therefore, when *Macedonia*, one of the most desirable governments of the Empire, both for command and wealth, fell to Cicero's lot, he exchanged it immediately with his Collegue for *Cisalpine Gaul*, which he resigned also soon after in favor of *Q. Metellus*; being resolved, as he declared in his inauguration speech, to administer the Consulship in such a manner, as to put it out of any man's power either to tempt or ter-

[f] Collegam suum Antonium pactione provinciæ publicam dissentiret. Sall. bell. Cat. 26.
 pepulerat, ne contra Rem-

rify him from his duty: since he neither sought, nor would accept any province, honor, or benefit from it whatsoever; the onely way, says he, by which a man can discharge it with gravity and freedom; so as to chastise those Tribuns who wish ill to the Republic, or despise those who wish ill to himself [g]: a noble declaration, and worthy to be transmitted to posterity for an example to all magistrates in a free State. By this address he entirely drew Antonius into his measures, and had him ever after obsequious to his will [b]; or, as he himself expresses it, by his patience and complaisance he softened and calmed him, eagerly desirous of a Province, and projecting many things against the State [i]. The establishment of this concord between them was thought to be of such importance to the public quiet, that in his first speech to the people, he declared it to them from the *Rostræ*, as an event the most likely to curb the insolence of the factious, and raise the spirits of the honest, and prevent the dangers with which the City was then threatened [k].

THERE was another project likewise which he had much at heart, and made one of the capital points of his administration, to unite the *Equestrian order* with the *Senate* into one common party and interest. This body of men, next to the *Senat-*

[g] Cum mihi deliberatum & constitutum sit, ita gerere Consulatum, quo uno modo geri graviter & libere potest, ut neque provinciam, neque honorem, neque ornamentum aliquod, aut commodum—appetiturus sim.—Sic me geram, ut possim Tribunum pleb. Reipub. iratum coercere, mihi iratum con-

temnere. Contra Rull. 1. 8.

[b] Plutarch in his life.

[i] In Pison. 2.

[k] Quod ego & concordiam, quam mihi constitui cum collega, invitissimis iis hominibus, quos in Consulatu inimicos esse & animis & corporis actibus providi, omnibus prospexi sane, &c. Con. Rull. 2. 37.

tors, consisted of the richest and most splendid families of Rome, who from the ease and affluence of their fortunes were naturally well affected to the prosperity of the Republic; and being also the constant farmers of all the revenues of the Empire, had a great part of the inferior people dependent upon them. Cicero imagined, that the united weight of these two orders would always be an over-balance to any other power in the State, and a secure barrier against any attempts of the popular and ambitious upon the common liberty [l]. He was the onely man in the City capable of affecting such a coalition, being now at the head of the Senate, yet the darling of the Knights; who considered him as the pride and ornament of their order, whilst he, to ingratiate himself the more with them, affected always in public to boast of that extraction, and to call himself an *Equestrian*; and made it his special care to protect them in all their affairs, and to advance their credit and interest: so that, as some writers tell us, *it was the authority of his Consulship that first distinguished and established them into a third order of the State* [m]. The policy was certainly very good, and the Republic reaped great benefit from it in this very year, through which he had the whole body of Knights at his

[l] Ut multitudinem cum Principibus, Equestrem ordinem cum Senatu junxerim. In Pison. 3. Neque ulla vis tanta reperietur, quæ conjunctionem vestram, Equitumque Romanorum, tantamque conspirationem bonorum omnium perfringere possit. In Catil. 4. 10.

[m] Cicero demum stabili-

lavit Equestre nomen in Consulatu suo; ei Senatam concilians, ex eo se ordine profectum celebrans, & ejas vires peculiari popularitate quærens: ab illo tempore plane factum est, cœpitque adjici Senatui populoque Romano Equester ordo. Plin. Hist. N. l. 33. 2.

devotion,

devotion, who, with Atticus at their head, constantly attended his orders, and served as a guard to his person [n]: and if the same maxim had been pursued by all succeeding Consuls, it might probably have preserved, or would certainly at least have prolonged, the liberty of the Republic.

HAVING laid this foundation for the laudable discharge of his Consulship, he took possession of it, as usual, on the first of January. A little before his inauguration, P. Servilius Rullus, one of the new Tribuns, who entered always into their office *on the tenth of December*, had been alarming the Senate with *the promulgation of an Agrarian law*. These laws used to be greedily received by the populace, and were proposed therefore by factious Magistrates, as oft as they had any point to carry with the multitude against the publick good: but this law was of all others the most extravagant, and, by a shew of granting more to the People than had ever been given before, seemed likely to be accepted. The purpose of it was, *to create a Decemvirate, or ten commissioners, with absolute power for five years over all the revenues of the Republic; to distribute them at pleasure to the Citizens; to sell and buy what lands they thought fit; to determine the rights of the present possessors; to require an account from all the Generals abroad, excepting Pompey, of the spoils taken in their wars; to settle the colonies where-soever they judged proper, and particularly at Capua; and in short, to command all the money and forces of the empire.*

[n] Vos, Equites Romani, videte, scitis me ortum e vobis, omnia semper sensisse pro vobis, &c. Pro Rabir. Post. 6. Nunc vero cum equi-

tatus ille, quem ego in Clivo Capitolino, te signifero ac principe, collocatum senatum deseruerit. Ad Att. 2. 1.

THE publication of a law conferring powers so excessive, gave a just alarm to all who wished well to the public tranquillity: so that Cicero's first business was to quiet the apprehensions of the City, and to exert all his art and authority to baffle the intrigues of the Tribun. As soon therefore as he was invested with his new dignity, he raised the spirits of the Senate, *by assuring them of his resolution to oppose the law, and all it's abettors, to the utmost of his power; nor suffer the State to be hurt, or it's liberties to be impaired, while the administration continued in his hands.* From the Senate he pursued the Tribun into his own dominion, the Forum; where in an artful and elegant speech from the *Rostræ*, he gave such a turn to the inclination of the people, *that they rejected this Agrarian law with as much eagerness, as they had ever before received one* [o].

HE began, "by acknowledging the extraordinary obligations which he had received from them, in preference and opposition to the Nobility; declaring himself the creature of their power, and of all men the most engaged to promote their interests; that they were to look upon him as the truly popular magistrate; nay, that he had declared even in the Senate, that he would be the people's-Consul [p]." He then fell into a commendation of the *Gracchi*, whose name was extremely dear to them, professing, "that he could not be against all Agrarian laws, when he recollected, that those two most excellent men, who had the greatest love for the Roman people, had divided the public lands to the Citizens; that he was not one of those Consuls,

[o] Quis unquam tam fecunda concione legem Agrariam suavit, quam ego dissuasi? Contra Rullum, 2. 37.

[p] Ibid. 3.

“ who thought it a crime to praise the Gracchi ;
 “ on whose counsils, wisdom, laws, many parts
 “ of the present government were founded [q]:
 “ that his quarrel was to this particular law,
 “ which, instead of being popular, or adapted to
 “ the true interests of the City, was in reality the
 “ establishment of a Tyranny, and a creation of
 “ ten Kings to domineer over them.” This he
 displays at large, from the natural effect of that
 power which was granted by it [r]; and proceeds
 to insinuate, *that it was covertly levelled against their
 favorite Pompey, and particularly contrived to retrench
 and insult his authority*: “ Forgive me, Citizens,
 “ says he, for my calling so often upon so great
 “ a name: you yourselves imposed the task upon
 “ me, when I was Prætor, to join with you in
 “ defending his dignity as far as I was able: I
 “ have hitherto done all that I could do; not
 “ moved to it by my private friendship for the
 “ man, nor by any hopes of honor, and of this
 “ supreme magistracy, which I obtained from
 “ you, though with his approbation, yet without
 “ his help. Since then I perceive this law to be
 “ designed as a kind of engine to overturn his
 “ power, I will resist the attempts of these men;
 “ and as I myself clearly see what they are aiming
 “ at, so I will take care that you also shall see,
 “ and be convinced of it too [s].” He then
 shews, “ how the law, though it excepted Pompey
 “ from being accountable to the Decemvirate, yet
 “ excluded him from being one of the number,
 “ by limiting the choice to those who were pre-
 “ sent at Rome; that it subjected likewise to their
 “ jurisdiction the countries just conquered by him,
 “ which had always been left to the management

[q] Ib. 5. [r] Ib. 6. 11, 13, 14. [s] Ib. 18.

“ of the General [*t*]: Upon which he draws a
 “ pleasant picture of the Tribun Rullus, with all
 “ his train of Officers, Guards, Lictors, and Ap-
 “ parators [*u*], swaggering in Mithridates’s king-
 “ dom, and ordering Pompey to attend him by
 “ a mandatory letter, in the following strain :

“ P. Servilius Rullus, Tribun of the people,
 “ Decemvir, to Cnæus Pompey the son of Cnæus,
 “ greeting.

“ He will not add, says he, the title of Great
 “ when he has been laboring to take it from him
 “ by law [*x*].”

“ *I require you not fail to come presently to Si-
 “ nope, and bring me a sufficient guard with you,
 “ while I sell those lands by my law, which you have
 “ gained by your valor.*

HE observes, “ that the reason of excepting
 “ Pompey was not from any respect to him, but
 “ for fear that he would not submit to the indig-
 “ nity of being accountable to their will : but
 “ Pompey, says he, is a man of that temper,
 “ that he thinks it his duty to bear whatever you
 “ please to impose ; but if there be any thing
 “ which you cannot bear yourselves, he will take
 “ care that you shall not bear it long against your
 “ wills [*y*].” He proceeds to enlarge upon “ the
 “ dangers ; which this law threatened to their li-
 “ berties : that instead of any good intended by
 “ it to the body of the Citizens, it’s purpose was
 “ to erect a power for the oppression of them ;
 “ and on pretence of planting colonies in Italy
 “ and the Provinces, to settle their own creatures
 “ and dependents, like so many garrisons, in all
 “ the convenient posts of the Empire, to be rea-
 “ dy on all occasions to support their tyranny :

[*t*] Ib. 19. [*u*] Ib. 13. [*x*] Ib. 20. [*y*] Ib. 23.

“ that

“ that Capua was to be their head-quarters, their
 “ favorite colony; of all Cities the proudest, as
 “ well as the most hostile and dangerous; in
 “ which the wisdom of their ancestors would not
 “ suffer the shadow of any power or magistracy
 “ to remain; yet now it was to be cherished and
 “ advanced to another Rome [z]: that by this
 “ law the lands of Campania were to be sold or
 “ given away; the most fruitful of all Italy, the
 “ surest revenue of the Republic, and their con-
 “ stant resource when all other rents failed them;
 “ which neither the Gracchi, who of all men stu-
 “ died the people’s benefit the most, nor Sylla,
 “ who gave every thing away without scruple,
 “ durst venture to meddle with [a].” In the
 conclusion he takes notice “ of the great favor and
 “ approbation with which they had heard him, as
 “ a sure omen of their common peace and pro-
 “ sperity; and acquaints them with the concord
 “ that he had established with his Colleague, as a
 “ piece of news of all others the most agreeable;
 “ and promises all security to the Republic, if
 “ they would but shew the same good disposition
 “ on future occasions, which they had signified
 “ on that day; and that he would make those
 “ very men, who had been the most envious and
 “ averse to his advancement, confess, that the
 “ people had seen farther, and judged better than
 “ they, in chusing him for their Consul.”

In the course of this contest he often called upon
 the Tribuns *to come into the Rostra, and debate the
 matter with him before the people* [b]; but they

[z] Ibid. 28, 32.

[a] Ibid. 29.

[b] Si vestrum commodum
 spectat, veniat & coram me-
 cum de agri Campani divi-
 sione disputet. Con. Rull.

2. 28. Commodius fecissent
 Tribuni plebis, Quirites, si,
 quæ apud vos de me deferunt,
 ea coram potius me presente
 dixissent. Con. Rull. 3. 1.

thought it more prudent to decline the challenge, and to attack him rather by fictitious stories and calumnies, sedulously inculcated into the multitude; *that his opposition to the law flowed from no good will to them, but an affection to Sylla's party, and to secure to them the lands which they possessed by his grant; that he was making his court by it to the seven Tyrants, as they called seven of the principal Senators, who were known to be the greatest favorers of Sylla's cause, and the greatest gainers by it; the two Lucullus's, Crassus, Catulus, Hortensius, Metellus, Philippus.* These insinuations made so great an impression on the City, that he found it necessary to defend himself against them *in a second speech to the people [c]*, in which he declared, “ that he
 “ looked upon that law, which ratified all Sylla's
 “ acts, to be of all laws the most wicked, and the
 “ most unlike to a true law, as it established a
 “ tyranny in the City; yet that it had some excuse
 “ from the times, and, in their present circum-
 “ stances, seemed proper to be supported; espe-
 “ cially by him, who for this year of his Con-
 “ sulship professed himself the patron of peace [d];
 “ but that it was the height of impudence in
 “ Rullus, to charge him with obstructing their
 “ interests for the sake of Sylla's grants, when
 “ the very law which that Tribun was then urg-
 “ ing, actually established and perpetuated those
 “ grants; and shewed itself to be drawn by a son
 “ in law of Valgius, who possessed more lands
 “ than any other man by that invidious tenure,
 “ which were all by this law to be partly con-
 “ firmed, and partly purchased of him [e].” This
 he demonstrates from the express words of the law, “ which he had studiously omitted, he says,

[.] Ibid. [c] Ibid. 3. 2. [e] Ibid. 3. 1, 4.

“ to take notice of before, that he might not re-
 “ vive old quarrels, or move any argument of
 “ new diffension in a season so improper [*f*]:
 “ that Rullus therefore, who accused him of de-
 “ fending Sylla’s acts, was of all others the most
 “ impudent defender of them: for none had ever
 “ affirmed them to be good and legal, but to have
 “ some plea onely from possession and the public
 “ quiet; but by this law the estates that had been
 “ granted by them were to be fixed upon a better
 “ foundation and title than any other estates
 “ whatsoever.” He concludes “ by renewing
 “ his challenge to the Tribuns to come and dispute
 “ with him to his face.” But after several fruitless
 attempts, finding themselves wholly unable to con-
 tend with him, they were forced at last to submit,
 and to let the affair drop, to the great joy of the
 Senate.

THIS alarm being over, another accident broke
 out, which might have endangered the peace of
 the City, if the effects of it had not been pre-
 vented by the authority of Cicero. *Otho’s law*,
 mentioned above, for the assignment of *separate*
seats to the Equestrian order, had highly offended
 the people, who could not digest the indignity of
 being thrust so far back from their diversions;
 and while the grudge was still fresh, Otho hap-
 pening to come into the theater, was received by
 the populace with *an universal hiss*, but by the
 Knights *with loud applause and clapping*: both sides
 redoubled their clamor with great fierceness, and
 from reproaches were proceeding to blows; till
 Cicero, informed of the tumult, came immedi-
 ately to the Theater, and calling the people out
 into the Temple of Bellona, *so tamed and stung*

[*f*] Ibid. 3. 2.

them by the power of his words, and made them so ashamed of their folly and perverseness, that on their return to the Theater they changed their kisses into applauses, and vied with the Knights themselves in demonstrations of their respect to Otho [g]. The speech was soon after published; though from the nature of the thing it must have been made upon the spot, and flowed extempore from the occasion: and as it was much read and admired for several ages after, as a memorable instance of Cicero's command over men's passions, so some have imagined it to be alluded to in that beautifull passage of Virgil [h].

*Ac veluti magno in populo cum sepe coorta est
Seditio, sævitque animis ignobile vulgus;
Jamque faces & saxa volant, furor arma ministrat:
Tum pietate gravem & meritis si forte virum quem
Aspexere, silent, arreptisque auribus adstant;
Ille regit dictis animos, & pectora mulcet,*
Virg. Æn. 1. 152.

As when sedition fires th' ignoble crowd,
And the wild rabble storms and thirsts for blood:
Of stones and brands a mingled tempest flies,
With all the sudden arms that rage supplies:
If some grave fire appears amidst the strife,
In morals strict and innocence of life,
All stand attentive, while the sage controuls
Their wrath, and calms the tempest of their souls.
Mr. Pitt.

[g] Plutarch's life of Cic.
[h] Sebast. Corradi Quæ-
stura, p. 133. Æneid. 1. 152.
What gives the greater color
to this imagination is, that

Quintilian applies these lines
to his character of a complete
Orator, which he professedly
forms upon the model of Ci-
cero. Lib. 12. 1.

ONE topic, which Cicero touched in this speech, and the onely one of which we have any hint from antiquity, was to reproach the rioters for their want of tast and good sense, *in making such a disturbance while Roscius was a King* [i].

THERE happened about the same time a third instance, not less remarkable, of Cicero's great power of persuasion: Sylla had by an express law *excluded the children of the proscribed from the Senate and all public honors*; which was certainly an act of great violence, and *the decree rather of a Tyrant, than the law of a free State* [k]. So that the persons injured by it, who were many, and of great families, were now making all their efforts to get it reversed. Their petition was highly equitable, but, from the condition of the times, as highly unseasonable; for in the present disorders of the City, the restoration of an oppressed party must needs have added strength to the old factions; since the first use, that they would naturally make of the recovery of their power, would be to revenge themselves on their oppressors. It was Cicero's business therefore to prevent that inconvenience, and, as far as it was possible, with the consent of the sufferers themselves: on which occasion *this great commander of the human affections*, as Quintilian calls him, found means to persuade those unfortunate men, *that to bear their injury was their benefit; and that the government itself could not stand, if Sylla's laws were then repealed, on which the quiet and order of the Republic were established*; acting herein the part of a wise statesman, who will oft be forced to tolerate, and even maintain, what he cannot approve, for the sake of the

[i] Macrob Saturn. 2. 10. rum honorum jure prohibe-

[k] Exclusique paternis orientur. Vell. Pat. 2. 28.
pibus liberi, etiam petendo-

common good; agreeably to what he lays down in his book of *Offices*, that *many things which are naturally right and just, are yet by certain circumstances and conjunctures of times made dishonest and unjust* [l]. As to the instance before us, he declared in a speech made several years after, *that he had excluded from honors a number of brave and honest young men, whom fortune had thrown into so unhappy a situation, that if they had obtained power, they would probably have employed it to the ruin of the state* [m]. The three cases just mentioned make Pliny break out into a kind of rapturous admiration of the man, *who could persuade the people to give up their bread, their pleasure and their injuries, to the charms of his eloquence* [n].

THE next transaction of moment in which he was engaged was the defense of C. Rabirius, an aged Senator, accused by T. Labienus, one of the Tribuns, of *treason or rebellion*, for having killed *L. Saturninus, a Tribun about forty years before, who had raised a dangerous sedition in the City*. The fact, if it had been true, was not onely legal, but laudable, being done in obedience to a decree of the Senate, by which all the Citizens were required to take arms in aid of the Consuls C. Marius and L. Flaccus.

BUT the punishment of Rabirius was not the thing aimed at, nor the life of an old man worth the pains of disturbing the peace of the City: the design was to attack *that prerogative of the Senate*, by which in the case of a sudden tumult they could

[l] Sic multa, quæ honesta natura videntur esse, temporibus fiunt non honesta. De Offic. 3. 25.

[m] Ego adolescentes fortes & bonos, sed usos ea conditione fortunæ, ut, si essent

magistratus adepti, Reipub. statum convulsuri viderentur —comitiorum ratione privati. In Pison. 2.

[n] Quo te, M. Tulli, piaculo taceam? &c. Plin. Hist. 1. 7. 30.

arm the City at once, by requiring *the Consuls to take care, that the Republic received no detriment*: which vote was supposed to give a sanction to every thing that was done in consequence of it; so that several traiterous magistrates had been cut off by it, without the formalities of a trial, in the act of stirring up sedition. This practice, though in use from the earliest times, had always been complained of by the Tribuns, as an infringement of the constitution, by giving to the Senate an arbitrary power over the lives of Citizens, which could not legally be taken away without a hearing and judgment of the whole people. But the chief grudge to it was, from it's being a perpetual check to the designs of the ambitious and popular, who aspired to any power not allowed by the laws: it was not difficult for them to delude the multitude; but the Senate was not so easily managed, who *by that single vote of committing the Republic to the Consuls*, could frustrate at once all the effects of their popularity, when carried to a point which was dangerous to the State: for since in virtue of it, the *Tribuns* themselves, whose persons were held sacred, might be taken off without sentence or trial, when engaged in any traiterous practices, all attempts of that kind must necessarily be hazardous and desperate.

THIS point therefore was to be tried on the person of Rabirius, in whose ruin the factious of all ranks were interested. J. Cæsar suborned Labienus to prosecute him; and procured himself to be appointed one of the *Duumviri*, or the *two Judges* allotted by the Prætor to sit upon trials of treason [o]. Hortensius pleaded his cause, and proved by many witnesses, *that the whole accusa-*

[] Sueton. vit. J. Cæs. 12. Dio, p. 42.

tion was false, and that Saturninus was actually killed by the hand of a slave, who for that service obtained his freedom from the public [p]. Cæsar however eagerly condemned the old man, who appealed from his sentence to the people; where nothing, says Suetonius, did him so much service, as the partial and forward severity of his judge [q].

THE Tribuns in the mean while employed all their power to destroy him; and Labienus would not suffer Cicero to exceed half an hour in his defence [r]; and to raise the greater indignation against the criminal, exposed the picture of Saturninus in the Rostra, as of one who fell a martyr to the liberties of the people. Cicero opened the defence with great gravity, declaring, “that in the
 “ memory of man there had not been a cause of
 “ such importance, either undertaken by a Tribun,
 “ or defended by a Consul: that nothing less was
 “ meant by it, than that for the future, there
 “ should be no Senate or public Council in the
 “ City; no consent and concurrence of the honest
 “ against the rage and rashness of the wicked; no
 “ resource or refuge in the extreme dangers of the
 “ Republic [s]. — He implores the favour of all
 “ the Gods, by whose providence their City was
 “ more signally governed than by any wisdom of
 “ man to make that day propitious to the secu-
 “ rity of the state, and to the life and fortunes of
 “ an innocent man.”—And having possessed the
 minds of his audience with the sanctity of the cause, he proceeds boldly to wish, that he had been at
 “ liberty to confess, what Hortensius indeed had
 “ proved to be false, that Saturninus, the enemy

[p] Pro Rabir. 6, 11.

ib. 12.

[q] Ut ad populum provocanti nihil æque ac iudicis agerbitas profuit. Sueton.

[r] Pro Rabir. 1.

[s] Ibid.

“ of the Roman people, was killed by the hand
 “ of Rabirius [*t*]—that he should have proclaimed
 “ and bragged of it, as an act that merited re-
 “ wards, instead of punishment.”—Here he was
 interrupted by the clamor of the opposite faction ;
 but he observes it to be “ the faint effort of a small
 “ part of the assembly ; and that the body of the
 “ people, who were silent, would never have
 “ made him Consul, if they had thought him
 “ capable of being disturbed by so feeble an in-
 “ sult ; which he advised them to drop, since it
 “ betrayed onely their folly and inferiority of
 “ their numbers.”—The assembly being quieted,
 he goes on to declare, “ that though Rabirius did
 “ not kill Saturninus, yet he took arms with in-
 “ tent to kill him, together with the Consuls and
 “ all the best of the City, to which his honor,
 “ virtue, and duty called him.—He puts Labienus
 in mind, “ that he was too young to be acquaint-
 “ ed with the merits of that cause ; that he was
 “ not born when Saturninus was killed, and could
 “ not be apprised how odious and detestable his
 “ name was to all people : that some had been ban-
 “ nished for complaining onely of his death ; others
 “ for having a picture of him in their houses [*u*]:
 “ that he wondered therefore where Labienus
 “ had procured that picture, which none durst ven-
 “ ture to keep even at home ; and much more, that
 “ he had the hardiness to produce, before an as-
 “ sembly of the people, what had been the ruin
 “ of other men’s fortunes—that to charge Rabi-
 “ rius with this crime was to condemn the greatest
 “ and worthiest Citizens, whom Rome had ever
 “ bred ; and though they were all dead, yet the
 “ injury was the same, to rob them of the honor

[*t*] *Ibid.* 6.[*u*] *Ibid.* 9.

“ due to their names and memories.—Would C.
 “ Marius, says he, have lived in perpetual toils
 “ and dangers, if he had conceived no hopes
 “ concerning himself and his glory beyond the
 “ limits of this life? When he defeated those in-
 “ numerable enemies in Italy, and saved the Re-
 “ public, did he imagine that every thing which
 “ related to him would die with him? No; it is
 “ not so, Citizens; there is not one of us who
 “ exerts himself with praise and virtue in the dan-
 “ gers of the Republic, but is induced to it by
 “ the expectation of a futurity. As the minds of
 “ men therefore seem to be divine and immortal
 “ for many other reasons, so especially for this,
 “ that in all the best and the wisest there is so
 “ strong a sense of something hereafter, that they
 “ seem to relish nothing but what is eternal. I
 “ appeal then to the souls of C. Marius, and of
 “ all those wise and worthy Citizens, who, from
 “ this life of men, are translated to the honors and
 “ sanctity of the Gods; I call them, I say, to
 “ witness, that I think myself bound to fight for
 “ their fame, glory, and memory, with as much
 “ zeal, as for the altars and temples of my coun-
 “ try; and if it were necessary to take arms in
 “ defense of their praise, I should take them as
 “ strenuously, as they themselves did for the de-
 “ fence of our common safety, &c. [x].”

AFTER this speech the people were to pass
 judgement on Rabirius by the suffrages of all the
 centuries: but there being reason to apprehend
 some violence and foul play from the intrigues of
 the Tribuns, Metellus, *the Augur and Prætor* of
 that year, contrived to dissolve the assembly by a
 stratagem before they came to a vote [y]: and the

[x] Ibid. 10.

[y] Dio, l. 37, 42.

greater affairs that presently ensued, and engaged the attention of the City, prevented the farther prosecution and revival of the cause.

BUT Cæsar was more successfull in another case, in which he was more interested, his suit for *the High Priesthood*, a post of the first dignity in the Republic, vacant by the death of Metellus Pius. Labienus opened his way to it by the publication of a new law, for transferring the right of electing from the college of priests to the people, agreeably to the tenor of a former law, which had been repealed by Sylla. Cæsar's strength lay in the favor of the populace, which by immense bribes and the profusion of his whole substance he had gained on this occasion so effectually, that he carried this high office, before he had yet been *Prætor*, against two *Consular competitors* of the first authority in Rome, Q. Catulus and P. Servilius Isauricus; the one of whom had been *Censor*, and then bore the title of *Prince of the Senate*; and the other been honored with a *Triumph*; yet he procured more votes against them even in their own tribes, than they both had out of the whole number of the Citizens [z].

CATILINE was now renewing his efforts for the *Consulship* with greater vigor than ever, and by such open methods of bribery, that Cicero published a new law against it, with the additional penalty of a ten years *exil*, prohibiting likewise all shews of *Gladiators* within two years from the time of suing for any magistracy, unless they were ordered by the will of a person deceased, and on a certain day therein specified [a]. Catiline, who knew the law

[z] Ita potentissimos duos quam uterque in omnibus tu-
competitores, multumque & lerit. Suet. J. Cæs. 13. Vide
ætatē & dignitate anteceden- Pigh. Annal.

tes, superavit; ut plura ipse [a] Pro Muren. 23. in
in eorum tribubus suffragia, Vatin. 15.

to be levelled at himself, formed a design to kill Cicero, with some other chiefs of the Senate [b], on the day of election, which was appointed for *the twentieth of October*; but Cicero gave information of it to the Senate the day before, upon which the election was deferred, that they might have time to deliberate on an affair of so great importance; and the day following, in a full house, *he called upon Catiline to clear himself* of this charge; where without denying or excusing it, he bluntly told them, that *there were two bodies in the Republic*, meaning the Senate and the People, *the one of them infirm with a weak head, the other firm without a head; which last had so well deserved of him, that it should never want a head while he lived.* He had made a declaration of the same kind and in the same place a few days before, when upon *Cato's threatening him with an impeachment*, he fiercely replied, *that if any flame should be excited in his fortunes, he would extinguish it, not with water, but a general ruin* [c].

THESE declarations startled the Senate, and convinced them that nothing but a desperate conspiracy, ripe for execution, could inspire so daring an assurance: so that they proceeded immediately to that decree, which was the usual refuge in all cases of imminent danger, of ordering *the Consuls to take care that the Republic received no harm* [d]. Upon this Cicero doubled his guard, and called some troops into the city; and when the election

[b] Dio, l. 37. 43.

[c] Tum enim dixit, duo corpora esse Reipub. unum debile, infirmo capite; alterum firmum, sine capite: huic, cum ita de se meritum esset, caput, se vivo, non defuturum. — Cum idem ille

paucis diebus ante Catoni, judicium minitanti, respondisset, Si quod esset in suas fortunas incendium excitatum, id se non aqua, sed ruina restincturum. Pro Muren. 25.

[d] Sall. bell. Catil. 29. Plutarch. Cic.

of Consuls came on, that he might imprint a sense of his own and of the public danger the more strongly, he took care *to throw back his gown in the view of the people, and discovered a shining breast-plate, which he wore under it [e]*: by which precaution, as he told Catiline afterwards to his face, he prevented his design of killing *both him and the competitors for the Consulship, of whom D. Junius Silanus and L. Licinius Murena were declared Consuls elect [f]*.

CATILINE thus a second time repulsed, and breathing nothing but revenge, was now eager and impatient to execute his grand plot: he had no other game left; his schemes were not only suspected, but actually discovered by the sagacity of the Consul, and himself shunned and detested by all honest men; so that he resolved without farther delay to put all to the hazard, of ruining either his country or himself. He was singularly formed both by art and nature for the head of a desperate conspiracy; of an illustrious family, ruined fortunes, profligate mind, undaunted courage, unwearied industry; of a capacity equal to the hardest attempt, *with a tongue that could explain, and a hand that could execute it [g]*. Cicero gives us his just character in many parts of his works, but in none a more lively picture of him than in the following passage [b].

[e] Descendi in campum— cum illa lata insignique lorica—ut omnes boni animadverterent, & cum in metu & periculo Consulem viderent, id quod factum est, ad opem præsidiumque meum concurrerent. Pro Muren. 26.

[f] Cum proximis comitiis consularibus, me Consu-

lem in campo & competitorum tuos interficere voluisti, compressi conatus tuos nefarios amicorum præsidio. In C. t. 1. 5.

[g] Erat ei consilium ad facinus aptum: consilio autem neque lingua, neque manus deerat. In Cat. 3. 7.

[b] Pro Cæl. 5. 6.

“ HE had in him, says he, many, though not
 “ exprefs images, yet sketches of the greatest vir-
 “ tues; was acquainted with a great number of
 “ wicked men, yet a pretended admirer of the
 “ virtuous. His houfe was furnished with a va-
 “ riety of temptations to luft and lewdnefs, yet
 “ with feveral incitements alfo to induftry and
 “ labor: it was a fcene of vicious pleasures, yet a
 “ fchool of martial exercifes. There never was
 “ fuch a monfter on earth compounded of pas-
 “ fions fo contrary and oppofite. Who was ever
 “ more agreeable at one time to the beft citizens?
 “ who more intimate at another with the worft?
 “ who a man of better principles? who a fouler
 “ enemy to this city? who more intemperate in
 “ pleafure? who more patient in labor? who
 “ more rapacious in plundering? who more pro-
 “ fufe in fquandering? he had a wonderful fa-
 “ culty of engaging men to his friendship, and
 “ obliging them by his obfervance; fharing
 “ with them in common whatever he was mafter
 “ of; ferving them with his money, his intereft,
 “ his pains, and, when there was occafion, by
 “ the moft daring acts of villainy; moulding
 “ his nature to his purpofes, and bending it eve-
 “ ry way to his will. With the morofe, he could
 “ live feverely; with the free, gayly; with the
 “ old, gravely; with the young, chearfully;
 “ with the enterprizing, audaciously; with the
 “ vicious, luxuriously. By a temper fo various
 “ and pliable, he gathered about him the pro-
 “ fligate and the rafh from all countries, yet
 “ held attached to him at the fame time many
 “ brave and worthy men, by the fpecious fhew
 “ of a pretended virtue.”

WITH thefe talents, if he had obtained the
 Confulship, and with it the command of the ar-
 mies

mies and provinces of the Empire, he would probably, like another Cinna, have made himself the tyrant of his country: but despair and impatience, under his repeated disappointments, hurried him on to the mad resolution, of extorting by force what he could not procure by address. His scheme however was not without a foundation of probability, and there were several reasons for thinking the present time the most seasonable for the execution of it. Italy was drained in a manner of regular troops; Pompey at a great distance with the best army of the Empire; and his old friend Antonius, on whose assistance he still depended [*i*], was to have the command of all the forces that remained. But his greatest hopes lay in Sylla's veteran soldiers, whose cause he had always espoused, and among whom he had been bred; who, to the number of about a hundred thousand, were settled in the several districts and colonies of Italy, in the possession of lands assigned to them by Sylla, which the generality had wasted by their vices and luxury, and wanted another civil war to repair their shattered fortunes. Among these he employed his agents and officers in all parts, to debauch them to his service; and in Etruria, had actually enrolled a considerable body, and formed them into a little army under the command of Manlius, a bold and experienced Centurion, who waited onely for his orders to take the field [*k*]. We must add to this what all writers mention, the universal disaffection and discontent, which possessed all ranks of the City, but especially the meaner sort, who from the uneasiness of their cir-

[*i*] Inflatum tum spe militum, tum collegæ mei, ut ipse dicebat, promissis. Pro Muren. 23.

[*k*] Castra sunt in Italia contra Rempub. in Etruriæ faucibus collocata. In Cat. 1. 2. it. 2. 6.

cumstances, and the pressure of their debts, wished for a change of government; so that if Catiline had gained any little advantage at setting out, or come off but equal in the first battel, there was reason to expect a general declaration in his favor [l].

HE called a council therefore of all the conspirators, to settle the plan of their work, and divide the parts of it among themselves, and fix a proper day for the execution. There were about *thirty five*, whose names are transmitted to us as principals in the plot, partly of the *Senatorian*, partly of the *Equestrian* order, with many others from the colonies and municipal towns of Italy, men of families and interest in their several countries. The Senators were P. Cornelius Lentulus, C. Cethegus, P. Autronius, L. Cassius Longinus, P. Sylla, Serv. Sylla, L. Vargunteius, Q. Curius, Q. Annius, M. Portius Lecca, L. Bestia [m].

LENTULUS was descended from a Patrician branch of the *Cornelian* family, one of the most numerous, as well as the most splendid in Rome. His grandfather had born the title of *Prince of the Senate*, and was the most active in the pursuit and destruction of C. Gracchus, in which he received a dangerous wound [n]. The grandson, by the favor of his noble birth, had been advanced to the Consulship about eight years before, but was turned out of the Senate soon after by the Censors, for the notorious infamy of his life, till by obtaining the Prætorship a second time, which he now

[l] Sed omnino cuncta plebes, novarum rerum studio, Catilinæ incepta probabat—quod si primo prælio Catilina superior, aut æqua manu discessisset, profecto magna clades, &c. Sallust. 27. 29.

[m] Sallust. 17.

[n] Num P. Lentulum, principem Senatus? Complures alios summos viros, qui cum L. Opinio Consule armati Gracchum in Aventinum persecuti sunt? quo in prælio Lentulus grave vulnus acceptum. Phil. 8. 4. in Cat. 4. 6

actually enjoyed, he recovered his former place and rank in that supreme council [o]. His parts were but moderate, or rather flow; yet the comeliness of his person, the gracefulness and propriety of his action, the strength and sweetness of his voice, procured him some reputation as a speaker [p]. He was lazy, luxurious, and profligately wicked; yet so vain and ambitious, as to expect from the overthrow of the government, to be the first man in the Republic; in which fancy he was strongly flattered by some *crafty Southsayers*, who assured him from the *Sibylline books*, that there were three *Cornelius's* destined to the dominion of Rome; that Cinna and Sylla had already possessed it, and the prophecy wanted to be completed in him [q]. With these views he entered freely into the conspiracy, trusting to Catiline's vigor for the execution, and hoping to reap the chief fruit from it's success.

CETHEGUS was of an extraction equally noble, but of a temper fierce, impetuous, and daring to a degree even of fury. He had been warmly engaged in the cause of Marius, with whom he was driven out of Rome; but when Sylla's affairs became prosperous, he presently changed sides, and throwing himself at Sylla's feet, and promising great services, was restored to the City [r]. After Sylla's death, by intrigues and

[o] Lentulus quoque tunc maxime Prætor, &c. Flor. 4. r. Dio, p. 43. Plut. in Cic.

[p] P. Lentulus, cujus & excogitandi & loquendi tarditatem tegebat formæ dignitas, corporis motus plenus & artis & venustatis, vocis & suavitas & magnitudo, Brut. 350.

[q] Lentulum autem sibi confirmasse ex fati Sibyllinis,

Haruspicumque responsis, se esse tertium illum Cornelium, ad quem regnum hujus urbis atque imperium pervenire esset necesse, &c. In Cat. 3. 4. it. 4. 6.

[r] Quid Catilina tuis natalibus, atque Cethegi Inveniet quisquam sublimius? —Juv. Sat. 8. 231. App. 399.

faction he acquired so great an influence, that while Pompey was abroad, he governed all things at home; procured for Antonius, the command over the coasts of the Mediterranean, and for Lucullus, the management of the Mithridatic war [s]. In the height of this power, he made an excursion into Spain, to raise contributions in that province, where meeting with some opposition to his violences, he had the hardiness to insult, and even wound the Proconsul Q Metellus Pius [t]. But the insolence of his conduct and the infamy of his life gradually diminished, and at last destroyed his credit; when finding himself controuled by the Magistrates, and the particular vigilance of Cicero, he entered eagerly into Catiline's plot, and was entrusted with the most bloody and desperate part of it, the task of massacring their enemies within the city. The rest of the conspirators were not less illustrious for their birth [u]. The two Sylla's were nephews to the Dictator of that name; Autronius had obtained the Consulship, but was deprived for bribery; and Cassius was a competitor for it with Cicero himself. In short, they were all of the same stamp and character; men whom disappointments, ruined fortunes, and flagitious lives, had prepared for any design against the State; and all whose hopes of ease and advancement

[s] Hic est M. Antonius, qui gratia Cottæ Consul's & Cethegi factione in Senatu, curationem infinitam nactus, &c. Afcon. in Verr. 2. 3. Plut. in Lucull.

[t] Quis de C. Cethego, atque ejus in Hispaniam profectiōne, ac de vulnere Q.

Metelli Pii cogitat, cui non ad illius pœnam carcer ædificatus esse videatur? Pro Syll. 25.

[u] Curii, Porcii, Syllæ, Cethegi, Antonii, Vargunteii atque Longini: quæ familiæ? quæ Senatus insignia? &c. Flor. l. 4. 1.

depended

depended on a change of affairs, and the subversion of the Republic.

AT this meeting it was resolved, that a general insurrection should be raised through Italy, the different parts of which were assigned to different leaders; that Catiline should put himself at the head of the troops in Etruria; that Rome should be fired in many places at once, and a massacre begun at the same time of the whole Senate, and all their enemies; of whom none were to be spared except the sons of Pompey, who were to be kept as *Hostages* of their peace and reconciliation with the father; that in the consternation of the fire and massacre, Catiline should be ready with his *Tuscan* army, to take the benefit of the public confusion, and make himself master of the City; where Lentulus in the mean while, as first in dignity, was to preside in their general councils; Cassius to manage the affair of firing it, Cethegus to direct the massacre [x]. But the vigilance of Cicero being the chief obstacle to all their hopes, Catiline was very desirous to see him taken off before he left Rome; upon which *two Knights* of the company undertook to kill him the next morning in his bed, in an early visit on pretence of business [y]. They were both of his acquaintance, and used to frequent his house; and knowing his custom of giving free access to all, made no doubt of

[x] Cum Catilina egrederetur ad exercitum, Lentulus in urbe relinqueretur, Cassius incendiis, Cethegus cædi præponeretur. Pro Syll. 19. Vid. Plut. in Cicer.

[y] Dixisti paullulum tibi esse moræ, quod ego vive-

rem: reperti sunt duo Equites Romani, qui te ista cura liberarent, & sese illa ipsa nocte ante lucem me meo in lectulo interfecturos pollicerentur. In Catil. 1. 4. it. Sallust. 28.

being readily admitted, as Cornelius, one of the two, afterwards confessed [z].

THE meeting was no sooner over, than Cicero had information of all that passed in it; for by the intrigues of a woman named Fulvia, he had gained over Curius her gallant, one of the conspirators of Senatorian rank, to send him a punctual account of all their deliberations. He presently imparted his intelligence to some of the chiefs of the city, who were assembled that evening, as usual, at his house; *informing them not onely of the design, but naming the men who were to execute it, and the very hour when they would be at his gate*: all which fell out exactly as he foretold; for the *two Knights* came before break of day, but had the mortification to find *the house well guarded, and all admittance refused to them* [a].

CATILINE was disappointed likewise in another affair of no less moment before he quitted the City; a design *to surprize the town of Præneste*, one of the strongest fortresses of Italy, within twenty-five miles of Rome; which would have been of singular use to him in the war, and a sure retreat in all events: but Cicero was still beforehand with him, and from the apprehension of such an attempt, had previously sent orders to the place to keep a special guard; so that when Catiline *came in the night* to make an as-

[z] Tunc tuus pater, Cornelii, id quod tandem aliquando confitetur, illam sibi officiosam provinciam deposcit. Pro. Syll. 18.

[a] Domum meam majoribus praefidiis munivi: ex-

clusi eos, quos tu mane ad me salutatum miseris; cum illi ipsi venissent, quos ego jam multis ac summis viris ad me id temporis venturos esse praedixeram. In Catil. 1. 4.

fault, he found them so well provided, that he durst not venture upon the experiment [b].

THIS was the state of the conspiracy, when Cicero delivered the first of *those four* speeches, which were spoken upon the occasion of it, and are still extant. The meeting of the conspirators was on the sixth of November, in the evening; and on the eighth he summoned the Senate to *the Temple of Jupiter in the Capitol*, where it was not usually held but in times of *public alarm* [c]. There had been several debates before this on the same subject of Catiline's treasons, and his design of killing the Consul; and a decree had passed at the motion of Cicero, to offer a public reward to the first discoverer of the plot; *if a slave, his liberty, and eight hundred pounds; if a citizen, his pardon, and sixteen hundred* [d]. Yet Catiline by a profound dissimulation, and the constant professions of his innocence, still deceived many of all ranks; representing the whole as the fiction of his enemy Cicero, and offering to give security for his behaviour, and to deliver himself to the custody of any whom the Senate would name; *of M. Lepidus, of the Prætor Metellus, or of Cicero himself*: but none of them would receive him; and Cicero plainly told him, *that he should never think himself safe in the same house, when he was in danger by living in the same City with*

[b] Quid? eum tu Præneſte Kalendis iſtis Novembribus occupaturum nocturno impetu conſideres? Senſiſtine illam coloniam meo juſſu, meis præſidiis — eſſe munitam? Ibid. l. 3. Præneſte — natura munitum. Vell. Pat. 2. 26.

[c] Nihil hic munitiſſimus habendi Senatus locuſ. Ib. 1. 1

[d] Si quiſ indicaviſſet de conjuratione, quæ contra Remp. facta erat, præmun. ſervo, libertatem & ſeſtertia centum; liberto, impunitatem & ſeſtertia cc. Salluſt. 30.—

him [e]: yet he still kept on the mask, and had the confidence to come to this very meeting *in the Capitol*; which so shocked the whole assembly, *that none even of his acquaintance durst venture to salute him; and the Consular Senators quitted that part of the house in which he sat, and left the whole bench clear to him* [f]. Cicero was so provoked by his impudence, that instead of entering upon any business, as he designed, addressing himself directly to Catiline, he broke out into a most severe invective against him; and with all the fire and force of an incensed eloquence laid open the whole course of his villainies, and the notoriety of his treasons.

HE put him in mind, “ that there was a decree already made against him, by which he could take his life [g]; and that he ought to have done it long ago, since many, far more eminent and less criminal, had been taken off by the same authority for the suspicion onely of treasonable designs; that if he should order him therefore to be killed upon the spot, there was cause to apprehend, that it would be thought rather too late, than too cruel.— But there was a certain reason which yet withheld him——Thou shalt then be put to death, says he, when there is not a man to be found so wicked, so desperate, so like to thyself, who will deny it to be done justly.—

[e] Cum a me id responsum tulisses, me nullo modo posse iisdem parietibus tuto esse tecum, qui magno in periculo essem, quod iisdem mœnibus contineremur. Ib. 1. 8.

[f] Quis te ex hac tanta frequentia, tot ex tuis amicis

ac necessariis salutavit? Quid, quod adventu tuo ista subfellia vacuæfacta sunt? &c. Ib. 1. 7.

[g] Habemus Senatus consultum in te, Catilina vehemens & grave. In Catil. 1. 1.

“ As

“ As long as there is one who dares to defend
 “ thee, thou shalt live; and live so, as thou
 “ now dost, surrounded by the guards, which
 “ I have placed about thee, so as not to suffer
 “ thee to stir a foot against the Republic; whilst
 “ the eyes and ears of many shall watch thee,
 “ as they have hitherto done, when thou little
 “ thoughtest of it [b].” He then goes on to
 give a detail of all that had been concerted by
 the conspirators at their several meetings, to let
 him see, “ that he was perfectly informed of
 “ every step which he had taken, or designed to
 “ take;” and observes, “ that he saw several
 “ at that very time in the Senate, who had as-
 “ sisted at those meetings.—He presses him
 “ therefore to quit the City, and since all his
 “ counsils were detected, to drop the thought of
 “ fires and massacres; — that the gates were
 “ open, and nobody should stop him [i].”
 Then running over the flagitious enormities of
 his life, and the series of his traiterous practices,
 “ he exhorts, urges, commands him to depart,
 “ and if he would be advised by him, to go in-
 “ to a voluntary exile, and free them from their
 “ fears; that, if they were just ones, they might
 “ be safer; if groundless, the quieter [k]: that
 “ though he would not put the question to the
 “ house, whether they would order him into
 “ banishment, or not, yet he would let him see
 “ their sense upon it by their manner of behaving
 “ while he was urging him to it; for should he
 “ bid any other Senator of credit, P. Sextius,
 “ or M. Marcellus, to go into exile, they would
 “ all rise up against him at once, and lay violent
 “ hands on their Consul: yet when he said it to

[b] Ibid. 2

[k] Ibid. 7.

[i] Ibid. 5.

“ him, by their silence they approved it; by
 “ their suffering it, decreed it; by saying no-
 “ thing, proclaimed their consent [l]. That
 “ he would answer likewise for the Knights,
 “ who were then guarding the avenues of the
 “ Senate, and were hardly restrained from doing
 “ him violence; that if he would consent to go,
 “ they would all quietly attend him to the
 “ gates.—Yet after all, if in virtue of his
 “ command he should really go into banishment,
 “ he foresaw what a storm of envy he should
 “ draw by it upon himself; but he did not value
 “ that, if by his own calamity he could avert
 “ the dangers of the Republic: but there was
 “ no hope that Catiline could ever be induced
 “ to yield to the occasions of the State, or
 “ moved with a sense of his crimes, or reclaimed
 “ by shame, or fear, or reason, from his mad-
 “ nefs [m]. He exhorts him therefore, if he
 “ would not go into exile, to go at least, where
 “ he was expected, into Manlius’s camp, and
 “ begin the war; provided onely, that he would
 “ carry out with him all the rest of his crew:—
 “ That there he might riot and exult at his full
 “ ease, without the mortification of seeing one
 “ honest man about him [n].—There he might
 “ practise all that discipline to which he had
 “ been trained, of lying upon the ground, not
 “ onely in pursuit of his lewd amours, but of
 “ bold and hardy enterprizes: there he might
 “ exert all that boasted patience of hunger, cold,
 “ and want, by which however he would short-
 “ ly find himself undone.” He then introduc-
 ces an expostulation of the Republic with him-
 self, “ for his too great lenity, in suffering such

[l] Ibid. 8.

[m] Ibid. 9.

[n] Ibid. 10.

“ a traitor to escape, instead of hurrying him to
 “ immediate death ; that it was an instance of
 “ cowardice and ingratitude to the Roman peo-
 “ ple, that he, a new man, who, without any
 “ recommendation from his ancestors, had been
 “ raised by them through all the degrees of ho-
 “ nor to sovereign dignity, should for the sake
 “ of any danger to himself, neglect the care of
 “ the public safety [ø]. To this most sacred
 “ voice of my country, says he, and to all
 “ those, who blame me after the same manner,
 “ I shall make this short answer ; that if I had
 “ thought it the most advisable to put Catiline
 “ to death, I would not have allowed that Gla-
 “ diator the use of one moment’s life : for if,
 “ in former days, our most illustrious Citizens,
 “ instead of fullying, have done honor to their
 “ memories, by the destruction of Saturninus,
 “ the Gracchi, Flaccus, and many others ; there
 “ is no ground to fear, that by killing this Par-
 “ ricide any envy would lie upon me with po-
 “ sterity ; yet if the greatest was sure to befall
 “ me, it was always my persuasion, that envy
 “ acquired by virtue was really glory, not en-
 “ vy : but there are some of this very order,
 “ who do not either see the dangers which hang
 “ over us, or else dissemble what they see ; who
 “ by the softness of their votes cherish Catiline’s
 “ hopes, and add strength to the conspiracy by
 “ not believing it ; whose authority influences
 “ many, not onely of the wicked but the
 “ weak ; who, if I had punished this man as he
 “ deserved, would not have failed to cry out
 “ upon me for acting the tyrant [ø]. Now I
 “ am persuaded, that when he is once gone into

[ø] Ibid. 11.

[ø] Ibid. 12.

“ Manlius’s

“ Manlius’s camp, whither he actually designs
 “ to go, none can be so silly, as not to see that
 “ there is a plot, none so wicked, as not to ac-
 “ knowledge it: whereas by taking off him a-
 “ lone, though this pestilence would be somewhat
 “ checked, it could not be suppressed: but when
 “ he has thrown himself into rebellion, and car-
 “ ried out his friends along with him, and drawn
 “ together ~~to~~ the profligate and desperate from all
 “ parts of the empire, not only this ripened
 “ plague of the Republic, but the very root
 “ and seed of all our evils will be extirpated
 “ with him at once.” Then applying himself
 again to Catiline, he concludes with a short
 prayer to Jupiter: “ With these omens, Ca-
 “ tiline, of all prosperity to the Republic, but
 “ of destruction to thyself, and all those who
 “ have joined themselves with thee in all kinds
 “ of parricide, go thy way then to this impious
 “ and abominable war; whilst thou, Jupiter,
 “ whose religion was established with the founda-
 “ tion of this City, whom we truly call Stator,
 “ the stay and prop of this Empire, wilt drive
 “ this man and his accomplices from thy altars
 “ and temples, from the houses and walls of the
 “ city, from the lives and fortunes of us all;
 “ and wilt destroy with eternal punishments,
 “ both living and dead, all the haters of good
 “ men, the enemies of their country, the plun-
 “ derers of Italy, now confederated in this de-
 “ testable league and partnership of villainy.”

CATILINE, astonished by the thunder of this
 speech, had little to say for himself in answer to
 it; yet *with down-cast looks and suppliant voice he
 begged of the Fathers, not to believe too hastily what
 was said against him by an enemy; that his birth
 and past life offered every thing to him that was
 hopefull;*

hopefull; and it was not to be imagined, that a man of Patrician family, whose ancestors, as well as himself, had given many proofs of their affection to the Roman people, should want to overturn the government; while Cicero, a stranger, and late inhabitant of Rome, was so zealous to preserve it. But as he was going on to give foul language, the Senate interrupted him by a general outcry, calling him *Traitor and Parricide*: upon which being furious and desperate, he declared again aloud what he had said before to Cato, that since he was circumvented and driven head-long by his enemies, he would quench the flame which was raised about him, by the common ruin; and so rushed out of the assembly [q]. As soon as he was come to his house, and began to reflect on what had passed, perceiving it in vain to dissemble any longer, he resolved to enter into action immediately, before the troops of the Republic were increased, or any new levies made; so that after a short conference with Lentulus, Cethegus, and the rest, about what had been concerted in the last meeting, having given fresh orders and assurances of his speedy return at the head of a strong army, he left Rome that very night with a small retinue, to make the best of his way towards Etruria [r].

HE no sooner disappeared, than his friends gave out that he was gone into a voluntary exile at Marseilles [s]; which was industriously spread through the City the next morning, to raise an odium upon Cicero, for driving an innocent man into banishment without any previous trial

[q] Tum ille furibundus; Quoniam quidem circumventus, inquit, ab inimicis præceps agor, incendium meum ruina extinguam. Sallust. 31.

[r] Ibid. 32.

[s] At enim sunt, Quirites, qui dicunt a me in exilium ejectum esse Catilinam—Ego vehemens ille Consul, qui verbo cives in exilium ejicio, &c. In Catil. 2. 6.

or proof of his guilt: but Cicero was too well informed of his motions to entertain any doubt about his going to *Manlius's camp*, and into *actual rebellion*, he knew that he had sent thither already a quantity of arms, and all the ensigns of military command, with that silver eagle, which he used to keep with great superstition in his house, for it's having belonged to C. Marius in his expedition against the Cimbri [1]. But lest the story should make an ill impression on the City, he called the people together into the Forum, to give them an account of what passed in the Senate the day before, and of Catiline's leaving Rome upon it.

HE began by "congratulating with them on
 " Catiline's flight, as on a certain victory; since
 " the driving him from his secret plots and insi-
 " dious attempts on their lives and fortunes into
 " open rebellion, was in effect to conquer him:
 " that Catiline himself was sensible of it; whose
 " chief regret in his retreat was not for leaving
 " the City, but for leaving it standing [2].—But
 " if there be any here, says he, who blame me
 " for what I am boasting of, as you all indeed
 " justly may, that I did not rather seize, than
 " send away so capital an enemy; that is not my
 " fault, Citizens, but the fault of the times. Ca-
 " tiline ought long ago to have suffered the last
 " punishment; the custom of our ancestors, the
 " discipline of the empire, and the Republic itself
 " required it: But how many would there have
 " been, who would not have believed what I
 " charged him with? how many, who through
 " weakness would never have imagined it, or

[1] Cum fasces, cum tubas, cum signa militaria, cum aquilam illam argenteam, cui ille etiam sacrum scelerum domi suæ fecerat, scirem esse præmissam. Ib. Sallust. 59.

[2] In Catil. 2. 1.

“ through wickedness would have defended it?”
 — He observes, “ that if he had put Catiline
 “ to death, he should have drawn upon himself
 “ such an odium, as would have rendered him
 “ unable to prosecute his accomplices, and extir-
 “ pate the remains of the conspiracy; but so far
 “ from being afraid of him now, he was sorry
 “ only that he went off with so few to attend
 “ him [x]: that his forces were contemptible, if
 “ compared with those of the Republic; made
 “ up of a miserable, needy crew, who had wasted
 “ their substance, forfeited their bails, and would
 “ run away not only at the sight of an army,
 “ but of the Prætor’s edict:—That those, who
 “ had deserted his army and staid behind, were
 “ more to be dreaded than the army itself; and
 “ the more so, because they knew him to be in-
 “ formed of all their designs, yet were not at all
 “ moved by it: that he had laid open all their
 “ counsils in the Senate the day before, upon
 “ which Catiline was so disheartened, that he im-
 “ mediately fled: that he could not guess what
 “ these others meant; if they imagined that he
 “ should always use the same lenity, they were
 “ much mistaken [y]: for he had now gained
 “ what he had hitherto been waiting for, to make
 “ all people see that there was a conspiracy; that
 “ now therefore there was no more room for cle-
 “ mency, the case itself required severity: yet
 “ he would still grant them one thing, to quit the
 “ city and follow Catiline: nay, would tell them
 “ the way, it was the Aurelian road, and, if
 “ they would make hast, they might overtake
 “ him before night.” Then after describing the
 profligate life and conversation of Catiline and his

[x] Ibid. 2.

[y] Ibid. 3.

accomplices [z], he declares it “ infufferably im-
 “ prudent for fuch men to pretend to plot; the
 “ lazy againft the active, the foolifh againft the
 “ prudent, the drunken againft the fober, the
 “ drowfy againft the vigilant; who lolling at
 “ feasts, embracing miftreffes, flaggering with
 “ wine, fluffed with victuals, crowned with gar-
 “ lands, dawbed with perfumes, belch in their
 “ converfations of mafſacring the honeft, and
 “ firing the city. If my Confulſhip, ſays he,
 “ ſince it cannot cure, ſhould cut off all theſe, it
 “ would add no ſmall period to the duration of
 “ the Republic: for there is no nation, which
 “ we have reaſon to fear, no King, who can
 “ make war upon the Roman people; all diſtur-
 “ bances abroad, both by land and ſea, are quell-
 “ ed by the virtue of one man; but a domeſtic
 “ war ſtill remains; the treaſon, the danger, the
 “ enemy is within; we are to combat with luxury,
 “ with madneſs, with villainy: in this war I pro-
 “ feſs myſelf your leader, and take upon myſelf
 “ all the animofity of the desperate: whatever
 “ can poſſibly be healed, I will heal; but what
 “ ought to be cut off, I will never ſuffer to ſpread
 “ to the ruin of the city [a].” He then takes
 notice of the report of Catiline’s being driven into
 exile, but ridicules the weakneſs of it, and ſays,
 “ that he had put that matter out of doubt, by
 “ expoſing all his treaſons the day before in the
 “ Senate [b].” He laments “ the wretched con-
 “ dition not only of governing, but even of pre-
 “ ſerving States: for if Catiline, ſays he, baffled
 “ by my pains and counſils, ſhould really change
 “ his mind, drop all thoughts of war, and be-
 “ take himſelf to exil, he would not be ſaid to be

[z] Ibid. 4.

[a] Ibid. 5.

[b] Ibid. 6.

“ difarmed

“ disarmed and terrified, or driven from his pur-
 “ pose by my vigilance : but uncondemned and
 “ innocent to be forced into banishment by the
 “ threats of the Consul ; and there would be num-
 “ bers, who would think him not wicked, but
 “ unhappy ; and me not a diligent Consul, but
 “ a cruel tyrant.” He declares, “ that though
 “ for the sake of his own ease or character he
 “ should never wish to hear of Catiline’s being at
 “ the head of an army, yet they would certainly
 “ hear it in three day’s time :—that if men were
 “ so perverse as to complain of his being driven
 “ away, what would they have said if he had
 “ been put to death ? Yet there was not one of
 “ those who talked of his going to Marseilles,
 “ but would be sorry for it if it was true, and
 “ wished much rather to see him in Manlius’s
 “ camp [c].” He proceeds to describe at large the
 strength and forces of Catiline, and the different
 sorts of men of which they were composed ; and
 then displaying and opposing to them the superior
 forces of the Republic, he shews it to be “ a con-
 “ tention of all sorts of virtue against all sorts of
 “ vice ; in which, if all human help should fail
 “ them, the Gods themselves would never suffer
 “ the best cause in the world to be vanquished by
 “ the worst [d].” He requires them therefore
 “ to keep a watch only in their private houses,
 “ for he had taken care to secure the public,
 “ without any tumult : that he had given notice
 “ to all the colonies and great towns of Catiline’s
 “ retreat, so as to be upon their guard against
 “ him : that as to the body of Gladiators, whom
 “ Catiline always depended upon as his best and
 “ surest band, they were taken care of in such a

[c] Ibid. 7, 8, 9, 10

[d] Ibid. 11.

“ manner, as to be in the power of the Re-
 “ public [e]; though, to say the truth, even
 “ these were better affected than some part of
 “ the Patricians: that he had sent Q. Metellus
 “ the Prætor into Gaul and the district of Pice-
 “ num, to oppose all Catiline’s motions on that
 “ side; and for settling all matters at home had
 “ summoned the Senate to meet again that morn-
 “ ing, which, as they saw, was then assembling.
 “ As for those therefore who were left behind in
 “ the city, though they were now enemies, yet
 “ since they were born citizens, he admonished
 “ them again and again, that his lenity had been
 “ waiting only for an opportunity of demonstrat-
 “ ing the certainty of the plot: that for the rest,
 “ he should never forget that this was his coun-
 “ try, he their Consul, who thought it his duty
 “ either to live with them, or die for them.
 “ There is no guard, says he, upon the gates,
 “ none to watch the roads; if any one has a mind
 “ to withdraw himself, he may go wherever he
 “ pleases; but if he makes the least stir within
 “ the city, so as to be caught in any overt-act
 “ against the Republic, he shall know, that there
 “ are in it vigilant Consuls, excellent Magistrates,
 “ a stout Senate; that there are arms, and a
 “ prison, which our ancestors provided as the
 “ avenger of manifest crimes; and all this shall
 “ be transacted in such a manner, Citizens, that
 “ the greatest disorders shall be quelled without
 “ the least hurry; the greatest dangers without
 “ any tumult; a domestic war, the most despe-
 “ rate of any in our memory, by me your only

[e] Ibid. 12. De crevere distribuerentur pro cujusque
 uti familiæ gladiatoria Ca- opibus. Sallust. 30.
 puam & in cætera municipia

“ Leader and General, in my gown; which I
 “ will manage so, that, as far as it is possible, not
 “ one even of the guilty shall suffer punishment
 “ in the city: but if their audaciousness and my
 “ country’s danger should necessarily drive me
 “ from this mild resolution, yet I will effect,
 “ what in so cruel and treacherous a war could
 “ hardly be hoped for, that not one honest man
 “ shall fall, but all of you be safe by the punish-
 “ ment of a few. This I promise, Citizens, not
 “ from any confidence in my own prudence, or
 “ from any human counsils, but from the many
 “ evident declarations of the Gods, by whose im-
 “ pulse I am led into this persuasion; who assist
 “ us, not as they used to do, at a distance, against
 “ foreign and remote enemies, but by their pre-
 “ sent help and protection defend their temples
 “ and our houses: it is your part therefore to
 “ worship, implore, and pray to them, that since
 “ all our enemies are now subdued both by land
 “ and sea, they would continue to preserve this
 “ city, which was designed by them for the most
 “ beautifull, the most flourishing, and most pow-
 “ erfull on earth, from the detestable treasons of
 “ it’s own desperate citizens.

WE have no account of this day’s debate in the
 Senate, which met while Cicero was speaking to
 the people, and were waiting his coming to them
 from the *Rostra*: but as to Catiline, after staying
 a few days on the road to raise and arm the coun-
 try through which he passed, and which his agents
 had already been disposing to his interests, *he*
marched directly to Manlius’s camp, with the Fasces
and all the ensigns of military command displayed be-
fore him. Upon this news the Senate declared
 both him and Manlius *public enemies, with offers of*

pardon to all his followers, who were not condemned of capital crimes, if they returned to their duty by a certain day; and ordered the Consuls to make new levies, and that Antonius should follow Catiline with the army; & Cicero stay at home to guard the City [f].

IT will seem strange to some, that Cicero, when he had certain information of *Catiline's treason*, instead of seizing him in the city, not onely suffered but urged his escape, and forced him as it were to begin the war. But there was good reason for what he did, as he frequently intimates in his speeches; he had many enemies among the Nobility, and Catiline many secret friends; and though he was perfectly informed of the whole progress and extent of the plot, yet the proofs being not ready to be laid before the public, *Catiline's dissimulation* still prevailed, and persuaded great numbers of his innocence; so that if he had imprisoned and punished him at this time, as he deserved, the whole faction were prepared to raise a general clamor against him, by representing *his administration as a Tyranny, and the plot as a forgery contrived to support it*: whereas by driving Catiline into rebellion, he made all men see the reality of their danger; while from an exact account of his troops, he knew them to be so unequal to those of the Republic, that there was no doubt of his being destroyed, if he could be pushed to the necessity of declaring himself before his other projects were ripe for execution. He knew also, that if Catiline was once driven out of the city, and separated from his accomplices, who were a *lazy, drunken, thoughtless crew*, they would ruin themselves by their own rashness, and be easily drawn into any trap which he should lay for them: the

[f] Sallust. 36.

event shewed that he judged right; and by what happened afterwards both to Catiline and to himself it appeared, that, as far as human caution could reach, he acted with the utmost prudence in regard as well to his own, as to the public safety.

IN the midst of all this hurry, and soon after Catiline's flight, Cicero found leisure, according to his custom, to defend L. Murena, *one of the Consuls elect*, who was now brought to a trial for *bribery and corruption*. Cato had declared in the Senate, *that he would try the force of Cicero's late law upon one of the Consular candidates* [g]: and since Catiline, whom he chiefly aimed at, was out of his reach, he resolved to fall upon Murena; yet connived at the same time at the other Consul, Silanus, *who had married his sister*, though equally guilty with his colleague [h]: he was joined in the accusation by one of the disappointed candidates, S. Sulpicius, a person of distinguished worth and character, and the most celebrated Lawyer of the age, for whose service, and at whose instance *Cicero's law against bribery* was chiefly provided [i].

MURENA was bred a soldier, and had acquired great fame in the *Mithridatic war*, as Lieutenant to Lucullus [k]; and was now defended by three, the greatest men, as well as the greatest Orators of Rome, Crassus, Hortensius, and Cicero: so that there had seldom been a trial of more expect-

[g] Dixi in Senatu, me nomen Consularis candidati delaturum. Pro Muren. 30. Quod atrociter in Senatu dixisti, aut non dixisses, aut seposuisses. lb. 31. Plutar. Cato.

[h] Plutarch. in Cato.

[i] Legem ambitus flagi-

tasti—gestus est mos & voluntati & dignitati tuæ. Pro Muren. 23.

[k] Legatus L. Lucullo fuit: qua in legatione duxit exercitum—magnas copias hostium fudit, urbes partim vi, partim obsidione cepit. Pro Muren. 9.

tation, on account of the dignity of all the parties concerned. The character of the accusers makes it reasonable to believe, that there was clear proof of some illegal practices; yet from Cicero's speech, which, though imperfect, is the only remaining monument of the transaction, it seems probable, that they were such only, as though strictly speaking irregular, were yet warranted by custom and the example of all Candidates; and though heinous in the eyes of a Cato, or an angry competitor, were usually overlooked by the magistrates and expected by the people.

THE accusation consisted of three heads; *the scandal of Murena's life; the want of dignity in his character and family; and bribery in the late election.* As to the first, the greatest crime which Cato charged him with was *dancing*; to which Cicero's defence is somewhat remarkable: "He admonishes Cato not to throw out such a calumny so inconsiderately, or to call the Consul of Rome a dancer; but to consider how many other crimes a man must needs be guilty of before that of dancing could be truly objected to him; since nobody ever danced, even in solitude, or a private meeting of friends, who was not either drunk or mad; for dancing was always the last act of riotous banquets, gay places, and much jollity: that Cato charged him therefore with what was the effect of many vices, yet with none of those, without which that vice could not possibly subsist; with no scandalous feasts, no amours, no nightly revels, no lewdness, no extravagant expense, &c. [1]."

As to the second article, *the want of dignity*, it was urged chiefly by Sulpicius, who being noble

[1] Ibid. 6.

and a *patrician*, was the more mortified to be defeated by a *Plebeian*, whose extraction he contemned: but “ Cicero ridicules the vanity of “ thinking no family good, but a Patrician; “ shews that Murena’s grand-father and great “ grand-father had been Prætors; and that his “ father also from the same dignity had obtained “ the honor of a Triumph: that Sulpicius’s nobility was better known to the antiquaries than “ to the people; since his grand-father had never “ born any of the principal offices, nor his father “ ever mounted higher than the Equestrian rank: “ that being therefore the son of a Roman Knight, “ he had always reckoned him in the same class “ with himself, of those who by their own industry had opened their way to the highest honors; that the Curius’s, the Cato’s, the Pompeius’s, the Marius’s, the Didius’s, the Cælius’s were all of the same sort: that when he had “ broken through that barricade of Nobility, and “ laid the Consulship open to the virtuous, as well “ as to the noble; and when a Consul, of an ancient and illustrious descent, was defended by a “ Consul, the son of a Knight; he never imagined, that the accusers would venture to say a “ word about the novelty of a family: that he “ himself had two Patrician competitors, the one “ a profligate and audacious, the other an excellent and modest man; yet that he outdid Catiline in dignity, Galba in interest; and if that had “ been a crime in a new man, he should not have “ wanted enemies to object it to him [m].” He then shews, “ that the science of arms, in which “ Murena excelled, had much more dignity and “ splendor in it than the science of the law, being

[m] Pro Muren. 7, 8.

“ that

“ that which first gave a name to the Roman
 “ people, brought glory to their city, and sub-
 “ dued the world to their empire: that martial
 “ virtue had ever been the means of conciliating
 “ the favor of the people, and recommending to
 “ the honors of the state; and it was but reason-
 “ able that it should hold the first place in that
 “ city, which was raised by it to be the head of
 “ all other cities in the world [n].”

As to the last and heaviest part of the charge,
the crime of bribery, there was little or nothing
 made out against him, but what was too common
 to be thought criminal; *the bribery of shows, plays,*
and dinners given to the populace; yet not so much
 by himself, as by his friends and relations, who
 were zealous to serve him; so that Cicero makes
 very slight of it, and declares himself “ more
 “ afraid of the authority, than the accusation of
 “ Cato;” and to obviate the influence which the
 reputation of *Cato's integrity* might have in the
 cause, he observes, “ that the people in general,
 “ and all wise judges had ever been jealous of the
 “ power and interest of an accuser; lest the cri-
 “ minal should be born down, not by the weight
 “ of his crimes, but the superior force of his ad-
 “ versary. Let the authority of the great pre-
 “ vail, says he, for the safety of the innocent,
 “ the protection of the helpless, the relief of the
 “ miserable; but let it's influence be repelled
 “ from the dangers and destruction of citizens:
 “ for if any one should say, that Cato would not
 “ have taken the pains to accuse, if he had not
 “ been assured of the crime, he establishes a very
 “ unjust law to men in distress, by making the
 “ judgment of an accuser to be considered as a

[n] Ibid. 9, 10, 11.

“ prejudice or previous condemnation of the criminal [o]. He exhorts Cato not to be so severe, on what ancient custom and the Republic itself had found useful; nor to deprive the people of their plays, gladiators, and feasts, which their ancestors had approved; nor to take from candidates an opportunity of obliging by a method of expense which indicated their generosity, rather than an intention to corrupt [p].”

BUT whatever Murena's crime might be, the circumstance which chiefly favored him was, the difficulty of the times, and a rebellion actually on foot; which made it neither safe nor prudent *to deprive the city of a Consul, who by a military education was the best qualified to defend it in so dangerous a crisis.* This point Cicero dwells much upon, declaring, “ that he undertook this cause, not so much for the sake of Murena, as of the peace, the liberty, the lives and safety of them all. Hear, hear, says he, your Consul, who, not to speak arrogantly, thinks of nothing day and night but of the Republic: Catiline does not despise us so far, as to hope to subdue this city with the force which he has carried out with him: the contagion is spread wider than you imagine: the Trojan horse is within our walls; which, while I am Consul, shall never oppress you in your sleep. If it be asked then, what reason I have to fear Catiline? none at all; and I have taken care that no body else need fear him: yet I say, that we have cause to fear those troops of his, which I see in this very place. Nor is his army so much to be dreaded, as those who are said to have deserted it: for in truth they have not deserted, but are left by him

[o] Ibid. 28.

[p] Ibid. 36.

“ onely

“ onely as spies upon us, and placed as it were in
 “ ambush, to destroy us the more securely: all
 “ these want to see a worthy Consul, an experi-
 “ enced General, a man both by nature and for-
 “ tunes attached to the interests of the Republic,
 “ driven by your sentence from the guard and
 “ custody of the city [q].” After urging this topic
 with great warmth and force, he adds, “ We are
 “ now come to the crisis and extremity of our
 “ danger; there is no resource or recovery for
 “ us, if we now miscarry; it is no time to throw
 “ away any of the helps which we have, but by
 “ all means possible to acquire more. The enemy
 “ is not on the banks of the Anio, which was
 “ thought so terrible in the Punic war, but in the
 “ City and the Forum. Good Gods! (I cannot
 “ speak it without a sigh,) there are some enemies
 “ in the very sanctuary; some, I say, even in the
 “ Senate! The Gods grant, that my colleague
 “ may quell this rebellion by our arms; whilst I,
 “ in the gown, by the assistance of all the honest,
 “ will dispell the other dangers with which the
 “ city is now big. But what will become of us,
 “ if they should slip through our hands into the
 “ new year; and find but one Consul in the Re-
 “ public, and him employed not in prosecuting
 “ the war, but in providing a colleague? Then
 “ this plague of Catiline will break out in all it’s
 “ fury, spreading terror, confusion, fire, and
 “ sword through the city, &c. [r].” This con-
 sideration, so forcibly urged, *of the necessity of ha-*
ving two Consuls for the guard of the city at the
opening of the new year, had such weight with the
 judges, that without any deliberation they unani-
 mously acquitted Murena, and *would not,* as Cicero

[q] Ibid. 37.

[r] Ibid. 39.

says, *so much as bear the accusation of men, the most eminent and illustrious* [s].

CICERO had a strict intimacy all this while with Sulpicius, *whom he had served with all his interest in this very contest for the Consulship* [t]. He had a great friendship also with Cato, and the highest esteem of his integrity; yet he not onely defended this cause against them both, but to take off the prejudice of their authority, labored even to make them ridiculous; rallying *the profession of Sulpicius as trifling and contemptible, the principles of Cato as absurd and impracticable*, with so much humor and wit, that he made the whole audience very merry, and forced Cato to cry out, *What a facetous Consul have we* [u]! but what is more observable, the opposition of these great men in an affair so interesting gave no sort of interruption to their friendship, which continued as firm as ever to the end of their lives: and Cicero, who lived the longest of them, shewed the real value that he had for them both after their deaths, by procuring *public honors for the one, and writing the life and praises of the other*. Murena too, though exposed to so much danger by the prosecution, yet seems to have retained no resentment of it; but during his Consulship paid a great deference to the counsils of Cato, and employed all his power to support him against the violence of Metellus, *his Collegue in the Tribunate*. This was a greatness of mind truly noble, and suitable to the dignity of the persons; not to be shocked by the particular

[s] Defendi Consul L. Murenam—nemo illorum iudicium, clarissimis viris accusantibus, audiendum sibi de ~~ant~~ bitu curavit, cum bellum jam gerente Catilina, omnes, me

auctore, duos Consules Kalendis Jan. scirent esse oportere. Ibid.

[t] Ibid. 3.

[u] Plut. in Cato.

contra-

contradiction of their friends, when their general views on both sides were laudable and virtuous: yet this must not be wholly charged to the virtue of the men, but to the discipline of the Republic itself, which by a wise policy imposed it as a duty on it's subjects *to defend their fellow citizens in their dangers, without regard to any friendships or engagements whatsoever* [x]. The examples of this kind will be more or less frequent in states, in proportion as the public good happens to be the ruling principle; for that is a bond of union too firm to be broken by any little differences about the measures of pursuing it: but where private ambition and party zeal have the ascendant, there every opposition must necessarily create animosity, as it obstructs the acquisition of that good, which is considered as the chief end of life, private benefit and advantage.

BEFORE the trial of Murena, Cicero had pleaded another cause of the same kind in the defense of C. Piso, who had been Consul four years before, and acquired the character of a brave and vigorous magistrate: but we have no remains of the speech, nor any thing more said of it by Cicero, than *that Piso was acquitted on the account of his laudable behaviour in his Consulship* [y]. We learn however from Sallust, that he was accused of *oppression and extortion in his government; and that the prosecution was promoted chiefly by J. Caesar, out of revenge for Piso's having arbitrarily punished one of his friends or clients in Cisalpine Gaul* [z].

BUT to return to the affair of the conspiracy. Lentulus, and the rest, who were left in the city,

[x] Hanc nobis a majoribus esse traditam disciplinam, ut nullius amicitia ad propulsanda pericula impediremur.

Pro Sylla, 17.

[y] Pro Flacco, 39.

[z] Sallust. 49.

were preparing all things for the execution of their grand design, and soliciting men of all ranks, who seemed likely to favor their cause, or to be of any use to it: among the rest, they agreed to make an attempt *on the Ambassadors of the Allobroges*; a warlike, mutinous, faithless people, inhabiting the countries now called Savoy and Dauphiny, greatly disaffected to the Roman power, and already ripe for rebellion. These ambassadors, who were preparing to return home, much out of humor with the Senate, and without any redress of the grievances, which they were sent to complain of, received the proposal at first very greedily, and promised to engage their nation to assist the conspirators with what they principally wanted [a], *a good body of horse, whenever they should begin the war*; but reflecting afterwards in their cooler thoughts, on the difficulty of the enterprize, and the danger of involving themselves and their country in so desperate a cause, they resolved to discover what they knew to Q. Fabius Sanga, the patron of their city, who immediately gave intelligence of it to the Consul [b].

CICERO'S instructions upon it were, that the ambassadors should continue to feign the same zeal which they had hitherto shewn, and promise every thing that was required of them, till they had got a full insight into the extent of the plot, with distinct proofs against the particular actors in it [c]: upon which, at their next conference with the

[a] Ut equitatum in Italiam quamprimum mitterent. In Catil. 3. 4.

[b] Allobroges diu incertum habuere, quidnam consilii caperent—Itaque Q. Fabio Sangæ rem omnem, ut cognoverunt, aperiant. Sall. 41.

[x] Cicero—legatis præcipit, ut studium conjurationis vehementer simulent, cæteros, adeant, bene polliceantur, dentque operam, ut eosquam maxime manifestos habeant. Ibid.

conspirators, they insisted on having some credentials from them to shew to their people at home, without which they would never be induced to enter into an engagement so hazardous. This was thought reasonable, and presently complied with; and Vulturcius was appointed to go along with the embassadors, and introduce them to Catiline on their road, in order to confirm the agreement, and exchange assurances also with him; to whom Lentulus sent at the same time a particular letter under *his own hand and seal, though without his name.* Cicero being punctually informed of all these facts, concerted privately with the embassadors the time and manner of their leaving Rome in the night, and *that on the Milvian bridge, about a mile from the city, they should be arrested with their papers and letters about them, by two of the Prætors, L. Flaccus and C. Pontinius, whom he had instructed for that purpose, and ordered to lie in ambush near the place, with a strong guard of friends and soldiers:* all which was successfully executed, and the whole company brought prisoners to Cicero's house by break of day [d].

THE rumor of this accident presently drew a resort of Cicero's principal friends about him, who advised him *to open the letters before he produced them in the Senate, lest if nothing of moment were found in them, it might be thought rash and imprudent to raise an unnecessary terror and alarm through the city.* But he was too well informed of the contents, to fear any censure of that kind; and declared, *that in a case of public danger he thought it his duty to lay the matter intire before the public*

[d] L.Flaccum & C. Pontinium Prætores—ad me vocavi, rem exposui; quid fieri placeret ostendi—occulte ad

pontem Milvium pervenerunt —ipsi comprehensi, ad me, cum jam dilucesceret, deducuntur. In Catil. 3. 2.

council [e]. He summoned the Senate therefore to meet immediately, and sent at the same time for Gabinus, Statilius, Cethegus, and Lentulus, who all came presently to his house, suspecting nothing of the discovery; and being informed also of a quantity of arms provided by Cethegus for the use of the conspiracy, he ordered C. Sulpicius, another of the Prætors, to go and search his house, where he found a great number of swords and daggers, with other arms, all newly cleaned, and ready for present service [f].

WITH this preparation he set out to meet the Senate in the Temple of Concord, with a numerous guard of Citizens, carrying the ambassadors and the conspirators with him in custody: and after he had given the assembly an account of the whole affair, Vulturcius was called in to be examined separately; to whom Cicero, by order of the house, offered a pardon and reward, if he would faithfully discover all that he knew: upon which, after some hesitation, he confessed, that he had letters and instructions from Lentulus to Catiline, to press him to accept the assistance of the slaves, and to lead his army with all expedition towards Rome, to the intent, that when it should be set on fire in different places, and the general massacre begun, he might be at hand to intercept those who escaped, and join with his friends in the city [g].

[e] Cum summis & clarissimis hujus civitatis viris, qui, audita re, frequentes ad me convenerant, literas a me prius aperiri, quam ad Senatam referrem, placeret, ne si nihil esset inventum, temere a me tantus tumultus injectus civitati videretur, me negavi esse facturum, ut de periculo publico non ad publicum con-

cilium rem integram deferrem. Ib. 3. 3.

[f] Admonitu Allobrogum — C. Sulpicium — missi, qui ex ædibus Cethegi, si quid telorum esset, efferret; ex quibus ille maximum sicarum numerum & gladiatorum extulit. Ibid. it. Plutarch. in Cic.

[g] In Cat. 3. 4.

THE ambassadors were examined next, who declared, *that they had received letters to their nation from Lentulus, Cethegus, and Statilius; that these three, and L. Cassius also required them to send a body of horse as soon as possible into Italy, declaring, that they had no occasion for any foot: that Lentulus had assured them from the Sibylline books, and the answers of Southsayers, that he was the third Cornelius, who was destined to be master of Rome, as Cinna and Sylla had been before him; and that this was the fatal year marked for the destruction of the City and Empire: that there was some dispute between Cethegus and the rest about the time of firing the city; for while the rest were for fixing it on the feast of Saturn, or the middle of December, Cethegus thought that day too remote and dilatory.*—The letters were then produced and opened; first that from Cethegus; and upon shewing him the seal, he allowed it to be his; it was written with his own hand, and addressed to the Senate and People of the Allobroges, signifying, *that he would make good what he had promised to their ambassadors, and entreating them also to perform what the ambassadors had undertaken for them.* He had been interrogated just before, about the arms that were found at his house; to which he answered, *that they were provided onely for his curiosity, for he had always been particularly fond of neat arms: but after his letter was read, he was so dejected and confounded, that he had nothing at all to say for himself.*—Statilius was then brought in, and *acknowledged his hand and seal; and when his letter was read, to the same purpose with Cethegus's, he confessed it to be his own.*—Then Lentulus's letter was produced, *and his seal likewise owned by him; which Cicero perceiving to be the head of his grandfather,*

father, could not help expostulating with him, that the very image of such an ancestor, so remarkable for a singular love of his country, had not reclaimed him from his traitorous designs. His letter was of the same import with the other two; but having leave to speak for himself, he at first denied the whole charge, and began to question the ambassadors and Vulturcius, what business they ever had with him, and on what occasion they came to his house; to which they gave clear and distinct answers; signifying by whom, and how often they had been introduced, to him; and then asked him in their turn, whether he had never mentioned any thing to them about the Sibylline Oracles; upon which being confounded, or insatuated rather by the sense of his guilt, he gave a remarkable proof, as Cicero says, of the great force of conscience; for not onely his usual parts and eloquence, but his impudence too, in which he outdid all men, quite failed him; so that he confessed his crime, to the surprize of the whole assembly. Then Vulturcius desired, that the letter to Catiline, which Lentulus had sent by him, might be opened; where Lentulus again, though greatly disordered, acknowledged his hand and seal: it was written without any name, but to this effect: "You will know who I am, from him whom I have sent to you. Take care to shew yourself a man; and recollect in what a situation you are; and consider what is now necessary for you. Be sure to make use of the assistance of all, even of the lowest."——

Gabinus was then introduced, and behaved impudently for a while; but at last denied nothing of what the ambassadors charged him with.

AFTER the criminals and witnesses were withdrawn, the Senate went into a debate upon the state of the Republic, and came unanimously to

the following resolutions: *That public thanks should be decreed to Cicero in the amplest manner; by whose virtue, counsel, providence, the Republic was delivered from the greatest dangers: that Flaccus and Pontinius, the Prætors, should be thanked likewise for their vigorous and punctual execution of Cicero's orders: that Antonius, the other Consul, should be praised, for having removed from his councils all those who were concerned in the conspiracy: That Lentulus, after having abdicated the Prætorship, and divested himself of his robes, and Cethegus, Statilius, and Gabinius, with their other accomplices also when taken, Cassius, Cæparius, Furius, Chilo, Umbrenus, should be committed to safe custody; and that a public thanksgiving should be appointed in Cicero's name, for his having preserved the City from a conflagration, the Citizens from a massacre, and Italy from a war [b].*

THE Senate being dismissed, Cicero went directly into the Rostra, and gave the people an account of the whole proceeding, in the manner as it is just related: where he observed to them, “ that the thanksgiving decreed in his name was “ the first which had ever been decreed to any “ man in the gown: that all other thanksgiv- “ ings had been appointed for some particular “ services to the Republic, this alone for saving “ it [c]: that by the seizure of these accom- “ plices, all Catiline's hopes were blasted at “ once; for when he was driving Catiline out of “ the city, he foresaw, that if he was once re- “ moved, there would be nothing to apprehend

[b] In Cat. 3. 5, 6.

[c] Quod mihi primum post hanc urbem conditam togato contigit—quæ supplicatio, si cum cæteris con-

feratur, Quirites, hoc interest, quod cæteræ bene gesta, hæc una conservata Republica constituta est. Ibid. 6.

“ from the drowfiness of Lentulus, the fat of
“ Caffius, or the rashness of Cethegus:—that
“ Catiline was the life and foul of the con-
“ spiracy; who never took a thing to be done,
“ becaufe he had ordered it; but always follow-
“ ed, follicited, and saw it done himself: that
“ if he had not driven him from his secret plots
“ into open rebellion, he could never have de-
“ livered the Republic from it’s dangers, or
“ never at least with fo much ease and quiet:
“ that Catiline would not have named the fatal
“ day for their destruction fo long beforehand;
“ nor ever suffered his hand and seal to be
“ brought against him, as the manifest proof of
“ his guilt; all which was fo managed in his
“ absence, that no theft in any private house
“ was ever more clearly detected than this whole
“ conspiracy: that all this was the pure effect
“ of a divine influence; not onely for it’s being
“ above the reach of human counsil, but be-
“ cause the Gods had fo remarkably interposed
“ in it, as to shew themselves almost visibly:
“ for not to mention the nightly streams of light
“ from the western sky, the blazing of the hea-
“ vens, flashes of lightning, earthquakes, &c.
“ he could not omit what happened two years
“ before, when the turrets of the Capitol were
“ struck down with lightning; how the south-
“ sayers, called together from all Etruria, de-
“ clared, that fire, slaughter, the overthrow of
“ the laws, civil war, and the ruin of the city
“ were portended, unless some means were found
“ out of appeasing the Gods: for which pur-
“ pose they ordered a new and larger statue of
“ Jupiter to be made, and to be placed in a po-
“ sition contrary to that of the former image,
“ with it’s face turned towards the east; inti-

“ mating, that if it looked towards the rising
 “ Sun, the Forum, and the Senate-house, then
 “ all plots against the state would be detected so
 “ evidently, that all the world should see
 “ them:—— that upon this answer, the Con-
 “ suls of that year gave immediate orders for
 “ making and placing the statue; but from the
 “ slow progress of the work, neither they, nor
 “ their successors, nor he himself, could get it
 “ finished till that very day; on which, by the
 “ special influence of Jupiter, while the conspira-
 “ tors and witnesses were carried through the
 “ Forum to the Temple of Concord, in that
 “ very moment the statue was fixed in it’s place;
 “ and being turned to look upon them and the
 “ Senate. both they and the Senate saw the
 “ whole conspiracy detected. And can any man,
 “ says he, be such an enemy to truth, so rash,
 “ so mad, as to deny, that all things which we
 “ see, and above all, that this city is governed
 “ by the power and providence of the Gods [k]?”
 He proceeds to observe, “ that the conspirators
 “ must needs be under a divine and judicial in-
 “ fatuation, and could never have trusted affairs
 “ and letters of such moment to men barbarous
 “ and unknown to them, if the Gods had not
 “ confounded their senses: and that the embas-
 “ sadors of a nation so disaffected, and so able
 “ and willing to make war upon them, should
 “ slight the hopes of dominion, and the advan-
 “ tageous offers of men of Patrician rank, must
 “ needs be the effect of a divine interposition;
 “ especially when they might have gained their
 “ ends, not by fighting, but by holding their
 “ tongues.” He exhorts them therefore “ to
 “ celebrate that thanksgiving-day religiously with

[k] Ibid. 8, 9,

“ their wives and children [l]. That for all
 “ his pains and services he desired no other re-
 “ ward or honor, but the perpetual remem-
 “ brance of that day: in this he placed all his
 “ triumphs and his glory, to have the memory
 “ of that day eternally propagated to the safety
 “ of the City, and the honor of his Consul-
 “ ship; to have it remembered, that there were
 “ two citizens living at the same time in the Re-
 “ public, the one of whom was terminating the
 “ extent of the empire by the bounds of the
 “ horizon itself; the other preserving the feat
 “ and center of that empire [m]. That his
 “ case however was different from that of their
 “ Generals abroad, who, as soon as they had
 “ conquered their enemies, left them; where-
 “ as it was his lot to live still among those whom
 “ he had subdued: that it ought to be their
 “ care therefore to see, that the malice of those
 “ enemies should not hurt him; and that what
 “ he had been doing for their good should not
 “ redound to his detriment; though as to him-
 “ self, he had no cause to fear any thing, since
 “ he should be protected by the guard of all
 “ honest men, by the dignity of the Republic
 “ itself, by the power of conscience; which all
 “ those must needs violate, who should attempt
 “ to injure him: that he would never yield there-
 “ fore to the audaciousness of any, but even
 “ provoke and attack all the wicked and the pro-
 “ fligate: yet if all their rage at last, when re-
 “ pelled from the people, should turn singly
 “ upon him, they should consider what a dis-
 “ couragement it would be hereafter to those,
 “ who should expose themselves to danger for

[l] Ibid. 10.

[m] Ibid. 11.

“ their safety.—That for his part, he would
 “ ever support and defend in his private condi-
 “ tion what he had acted in his Consulship, and
 “ shew, that what he had done was not the
 “ effect of chance, but of virtue: that if any
 “ envy should be stirred up against him, it might
 “ hurt the envious, but advance his glory.—
 “ Lastly, since it was now night, he bad them
 “ all go home, and pray to Jupiter the guar-
 “ dian of them and the city; and though the
 “ danger was now over, to keep the same watch
 “ in their houses as before, for fear of any sur-
 “ prize; and he would take care, that they
 “ should have no occasion to do it any longer.”

WHILE the prisoners were before the Senate, Cicero desired some of the Senators, who could write short-hand, to take notes of every thing that was said; and when the whole examination was finished and reduced into an act, he set all the clerks at work to transcribe copies of it, which he dispersed presently through Italy and all the Provinces, to prevent any invidious misrepresentation of what was so clearly attested and confessed by the criminals themselves [n], who for the present were committed to the free custody of the Magistrates and Senators of their acquaintance [o], till the Senate should come to a final resolution about them. All this passed on the third of December, a day of no small fatigue to Cicero, who,

[n] Constatui Senatores, qui omnium indicum dicta, interrogata, responsa perscriberent: describi ab omnibus statim librariis, dividi passim & pervulgari atque edi populo Romano imperavi—divisi toti Italiae, emissi in omnes provincias, Pro Syll.

14. 15.

[o] Ut abdicato magistratu, Lentulus, itemque ceteri in liberis custodiis habeantur. Itaque Lentulus, P. Lentulo Spintheri, qui tum Aedilis erat; Cethegus Cornificio, &c. Sallust. 47.

from break of day till the evening, seems to have been engaged, without any refreshment, in examining the witnesses and the criminals, and procuring the decree which was consequent upon it; and when that was over, in giving a narrative of the whole transaction to the people, who were waiting for that purpose in the Forum. The same night his wife Terentia, *with the Vestal Virgins and the principal matrons of Rome*, was performing at home, according to annual custom, *the mystic rites of the Goddesses Bona, or the Good*, to which no male creature was ever admitted; and till that function was over, he was excluded also from his own house, and forced to retire to a neighbour's; where with a select council of friends he began to deliberate about the method of punishing the traitors; when his wife came in all haste to *inform him of a prodigy*, which had just happened amongst them; *for the sacrifice being over, and the fire of the altar seemingly extinct, a bright flame issued suddenly from the ashes, to the astonishment of the company; upon which the Vestal Virgins sent her away, to require him to pursue what he had then in his thoughts for the good of his country, since the Goddess by this sign had given great light to his safety and glory* [p].

It is not improbable, that this pretended prodigy was projected between Cicero and Terentia; whose sister likewise being one of the *Vestal Virgins*, and having the direction of the whole ceremony, might help to effect without suspicion what had been privately concerted amongst them. For it was of great use to Cicero, to possess the minds of the people, as strongly as he could, with an apprehension of their danger,

[p] Plutarch. in Cic.

for the sake of disposing them the more easily to approve the resolution, that he had already taken in his own mind, of putting the conspirators to death.

THE day following, *the Senate ordered public rewards to the Embassadors and Vulturcius for their faithful discoveries [q]*; and by the vigor of their proceedings seemed to shew an intention of treating their prisoners with the last severity. The city in the mean while was alarmed *with the rumor of fresh plots, formed by the slaves and dependents of Lentulus and Cethegus for the rescue of their Masters [r]*; which obliged Cicero to reinforce his guards; and for the prevention of all such attempts, to put an end to the whole affair, by bringing the question of their punishment, without farther delay, before the Senate; which he summoned for that purpose the next morning.

THE debate was of great delicacy and importance; to decide upon the lives of citizens of the first rank. Capital punishments were rare and ever odious in Rome, whose laws were of all others the least sanguinary; banishment, with confiscation of goods, being the ordinary punishment for the greatest crimes. The Senate indeed, as it has been said above, in cases of sudden and dangerous tumults, claimed the prerogative of punishing the leaders with death by the authority of their own decrees: but this was looked upon

[q] Præmia legatis Allobrogum, Titoque Vulturcio deditis amplissima. In Catil. 4. 3.

[r] Liberti & pauci ex clientibus Lentuli opifices atque servitia in vicis ad eum

eripiendum sollicitabant. — Cethegus autem per nuncios familiam, atque libertos suos, lectos & exercitatos in audaciam orabat, ut, grege facto, cum telis ad sese irrumperent. Sallust. 50.

as a stretch of power, and an infringement of the rights of the people, which nothing could excuse, but the necessity of times, and the extremity of danger. For there was an old law of Porcius Læca, a Tribune, *which granted to all criminals capitally condemned an appeal to the people*; and a later one of C. Gracchus, *to prohibit the taking away the life of any citizen without a formal hearing before the people* [s]: so that some Senators, who had concurred in all the previous debates, withdrew themselves from this, to shew their dislike of what they expected to be the issue of it, and *to have no hand in putting Roman citizens to death by a vote of the Senate* [t]. Here then was ground enough for Cicero's enemies to act upon, if extreme methods were pursued: he himself was aware of it, and saw, that the public interest called for the severest punishment, his private interest the gentlest; yet he came resolved to sacrifice all regards for his own quiet to the consideration of the public safety.

As soon therefore as he had moved the question, *what was to be done with the conspirators*; Silanus the Consul elect, being called upon to speak the first, advised, *that those who were then in custody, with the rest who should afterwards be taken, should all be put to death* [u]. To this all who spoke after him readily assented, till it came to J. Cæsar, then Prætor elect, who in an elegant

[s] Porcia lex virgas ab omnium civium Romanorum corpore amovit — libertatem civium licitori eripuit — C. Gracchus legem tulit, ne de capite civium Romanorum injussu vestro judicaretur. Pro Rabirio. 4.

[t] Video de istis, qui se populares haberi volunt, abesse non neminem, ne de capite videlicet Romani civis sententiam ferat. In Catil. 4. 5.

[u] Sallust. 50.

and elaborate speech, “ treated that opinion,
 “ not as cruel; since death, he said, was not a
 “ punishment, but relief to the miserable, and
 “ left no sense either of good or ill beyond
 “ it; but as new and illegal, and contrary to
 “ the constitution of the Republic: and though
 “ the heinousness of the crime would justify any
 “ severity, yet the example was dangerous in a
 “ free state; and the salutary use of arbitrary
 “ power in good hands, had been the cause of
 “ fatal mischiefs when it fell into bad; of which
 “ he produced several instances, both in other
 “ cities and their own: and though no danger
 “ could be apprehended from these times, or
 “ such a Consul as Cicero; yet in other times,
 “ and under another Consul, when the sword
 “ was once drawn by a decree of the Senate,
 “ no man could promise what mischief it might
 “ not do before it was sheathed again: his opi-
 “ nion therefore was, that the estates of the con-
 “ spirators should be confiscated, and their per-
 “ sons closely confined in the strong Towns of
 “ Italy; and that it should be criminal for any
 “ one to move the Senate or the people for any
 “ favor towards them [x].”

THESE two contrary opinions being proposed, the next question was, which of them should take place: Cæsar’s had made a great impression on the assembly, and *staggered even* Silanus, who began to *excuse and mitigate* the severity of his vote [y]; and Cicero’s friends were going forwardly into it, as *likely to create the least trouble to Cicero himself*, for whose future peace and safety

[x] Ibid. 51.

[y] Ut Silanum, Consul-
 lem designatum non piguerit

sententiam suam, quia mutare
 turpe erat, interpretatione
 lenire. Suet J. Cæs. 14.

they began to be follicitous [z]: when Cicero observing the inclination of the house, and rising up to put the question, made his fourth speech, which now remains, on the subject of this transaction; in which he delivered his sentiments with all the skill both of the Orator and the Statesman; and while he seemed to show a perfect neutrality, and to give equal commendation to both the opinions, was artfully laboring all the while to turn the scale in favor of Silanus's, which he considered as a necessary example of severity in the present circumstances of the Republic.

He declared, “ That though it was a pleasure
 “ to him to observe the concern and follicitude
 “ which the Senate had expressed on his account,
 “ yet he begged of them to lay it all aside, and,
 “ without any regard to him, to think onely of
 “ themselves and their families: that he was
 “ willing to suffer any persecution, if by his labors
 “ he could secure their dignity and safety:
 “ that his life had been oft attempted in the
 “ Forum, the field of Mars, the Senate, his
 “ own house, and in his very bed: that for
 “ their quiet he had digested many things
 “ against his will without speaking of them;
 “ but if the Gods would grant issue to his
 “ Consulship, of saving them from a massacre,
 “ the city from flames, all Italy from war, let
 “ what fate soever attend himself, he would
 “ be content with it [a].” He presses them
 therefore to “ turn their whole care upon the
 “ State: that it was not a Gracchus, or a Satur-
 “ ninus, who was now in judgement before them;
 “ but Traitors, whose design it was to destroy

[z] Plutarch. in Cic.

[a] In Catil. 4. 1.

“ the

“ the City by fire, the Senate and People by a
 “ massacre; who had solicited the Gauls and
 “ the very slaves to join with them in their trea-
 “ son, of which they had all been convicted by
 “ letters, hands, seals, and their own confes-
 “ sions [b]. That the Senate, by several pre-
 “ vious acts, had already condemned them; by
 “ their public thanks to him; by deposing Len-
 “ tulus from his Prætorship; by committing
 “ them to custody; by decreeing a thanksgiv-
 “ ing; by rewarding the witnesses: but as if
 “ nothing had yet been done, he resolved to
 “ propose to them anew the question both of
 “ the fact and the punishment: that whatever
 “ they intended to do, it must be determined
 “ before night: for the mischief was spread
 “ wider than they imagined; had not onely in-
 “ fected Italy, but crossed the Alps, and seized
 “ the Provinces: that it was not to be suppres-
 “ sed by delay and irresolution, but by quick
 “ and vigorous measures [c]: that there were
 “ two opinions now before them; the first, of
 “ Silanus, for putting the criminals to death;
 “ the second, of Cæsar, who, excepting death,
 “ was for every other way of punishing; each,
 “ agreeably to his dignity, and the importance
 “ of the cause, was for treating them with the
 “ last severity: the one thought, that those,
 “ who had attempted to deprive them all of life,
 “ and to extinguish the very name of Rome,
 “ ought not to enjoy the benefit of living a
 “ moment; and he had shewed withal, that
 “ this punishment had often been inflicted on
 “ seditious citizens: the other imagined, that
 “ death was not designed by the Gods for a pu-

[b] Ibid. 2.

[c] Ibid. 3.

“ nishment,

“ nishment, but the cure of our miseries; so
 “ that the wise never suffered it unwillingly, the
 “ brave often sought it voluntarily; but that
 “ bonds and imprisonment, especially if perpe-
 “ tual, were contrived for the punishment of
 “ detestable crimes: these therefore he ordered
 “ to be provided for them in the great Towns
 “ of Italy: yet in this proposal there seemed to
 “ be some injustice, if the Senate was to impose
 “ that burthen upon the Towns, or some dif-
 “ ficulty, if they were onely to desire it: yet if
 “ they thought fit to decree it, he would under-
 “ take to find those, who would not refuse to
 “ comply with it for the public good: that
 “ Cæsar, by adding a penalty on the Towns if
 “ any of the criminals should escape, and injoin-
 “ ing so horrible a confinement without a possi-
 “ bility of being released from it, had deprived
 “ them of all hope, the onely comfort of un-
 “ happy mortals: he had ordered their estates
 “ also to be confiscated, and left them nothing
 “ but life; which if he had taken away, he
 “ would have eased them at once of all farther
 “ pain, either of mind or body: for it was on
 “ this account that the ancients invented those in-
 “ fernal punishments of the dead; to keep the
 “ wicked under some awe in this life, who with-
 “ out them would have no dread of death it-
 “ self [*d*]. That for his own part, he saw how
 “ much it was his interest that they should fol-
 “ low Cæsar’s opinion, who had always pursued
 “ popular measures; and by being the author of

[*d*] Itaque ut aliqua in vita formido improbis esset posita, apud inferos ejusmodi quædam illi antiqui supplicia impiis constituta esse volue- runt, quod videlicet intelligebant, his remotis, non esse mortem ipsam pertimescendam. Ib. 4.

“ that

“ that vote, would secure him from any attack
“ of popular envy ; but if they followed Silanus’s,
“ he did not know what trouble it might create
“ to himself; yet that the service of the Re-
“ public ought to supersede all considerations of
“ his danger: that Cæsar, by this proposal, had
“ given them a perpetual pledge of his affection
“ to the State; and shewed the difference be-
“ tween the affected lenity of their daily decla-
“ mers and a mind truly popular, which sought
“ nothing but the real good of the people: that
“ he could not but observe, that one of those,
“ who valued themselves on being popular, had
“ absented himself from this day’s debate, that
“ he might not give a vote upon the life of a
“ citizen; yet by concurring with them in all
“ their previous votes, he had already passed a
“ judgement on the merits of the cause: that as
“ to the objection urged by Cæsar, of Gracchus’s
“ law, forbidding to put Citizens to death, it
“ should be remembered, that those, who were
“ adjudged to be enemies, could no longer be
“ considered as Citizens; and that the author of
“ that law had himself suffered death by the
“ order of the people: that since Cæsar, a man
“ of so mild and merciful a temper, had pro-
“ posed so severe a punishment, if they should
“ pass it into an act, they would give him a
“ partner and companion, who would justify
“ him to the people; but if they preferred Si-
“ lanus’s opinion, it would be easy still to defend
“ both them and himself from any imputation
“ of cruelty: for he would maintain it, after all,
“ to be the gentler of the two; and if he seem-
“ ed to be more eager than usual in this cause,
“ it was not from any severity of temper, for
“ no man had less of it, but out of pure hu-
“ manity

“manity and clemency.”—Then after forming a most dreadful image of “the city reduced to ashes, of heaps of slaughtered citizens, of the cries of mothers and their infants, the violation of the Vestal Virgins, and the conspirators insulting over the ruins of their country;” he affirms it to be “the greatest cruelty to the Republic, to shew any lenity to the authors of such horrid wickedness; unless they would call L. Cæsar cruel, for declaring the other day in the Senate, that Lentulus, who was his sister’s husband, had deserved to die; that they ought to be afraid rather of being thought cruel for a remissness of punishing, than for any severity which could be used against such outrageous enemies: that he would not conceal from them what he had heard to be propagated through the city, that they had not sufficient force to support and execute their sentence [e]: but he assured them that all things of that kind were fully provided; that the whole body of the people was assembled for their defense; that the Forum, the Temples, and all the avenues of the Senate were possessed by their friends; that the Equestrian order vied with the Senate itself in their zeal for the Republic; whom, after a diffension of many years, that day’s cause had entirely reconciled and united with them; and if that union, which his Consulship had confirmed, was preserved and perpetuated, he was confident, that no civil or domestic evil could ever again disturb them [f]. That if any of them were shocked by the report of Lentulus’s agents running up and

[e] Ibid. 6.

[f] Ibid. 7.

“ down the streets, and solliciting the needy and
 “ silly to make some effort for his rescue; the fact
 “ indeed was true, and the thing had been at-
 “ tempted; but not a man was found so despe-
 “ rate, who did not prefer the possession of his
 “ shed, in which he worked, his little hut and
 “ bed in which he slept, to any hopes of change
 “ from the public confusion: for all their sub-
 “ sistence depended on the peace and fullness of
 “ the city; and if their gain would be interrupted
 “ by shutting up their shops, how much more
 “ would it be so by burning them?—Since the
 “ people then were not wanting in their zeal and
 “ duty towards them, it was their part not to be
 “ wanting to the people [g]. That they had a
 “ Consul snatched from various dangers and the
 “ jaws of death, not for the propagation of his
 “ own life, but of their security; such a Consul,
 “ as they would not always have, watchfull for
 “ them, regardless of himself: they had also,
 “ what was never known before, the whole Ro-
 “ man people of one and the same mind: that they
 “ should reflect how one night had almost demo-
 “ lished the mighty fabric of their empire, raised
 “ by such pains and virtue of men, by such favor
 “ and kindness of the Gods: that by their beha-
 “ viour on that day they were to provide, that
 “ the same thing should not onely never be at-
 “ tempted, but not so much as thought of again
 “ by any citizen [b]. That as to himself, though
 “ he had now drawn upon him the enmity of the
 “ whole band of conspirators, he looked upon
 “ them as a base, abject, contemptible faction;
 “ but if, through the madness of any, it should
 “ ever rise again, so as to prevail against the Senate

[g] Ibid 8.

[b] Ibid. 9.

“ and the Republic, yet he should never be in-
 “ duced to repent of his present conduct; for
 “ death, with which perhaps they would threaten
 “ him, was prepared for all men; but none ever
 “ acquired that glory of life, which they had con-
 “ ferred upon him by their decrees: for to all
 “ others they decreed thanks for having served
 “ the Republic successfully; to him alone for
 “ having saved it. He hoped therefore, that
 “ there might be some place for his name among
 “ the Scipio’s, Paullus’s, Marius’s, Pompey’s;
 “ unless it were thought a greater thing to open
 “ their way into new Provinces, than to provide
 “ that their conquerors should have a home at last
 “ to return to: that the condition however of a
 “ foreign victory was much better than of a do-
 “ mestic one; since a foreign enemy, when con-
 “ quered, was either made a slave or a friend: but
 “ when citizens once turn rebels, and are baffled
 “ in their plots, one can neither keep them quiet
 “ by force, nor oblige them by favors: that he
 “ had undertaken therefore an eternal war with
 “ all traiterous citizens; but was confident, that
 “ it would never hurt either him or his, while
 “ the memory of their past dangers subsisted, or
 “ that there could be any force strong enough to
 “ overpower the present union of the Senate and
 “ the Knights [i]: That in lieu therefore of the
 “ command of armies and provinces, which he
 “ had declined; of a Triumph and all other ho-
 “ nors, which he had refused; he required no-
 “ thing more from them, than the perpetual re-
 “ membrance of his Consulship: while that con-
 “ tinued fixed in their minds, he should think
 “ himself impregnable: but if the violence of the

[i] Ibid. 10.

“ factious should ever defeat his hopes, he recom-
 “ mended to them his infant son, and trusted,
 “ that it would be a sufficient guard, not onely
 “ of his safety, but of his dignity, to have it re-
 “ membred, that he was the son of one, who,
 “ at the hazard of his own life, had preserved the
 “ lives of them all.” He concludes, by exhort-
 “ ing them to “ act with the same courage which
 “ they had hitherto shewn through all this affair,
 “ and to procede to some resolute and vigorous
 “ decree; since their lives and liberties, the safety
 “ of the City, of Italy, and the whole Empire
 “ depended upon it.”

THIS speech had the desired effect; and Cicero,
 by discovering his own inclination, gave a turn to
 the inclination of the Senate; when Cato, one of
the new Tribuns, rose up, and *after extolling Cicero*
to the skies [k], and recommending to the assembly
 the authority of his example and judgement, pro-
 ceeded to declare, agreeably to his temper and prin-
 ciples, “ That he was surprized to see any debate
 “ about the punishment of men, who had begun
 “ an actual war against their country: that their
 “ deliberation should be, how to secure them-
 “ selves against them, rather than how to punish
 “ them: that other crimes might be punished
 “ after commission, but unless this was prevented
 “ before it’s effect, it would be vain to seek a
 “ remedy after: that the debate was not about
 “ the public revenues, or the oppressions of the
 “ allies, but about their own lives and liberties;
 “ not about the discipline or manners of the city,
 “ on which he had often delivered his mind in that

[k] Quæ omnia quia Cato
 laudibus extulerat in cælum.
 [Ep. ad Att. 12. 21.] ita Con-
 sulis virtutem amplificavit, ut

universus Senatus in ejus sen-
 tentiam transfret. Vell. Pat.
 2. 25.

“ place; nor about the greatness or prosperity of
“ their empire, but whether they or their enemies
“ should possess that empire; and in such a case
“ there could be no room for mercy: that they
“ had long since lost and confounded the true
“ names of things: to give away other people’s
“ money was called generosity: and to attempt
“ what was criminal, fortitude. But if they must
“ needs be generous, let it be from the spoils of
“ the allies; if merciful, to the plunderers of the
“ treasury; but let them not be prodigal of the
“ blood of Citizens, and by sparing a few bad
“ destroy all the good: That Cæsar indeed had
“ spoken well and gravely concerning life and
“ death; taking all infernal punishments for a
“ fiction, and ordering the criminals therefore to
“ be confined in the corporate Towns: as if there
“ was not more danger from them in those Towns,
“ than in Rome itself; and more encouragement
“ to the attempts of the desperate, where there
“ was less strength to resist them: so that his pro-
“ posal could be of no use, if he was really afraid
“ of them: but if in the general fear he alone had
“ none, there was the more reason for all the rest
“ to be afraid for themselves: that they were not
“ deliberating on the fate onely of the conspira-
“ tors, but of Catiline’s whole army, which would
“ be animated or dejected in proportion to the
“ vigor or remissness of their decrees: That it
“ was not the arms of their ancestors, which made
“ Rome so great, but their discipline and man-
“ ners, which were now depraved and corrupted:
“ that in the extremity of danger it was a shame
“ to see them so indolent and irresolute, waiting
“ for each other to speak first, and trusting, like
“ women, to the Gods, without doing any thing
“ for themselves: that the help of the Gods was

“ not to be obtained by idle vows and supplica-
 “ tions: that success attended the vigilant, the
 “ active, the provident; and when people gave
 “ themselves up to sloth and laziness, it was in
 “ vain for them to pray: they would find the
 “ Gods angry with them: that the flagitious lives
 “ of the criminals confuted every argument of
 “ mercy: that Catiline was hovering over them
 “ with an army, while his accomplices were within
 “ the walls, and in the very heart of the city;
 “ so that, whatever they determined, it could
 “ not be kept secret, which made it the more
 “ necessary to determine quickly. Wherefore
 “ his opinion was, that since the criminals had
 “ been convicted, both by testimony and their
 “ own confession, of a detestable treason against
 “ the Republic, they should suffer the punish-
 “ ment of death, according to the custom of their
 “ ancestors [l].”

CATO's authority, added to the impression which Cicero had already made, put an end to the debate; and the Senate applauding his vigor and resolution, resolved upon a decree in consequence of it [m]. And though Silanus had first proposed that opinion, and was followed in it by *all the Consular Senators*, yet they ordered the decree to be drawn in *Cato's words*, because he had delivered himself more fully and explicitly upon it than any of them [n]. The vote was no sooner passed, than Cicero resolved to put it in execution, lest the night, which was coming on, should produce any new disturbance: he went directly therefore from the Senate, attended by a numerous guard of friends and citizens, and took *Lentulus from the*

[l] Sallust. 52.

[m] Ibid. 53.

[n] Idcirco in ejus senten-

tiam est facta discessio. Ad

Att. 12. 21.

custody of his kinsman *Lentulus Spinther*, and conveyed him through the Forum to the common prison, where he delivered him to the executioners, who presently strangled him. The other conspirators, *Cethegus*, *Statilius* and *Gabinus*, were conducted to their execution by the *Prætors*, and put to death in the same manner, together with *Ceparius*, the onely one of their accomplices who was taken after the examination [o]. When the affair was over, *Cicero* was conducted home in a kind of triumph by the whole body of the Senate and the Knights; the streets being all illuminated, and the women and children at the windows, and on the tops of houses, to see him pass along through infinite acclamations of the multitude proclaiming him their saviour and deliverer [p].

THIS was the fifth of December, those celebrated Names, of which *Cicero* used to boast so much ever after, as the most glorious day of his life: and it is certain, that Rome was indebted to him on this day for one of the greatest deliverances which it had ever received since it's foundation; and which nothing perhaps but his vigilance and sagacity could have so happily effected: for from the first alarm of the plot, he never rested night or day till he had got full information of the cabals and counsils of the conspirators [q]: by which he easily baffled all their projects, and played with them as he pleased; and without any risk to the public could draw them on just far enough to make their guilt manifest, and their ruin inevitable. But his master-piece was the driving *Catiline* out of Rome, and teizing him as it were into a rebellion before it was ripe,

[o] Sallust 55.

[p] Plutarch. in Cic.

[q] In eo omnes dies, noctesque consumsi, ut quid age-

rent, quid molirentur, sentirem ac viderem. In *Catil.*

3. 2.

in hopes that by carrying out with him his accomplices, he would clear the city at once of the whole faction; or by leaving them behind without his head to manage them, would expose them to sure destruction by their own folly: for Catiline's chief trust was not on the open force which he had provided in the field, but on the success of his secret practices in Rome, and on making himself master of the city; the credit of which would have engaged to him of course all the meaner sort, and induced all others through Italy, who wished well to his cause, to declare for him immediately: so that when this apprehension was over, by the seizure and punishment of his associates, the Senate thought the danger at an end, and that they had nothing more to do, but to vote *thanksgivings and festivals*; looking upon *Catiline's army* as a crew onely of fugitives, or banditti, whom their forces were sure to destroy whenever they could meet with them.

BUT Catiline was in condition still to make a stouter resistance than they imagined: he had filled up his troops to the number of *two legions*, or about *twelve thousand fighting men*; of which *a fourth part onely was completely armed*, the rest furnished with what chance offered, *darts, lances, clubs*. He refused at first to *enlist slaves*, who flocked to him in great numbers, trusting to the proper strength of the conspiracy, and knowing that he should quickly have soldiers enough, if his friends performed their part at home [r]. So that when the Consul Antonius approached towards him with his army, he shifted his quarters, and made frequent motions and marches through the mountains, *sometimes to-*

[r] Sperabat propediem visissent—interea sevitia repugnans copias se habiturum, diabat. Sallust. 56.
 si Romæ focii incepta patra-

wards Gaul, sometimes towards the City, in order to avoid an engagement till he could hear some news from Rome: but when the fatal account came of the death of Lentulus and the rest, the face of his affairs began presently to change, and his army to dwindle apace, by the desertion of those, whom the hopes of victory and plunder had invited to his camp. His first attempt therefore was by long marches and private roads through the Apennine, to make his escape into Gaul: but Q. Metellus, who had been sent thither before by Cicero, imagining that he would take that resolution, had secured all the passes, and posted himself so advantageously with an army of three Legions, that it was impossible for him to force his way on that side; whilst on the other, the Consul Antonius with a much greater force blocked him up behind, and enclosed him within the mountains [s]. Antonius himself had no inclination to fight, or at least with Catiline; but would willingly have given him an opportunity to escape, had not his Quæstor Sextius, who was Cicero's creature, and his Lieutenant Petreius, urged him on against his will to force Catiline to the necessity of a battle [t]: who seeing all things desperate, and nothing left but either to die or conquer, resolved to try his fortune against Antonius, though much the stronger, rather than Metellus; in hopes still, that out of regard to their

[s] Ibid. 57.

[t] Hoc breve dicam: Si M. Petreii non excellens animo & amore Reip. virtus, non summa auctoritas apud milites, non mirificus usus in re militari extitisset, neque adjutor ei P. Sextius ad excitandum Antonium, cohortandum, ac impellendum fuisset,

datus illo in bello esset hiemi locus, &c.

Sextius, cum suo exercitu, summa celeritate est Antonium consecutus. Hic ego quid prædicem, quibus rebus Consulem ad rem gerendam excitavit; quod stimulos admoverit, &c. Pro Sext. 5.

former engagements, he might possibly contrive some way at last of throwing the victory into his hands [u]. But Antonius happened to be seized at that very time with a fit of the Gout, or pretended at least to be so, that he might have no share in the destruction of an old friend: so that the command fell of course to a much better soldier and honest man, Petreius; who, after a sharp and bloody action, in which he lost a considerable part of his best troops, destroyed Catiline and his whole army, fighting desperately to the last man [x]. They all fell in the very ranks in which they stood, and, as if inspired with the genuine spirit of their leader, fought not so much to conquer, as to sell their lives as dear as they could, and, as Catiline had threatened in the Senate, to mingle the public calamity with their own ruin.

THUS ended this famed conspiracy; in which some of the greatest men in Rome were suspected to be privately engaged, particularly Crassus and Cæsar: they were both influenced by the same motive, and might hope perhaps, by their interest in the city, to advance themselves, in the general confusion, to that sovereign power which they aimed at. Crassus, who had always been Cicero's enemy, by an officiousness of bringing letters and intelligence to him during the alarm of the plot, seemed to betray a consciousness of some guilt [y]; and Cæsar's whole life made it probable, that there could hardly be any plot in which he had not some share; and in this there was so general a suspicion upon him, especially after his speech in favor of the criminals, that he had some difficulty to escape with life from the rage of the Knights,

[u] Αἴτιον δὲ, ὅτι ἐλπίδα αὐ-
τὸ κατὰ τὸ συναμοῦσι ἐβέλοκακῆ-
σιν ἔσχον. Dio, l. 37. p. 47.

[x] Sallust. 59.

[y] Plutarch. in Cic.

who guarded the avenues of the Senate; where he durst not venture to appear any more, till he entered upon his Prætorship with the new year [z]. Crassus was actually accused by one Tarquinius, who was taken upon the road as he was going to Catiline, and upon promise of pardon made a discovery of what he knew: where after confirming what the other witnesses had deposed, he added, *that he was sent by Crassus to Catiline, with advice to him, not to be discouraged by the seizure of his accomplices, but to make the greater hast for that reason to the city, in order to rescue them, and revive the spirits of his other friends.* At the name of Crassus the Senate was so shocked, that they would hear the man no farther; but calling upon Cicero to put the question, and take the sense of the house upon it, they voted *Tarquinius's evidence to be false, and ordered him to be kept in chains, nor to be produced again before them, till he would confess who it was that had suborned him [a].* Crassus declared afterwards in the hearing of Sallust, *that Cicero was the contriver of this affront upon him [b].* But that does not seem probable; since it was Cicero's constant maxim, as he frequently intimates in his speeches *to mitigate and reclame all men of credit by gentle methods, rather than make them desperate by an unseasonable severity; and in the general contagion of the city, not to cut off, but to heal every part that was curable.* So that when some information was given

[z] Uti nonnulli Equites Romani, qui præsidii causa cum telis erant circum ædem Concordæ — egredienti ex Senatu Cæsari gladio minitarentur. Sallust. 49. Vix pauci complexu, togaque obiecta protexerint. Tunc plane deterritus non modo cessit, sed

etiam in reliquum anni tempus curia abstinuit. Sueton. J. Cæs. 14.

[a] Sallust. 48.

[b] Ipsum Crassum ego postea prædicantem audivi, tantam illam contumeliam sibi a Cicerone impositam. Ibid.

likewise

likewise against Cæsar, he chose to stifle it, and could not be persuaded to charge him with the plot, by the most pressing solicitations of Catulus and Piso, who were both his particular enemies, the one for the loss of the High-Priesthood, the other for the impeachment above mentioned [c].

WHILST the sense of all these services was fresh, Cicero was repaid for them to the full of his wishes, and in the very way that he desired, by the warm and gratefull applauses of all orders of the city. For besides the honors already mentioned, L. Gellius, who had been *Consul and Censor*, said in a speech to the Senate, *that the Republic owed him a Civic Crown, for having saved them all from ruin* [d]: and Catulus in a full house declared him *the Father of his Country* [e]; as Cato likewise did *from the Rostra, with the loud acclamations of the whole people* [f]: whence Pliny, in honor of his memory, cries out, *Hail thou, who wast first saluted the Parent of thy Country* [g]. This title, the most glorious which a mortal can wear, was from this precedent usurped afterwards by those, who of all mortals deserved it the least, *the Emperors*; proud to extort from slaves and flatterers, what Cicero obtained from the free vote of the Senate and People of Rome.

—————Roma parentem,
Roma Patrem Patriæ Ciceronem libera dixit.

Juv. 8.

[c] Appian. bell. civ. l. 2. p. 430. Sallust. 49.

[d] L. Gellius, his audientibus, civicam coronam deberi a Republica dixit. In Pison. 3. it. A. Gell. 5, 6.

[e] Me Q. Catulus, princeps hujus ordinis, frequentissimo Senatu PARENTEM PA-

TRIAE nominavit. In Pis. 3.

[f] Plutarch. in Cic.—
Κάτανθ' δ' αὐτὸν καὶ πατέρα τῆς
πατρίδος προσαγορεύσαντ'
ἐπέδωκεν ὁ δῆμος. Appian.
p. 431.

[g] Salve, primus omnium
Parens Patriæ appellate, &c.
Plin. Hist. N. 7. 30.

Thee

*Thee, Cicero, Rome while free, nor yet enthrall'd
To Tyrant's will, thy Country's Parent call'd.*

All the towns of Italy followed the example of the metropolis, in decreeing extraordinary honors to him; and *Capua in particular chose him their Patron, and erected a gilt statue to him* [b].

SALLUST, who allows him the character of an excellent Consul, says not a word of any of these honors, nor gives him any greater share of praise, than what could not be dissembled by an Historian. There are two obvious reasons for this reservedness; first, the personal enmity, which according to tradition subsisted between them; secondly, the time of publishing his history, *in the reign of Augustus*, while the name of Cicero was still obnoxious to envy. The other Consul Antonius had but a small share of the thanks and honors which were decreed upon this occasion: he was known to have been embarked in the same cause with Catiline, and considered as acting onely under a tutor, and doing penance as it were for past offences: so that all the notice, which was taken of him by the Senate, was, to pay him the slight compliment above mentioned, *for having removed his late profligate companions from his friendship and counsils* [i].

CICERO made *two new laws* this year; the one, as it has been said, *against bribery in elections*; the other, *to correct the abuse of a privilege called Legatio libera*; that is, an honorary Legation or

[b] Meinaurata statua donarunt: me patronum unum adsciverant. In Pis. 11.

[i] Atque etiam collegæ meo laus impertitur, quod eos

qui hujus conjurationis participes fuissent, a suis & a Reip. consiliis removisset. In Catil. 3. 6.

Embassy, granted arbitrarily by the Senate to any of it's members, when they travelled abroad on their private affairs, in order to give them a *public character, and a right to be treated as Embassadors or Magistrates*; which, by the insolence of these great guests, was become a grievous burden upon all the States and Cities through which they passed. *Cicero's design was to abolish it*; but being driven from that by one of the Tribuns, he was content to *restrain the continuance of it*, which before was unlimited, to the term of one year [k].

AT his first entrance into his office, L. Lucullus was solliciting the demand of a triumph for his victories over Mithridates, in which he had been obstructed for three years successively by the intrigues of some of the Magistrates [l], who paid their court to Pompey, by putting this affront upon his rival. By the law and custom of the Republic, no General, while he was in actual command, could come within the gates of Rome, without forfeiting his commission, and consequently all pretensions to a triumph; so that Lucullus continued all this time in the suburbs, till the affair was decided. The Senate favored his suit, and were sollicitors for him [m]: but could not prevail, till Cicero's authority at last helped to introduce his triumphal carr into the city [n]; making him some amends by this

[k] Jam illud apertum est, nihil esse turpius, quam quenquam legari nisi Reipub. causa—quod quidem genus legationis ego Consul, quamquam ad commodum Senatus pertinere videatur, tamen adprobante Senatu frequentissimo, nisi mihi levis Tribunus plebis tum intercessisset, sustulisset: minui tamen tempus, & quod erat infini-

tum, annum feci. De leg. 3. 8.

[l] Plutarch. in Lucull.

[m] Ibid.

[n] Cum victor a Mithridatico bello revertisset, inimicorum calumnia triennio tardius, quam debuerat, triumphavit. Nos enim Consules introduximus pæne in urbem currum clarissimi viri. Academ. l. 2. 1.

service

service for the injury of *the Manilian law*, which had deprived him of his Government. After his triumph he entertained *the whole Roman people with a sumptuous feast*, and was much caressed by *the Nobility*, as one whose authority would be a proper check to the ambition and power of Pompey: but having now obtained all the honors, which he could reasonably hope for in life, and observing the turbulent and distracted state of the city, he withdrew himself not long after from public affairs, to spend the remainder of his days in a polite and splendid retreat [ø]. He was a generous patron of learning, and himself eminently learned: so that his house was the constant resort of the principal scholars and wits of Greece and Rome; where he had provided a well-furnished library, with porticos and galleries annexed, for the convenience of walks and literary conferences, at which he himself used frequently to assist; giving an example to the world of a life truly noble and elegant, if it had not been sullied by too great a tincture of Asiatic softness and Epicurean luxury.

AFTER this act of justice to Lucullus, Cicero had an opportunity, before the expiration of his Consulship, to pay all due honor likewise to his friend Pompey; who, since he last left Rome, had gloriously finished *the Piratic and the Mithridatic war*, by the destruction of Mithridates himself: upon the receipt of which news, *the Senate*, at the motion of Cicero, decreed a public thanksgiving in his name of ten days; which was twice as long as had ever been decreed before to any General, even to Marius himself, for his Cimbric victory [p].

[ø] Plutarch. in Lucull.

[p] Quo Consulereferente, primum decem diem supplicatio decreta Cn. Pompeio

Mithridate interfecto; cujus sententia primum duplicata est supplicatio Consularis. De provinc. Consular. xi.

BUT before we close the account of the memorable events of this year, we must not omit the mention of one, which distinguished it afterwards as a particular *Æra* in the annals of Rome, *the birth of Octavius*, surnamed Augustus; which happened on the twenty-third of September. Velleius calls it an *accession of glory to Cicero's Consulship* [q]: but it excites speculations rather of a different sort; *on the inscrutable methods of providence, and the short sighted policy of man*; that in the moment when Rome was preserved from destruction, and it's liberty thought to be established more firmly than ever, an infant should be thrown into the world, who, within the course of twenty years, effected what Catiline had attempted, and destroyed both Cicero and the Republic. If Rome could have been saved by human counsel, it would have been saved by the skill of Cicero: but it's destiny was now approaching: for Governments, like natural bodies, have, with the principles of their preservation, the seeds of ruin also essentially mixt in their constitution, which after a certain period begin to operate and exert themselves to the dissolution of the vital frame. These seeds had long been fermenting in the bowels of the Republic; when Octavius came, peculiarly formed by nature and instructed by art, to quicken their operation and exalt them to their maturity:

CICERO's administration was now at an end, and nothing remained but to resign the Consulship, according to custom, in an assembly of the people, and to take the usual oath, *of his having discharged it with fidelity*. This was generally accompanied with a speech from *the expiring Consul*;

[q] *Consulatui Ciceronis Vell. 2. 36. Suet. c. 5. Dio, non mediocre adjecit decus, p. 590. natus eo anno D. Augustus.*

and after such a year, and from such a speaker, the City was in no small expectation of what Cicero would say to them: but Metellus, one of the new Tribuns, who affected commonly to open their magistracy by some remarkable act, as a specimen of the measures which they intended to pursue, resolved to disappoint both the Orator and the audience: for when Cicero had mounted *the Rostra*, and was ready to perform this last act of his Office, *the Tribun would not suffer him to speak, or to do any thing more, than barely take the oath; declaring, that he, who had put Citizens to death unheard, ought not to be permitted to speak for himself: upon which Cicero, who was never at a loss, instead of pronouncing the ordinary form of the oath, exalting the tone of his voice, swore out aloud, so as all the people might hear him, that he had saved the Republic and the City from ruin; which the multitude below confirmed with an universal shout, and with one voice cried out, that what he had sworn was true [r].* Thus the intended affront was turned, by his presence of mind, to his greater honor; and he was conducted from the Forum to his house, with all possible demonstrations of respect by *the whole City.*

[r] Ego cum in concione, abiens magistratu, dicere a Tribuno plebis prohiberer, quæ constitueram: cumque is mihi, tantummodo ut jurarem, permitteret, sine ulla dubitatione juravi, rempublicam atque hanc urbem mea unius opera esse salvam. Mihi populus Romanus universus non unius diei gratulationem, sed æternitatem immortalitatemque donavit, cum meum jusjurandum tale atque tantum juratus ipse una voce & consensu approbavit. Quo quidem tem-

pore is meus domum fuit e foro reditus, ut nemo, nisi qui mecum esset, civium esse in numero videretur. In Pison. 3.

Cum ille mihi nihil nisi ut jurarem permitteret, magna voce juravi verissimum pulcherrimumque jusjurandum: quod populus item magna voce me vere jurasse juravit. Ep. fam. 5. 2.

Etenim paullo ante in concione dixerat, ei, qui in alios animadvertisset indicta causa, dicendi ipsi potestatem fieri non oportere. Ibid.

S E C T. IV.

A. Urb. 691. **C**ICERO being now reduced to the condition of a private Senator, was to take his place on that venerable *bench of Consulars*, who were justly reckoned the first Citizens of the Republic. They delivered their opinions the first always in the Senate; and commonly determined the opinions of the rest: for as they had passed through all the public offices, and been conversant in every branch of the administration, so their experience gave them great authority in all debates; and having little or nothing farther to expect for themselves, they were esteemed not only the most knowing, but, generally speaking, the most disinterested of all the other Senators, and to have no other view in their deliberation, but the peace and prosperity of the Republic.

Cic. 45.
Coff.
D. JUNIUS
SILANUS,
L. LICINIUS
MURENA.

THIS was a station exactly suited to Cicero's temper and wishes; he desired no foreign governments, or command of armies; his province was the Senate and the Forum; to guard as it were the vitals of the empire, and to direct all its counsils to their proper end, the general good; and in this advanced post of a *Consular Senator*, as in a watch-tower of the State, to observe each threatening cloud and rising storm, and give the alarm to his fellow-citizens from what quarter it was coming, and by what means its effects might be prevented [*a*]. This, as he frequently intimates, was the onely glory that he sought, the comfort with which he flattered himself, that after a life of

[*a*] Idcirò in hac custodia metu populum Romanum no-
& tanquam in specula collo- tra vigilia & prospicientia
cati sumus, ut vacuum omni redderemus. Phil. 7. 7.

ambition and fatigue, and a course of faithful services to the Republic, he should enjoy a quiet and secure old age, beloved and honored by his countrymen, as the constant champion and defender of all their rights and liberties. But he soon found himself mistaken, and before he had quitted his office, began to feel the weight of that envy, which is the certain fruit of illustrious merit: for the vigor of his Consulship had raised such a zeal and union of all the honest in the defense of the laws, that till this spirit could be broken, or subside again, it was in vain for the ambitious to aim at any power but through the ordinary forms of the constitution; especially while he, who was the soul of that union, continued to flourish in full credit at the head of the Senate. He was now therefore the common mark not onely of all the factious, against whom he had declared perpetual war, but of another party not less dangerous, the envious too; whose united spleen never left pursuing him from this moment, till they had driven him out of that City, which he had so lately preserved.

THE Tribun Metellus began the attack: a fit leader for the purpose; who from the nobility of his birth and the authority of his office was the most likely to stir up some ill-humor against him, by insulting and reviling him in all his harangues, *for putting Citizens to death without a trial*; in all which he was strenuously supported by Cæsar, who pushed him on likewise to the promulgation of several pestilent laws, which gave great disturbance to the Senate. Cicero had no inclination to enter into a contest with the Tribun, but took some pains to make up the matter with him by the interposition of the women; particularly of Claudia, the wife of his brother Metellus, and of their sister Mucia, the wife of Pompey: he em-

A. Urb. 691.
Cic. 45.
Coff.
D. JUNIUS
SILANUS,
L. LICINIUS
MURENA.

A. Urb. 691. employed also several common friends to persuade
 Cic. 45. him to be quiet, and desist from his rashness;
 Coff but his answer was, *that he was too far engaged,*
 D. JUNIUS and had put it out of his power [b]: so that Ci-
 SILANUS, cero had nothing left, but to exert all his vigor
 L. LICINIUS and eloquence to repell the insults of this petu-
 MURENA. lant magistrate.

CÆSAR at the same time was attacking Catu-
 lus with no less violence; and being now in pos-
 session of the *Prætorship*, made it the first act of
 his office to call him to an account for *embezzling*
the public money in rebuilding the Capitol; and pro-
 posed also a law, to *efface his name from the fabric,*
and grant the commission for finishing what remained
to Pompey: but the Senate bestirred themselves so
 warmly in the cause, that Cæsar was obliged to
 drop it [c]. This experiment convinced the two
 magistrates, that it was not possible for them to
 make head against the authority of the Senate,
 without the help of Pompey, whom they resolved
 therefore by all the arts of address and flattery to
 draw into their measures. With this view Me-
 tellus published a law, to *call him home with his*
army in order to settle the state, and quiet the public
disorders raised by the temerity of Cicero [d]: for
 by throwing all power into his hands, they hoped
 to come in for a share of it with him, or to em-
 broil him at least with the Senate, by exciting
 mutual jealousies between them: but their law
 was thought to be of so dangerous a tendency,
that the Senate changed their habit upon it, as in the
case of a public calamity; and by the help of some
 of the Tribuns, particularly of Cato, resolved to
 oppose it to the utmost of their power: so that

[b] Quibus ille respondit,
 sibi non esse integram. Ep. 1.
 fam. 5. 2.

[c] Sueton. J. Cæs. 15. Dio,
 Ep. 1. 37. p. 49.

[d] Dio, ib. Plut. in Cic.

as soon as *Metellus began to read it to the people*, A. Urb. 691. Cic. 45. Coff.
Cato snatched it away from him; and when he proceeded still to pronounce it by heart, D. JUNIUS SILANUS,
Minucius, another Tribun, stopt his mouth with his hand. L. LICINIUS MURENA.
 This threw the assembly into confusion, and raised great commotions in the City; till the Senate, finding themselves supported by the better sort of all ranks, came to a new and vigorous resolution, *of suspending both Cæsar and Metellus from the execution of their offices* [e].

CÆSAR resolved at first to act in defiance of them; but finding a strong force prepared to controul him, thought it more adviseable to retire, and reserve the trial of arms, till he was better provided for it: *he shut himself up therefore in his house*, where, by a prudent and submissive behaviour *he soon made his peace, and got the decree of their suspension reversed* [f]. But Metellus, as it was concerted probably between them, *fled away to his brother Pompey* [g], that by misrepresenting the state of things at home, and offering every thing on the part of the people, he might instill into him some prejudices against *the immoderate power of Cicero and the Senate*, and engage him, if possible, to declare for the popular interest. Cicero in the mean while published an invective oration against Metellus, which is mentioned in his Epistles under the title of *Metellina* [b]. :

[e] Donec ambo administratione Reipub. decreto Patrum summoventur. Sueton. J. Cæs. 16.

[f] Ut comperit paratos, qui vi ac per arma prohiberent, dimissis lictoribus, abjectaque prætexta, domum clam refugit, pro conditione temporum quieturus—quod

cum præter opinionem evenisset, Senatus — accitum in curiam & amplissimis verbis collaudatum, in integrum restituit. induceto priore decreto. Sueton. Ibid.

[g] Plutarch. in Cicer.

[b] In illam orationem Metellinam addidi quædam; liber tibi mittetur. Att. 1. 13.

A. Urb. 691. it was spoken in the Senate, in answer to a speech
 Cic. 45. which Metellus had made to the people, and is
 Coss. often cited by Quintilian and others [i], as ex-
 D. JUNIUS tant in their time.
 SILANUS,
 L. LICINIUS
 MURENA.

THE Senate having gained this victory over Cæsar and Metellus, by obliging the one to submit, the other to leave the City; Q. Metellus Celer, who commanded in Cisalpine Gaul, wrote a peevish and complaining letter to his friend Cicero, upon their treating his brother the Tribune so severely: to which Cicero answered with that freedom, which a consciousness of integrity naturally dictates, yet with all that humanity which the sincerest friendship inspires; as the reader will observe from the letter itself, which affords many instructive hints both historical and moral.

M. T. Cicero to Q. Metellus Celer, Proconsul,

“ You write me word, that considering our
 “ mutual affection and late reconciliation, you
 “ never imagined, that you should be made the
 “ subject of public jest and ridicule by me. I do
 “ not well understand what you mean; yet guess
 “ that you have been told, that, when I was speak-
 “ ing one day in the Senate of many, who were
 “ sorry for my having preserved the Republic, I
 “ said, that certain relations of yours, to whom
 “ you could refuse nothing, had prevailed with
 “ you to suppress what you had prepared to say
 “ in the Senate in praise of me: when I said this,
 “ I added, that in the affair of saving the State
 “ I had divided the task with you in such a man-
 “ ner, that I was to secure the City from intestine
 “ dangers, you to defend Italy from the open

[i] Quint. l. 9. 3. A. Gellius 18. 7.

“ arms and secret plots of our enemies; but that
 “ this glorious partnership had been broken by
 “ your friends, who were afraid of your making
 “ me the least return for the greatest honors and
 “ services which you had received from me. In
 “ the same discourse, when I was describing the
 “ expectation which I had conceived of your
 “ speech, and how much I was disappointed by
 “ it, it seemed to divert the house, and a moderate
 “ laugh ensued; not upon you, but on my
 “ mistake, and the frank and ingenuous confession
 “ of my desire to be praised by you. Now
 “ in this, it must needs be owned, that nothing
 “ could be said more honorably towards you,
 “ when in the most shining and illustrious part of
 “ my life, I wanted still to have the testimony of
 “ your commendation. As to what you say of
 “ our mutual affection, I do not know what you
 “ reckon mutual in friendship, but I take it to be
 “ this; when we repay the same good offices
 “ which we receive: Should I tell you then, that
 “ I gave up my province for your sake, you
 “ might justly suspect my sincerity: it suited my
 “ temper and circumstances, and I find more and
 “ more reason every day to be pleased with it:
 “ but this I can tell you, that I no sooner resigned
 “ it in an assembly of the people, than I began to
 “ contrive how to throw it into your hands. I
 “ say nothing about the manner of drawing your
 “ lots; but would have you only believe, that
 “ there was nothing done in it by my colleague
 “ without my privity. Pray recollect what followed;
 “ how quickly I assembled the Senate
 “ after your allotment, how much I said in favor
 “ of you, when you yourself told me, that my
 “ speech was not only honorable to you, but
 “ even injurious to your colleagues. Then as to

A. Urb. 691.
 Cic. 45.
 Coff.
 D. JUNIUS
 SILANUS,
 L. LICINIUS
 MURENA.

A. Urb. 691. “ the decree which passed that day in the Senate,
 Cic. 45. “ it is drawn in such a strain, that as long as it
 Coff. “ subsists, my good offices to you can never be
 D. JUNIUS “ a secret. After your departure, I desire you
 SILANUS, “ also to recollect what I did for you in the Se-
 L. LICINIUS “ nate, what I said of you to the people, what
 MURENA. “ I wrote to you my self; and when you have
 “ laid all these things together, I leave it to you
 “ to judge, whether at your last coming to Rome
 “ you made a suitable return to them. You
 “ mention a reconciliation between us; but I do
 “ not comprehend how a friendship can be said
 “ to be reconciled, which was never interrupted.
 “ As to what you write, that your brother ought
 “ not to have been treated by me so roughly for
 “ a word: in the first place, I beg of you to be-
 “ lieve, that I am exceedingly pleased with that
 “ affectionate and fraternal disposition of yours,
 “ so full of humanity and piety; and in the se-
 “ cond, to forgive me if in any case I have acted
 “ against your brother, for the service of the
 “ Republic, to which no man can be a warmer
 “ friend than my self: but if I have been acting
 “ onely on the defensive against his most cruel
 “ attacks, you may think yourself well used, that
 “ I have never yet troubled you with any com-
 “ plaints against him. As soon as I found that
 “ he was preparing to turn the whole force of his
 “ Tribunate to my destruction, I applied my self
 “ to your wife Claudia, and your sister Mucia,
 “ whose zeal for my service I had often experi-
 “ enced, on the account of my familiarity with
 “ Pompey, to dissuade him from that outrage:
 “ but he, as I am sure you have heard, on the
 “ last day of the year put such an affront upon me
 “ when Consul, and after having saved the State,
 “ as had never been offered to any Magistrate the
 “ most

“ most traiterously affected, by depriving me of
 “ the liberty of speaking to the people upon lay-
 “ ing down my office. But his insult turned one-
 “ ly to my greater honor: for when he would
 “ not suffer me to do any thing more than swear,
 “ I swore with a loud voice the truest, as well as
 “ the noblest of all oaths: while the people with
 “ acclamations swore likewise, that my oath was
 “ true. After so signal an injury, I sent to him
 “ the very same day some of our common friends,
 “ to press him to desist from his resolution of
 “ pursuing me; but his answer was, that it was
 “ not then in his power: for he had said a few
 “ days before in a speech to the people, that *he,*
 “ *who had punished others without a hearing, ought*
 “ *not to be suffered to speak for himself.* Worthy
 “ Patriot, and excellent Citizen! to adjudge the
 “ man who had preserved the Senate from a mas-
 “ sacre, the City from fire, and Italy from a war,
 “ to the same punishment which the Senate, with
 “ the consent of all honest men, had inflicted on
 “ the authors of those horrid attempts. I with-
 “ stood your brother therefore to his face; and
 “ on the first of January, in a debate upon the
 “ Republic, handled him in such a manner, as
 “ to make him sensible, that he had to do with
 “ a man of courage and constancy. Two days
 “ after, when he began again to harangue, in
 “ every three words he named and threatened
 “ me: nor had he any thing so much at heart, as
 “ to effect my ruin at any rate; not by the legal
 “ way of trial, or judicial proceeding, but by dint
 “ of force and violence. If I had not resisted his
 “ rashness with firmness and courage, who would
 “ not have thought, that the vigor of my Con-
 “ sulship had been owing to chance, rather than
 “ to virtue? If you have not been informed, that
 “ your

A. Urb. 691.
 Cic. 45.
 Coff.
 D. JUNIUS
 SILANUS,
 L. LICINIUS
 MURENA.

A. Urb. 691. “ your brother attempted all this against me, be
 Cic. 45. “ assured that he concealed from you the most
 Coff. “ material part: but if he told you any thing of
 D. JUNIUS “ it, you ought to commend my temper and pa-
 SILANUS, “ tience, for not expostulating with you about it:
 L. LICINIUS “ but since you must now be sensible, that my
 MURENA. “ quarrel to your brother was not, as you write,
 “ for a word, but a most determined and spitefull
 “ design to ruin me, pray observe my humanity,
 “ if it may be called by that name, and is not ra-
 “ ther, after so flagrant an outrage, a base remis-
 “ ness and abjection of mind. I never proposed
 “ any thing against your brother, when there was
 “ any question about him in the Senate; but
 “ without rising from my seat, assented always to
 “ those who were for treating him the most fa-
 “ vorably. I will add farther, what I ought not
 “ indeed to have been concerned about, yet I was
 “ not displeas'd to see it done. and even assist'd
 “ to get it done; I mean, the procuring a de-
 “ cree for the relief of my enemy, because he was
 “ your brother. I did not therefore attack your
 “ brother, but defend myself onely against him;
 “ nor has my friendship to you ever been variable,
 “ as you write, but firm and constant, so as to
 “ remain still the same when it was even deserted
 “ and slighted by you. And at this very time,
 “ when you almost threaten me in your letter, I
 “ give you this answer, that I not onely forgive,
 “ but highly applaud your grief; for I know, from
 “ what I feel within myself, how great the force
 “ is of fraternal love: but I beg of you also to
 “ judge with the same equity of my cause; and
 “ if, without any ground, I have been cruelly
 “ and barbarously attacked by your friends, to
 “ allow that I ought not onely not to yield to
 “ them, but on such an occasion to expect the
 “ help

“ help even of you and your army also against
 “ them. I was always desirous to have you for
 “ my friend, and have taken pains to convince
 “ you how sincerely I am yours: I am still of
 “ the same mind, and shall continue in it as
 “ long as you please; and, for the love of you,
 “ will sooner cease to hate your brother, than,
 “ out of resentment to him, give any shock to
 “ the friendship which subsists between us. A-
 “ dieu [k].”

A. Urb. 691.
 Cic. 45.
 Coff.
 D. JUNIUS
 SILANUS,
 L. LICINIUS
 MURENA.

CICERO, upon the expiration of his Consulship, took care to send a particular account of his whole administration to Pompey; in hopes to prevent any wrong impression there from the calumnies of his enemies, and to draw from him some public declaration in praise of what he had been doing. But Pompey being informed by Metellus and Cæsar of the ill humor which was rising against Cicero in Rome, answered him with great coldness, and, instead of paying him any compliment, took no notice at all of what had passed in the affair of Catiline: upon which Cicero expostulates with him in the following letter with some little resentment, yet so, as not to irritate a man of the first authority in the Republic, and to whom all parties were forwardly paying their court.

M. T. Cicero to Cn. Pompeius the Great,
 Emperor [l].

“ I HAD an incredible pleasure, in common
 “ with all people, from the public letter which
 “ you

[k] Epist. fam. 5. 2.
 [l] The word *Emperor* signified nothing more in it's

original use, than the General or Chief Commander of an army: [Cic. de Orat. 1. 48.]

A. Urb. 691. “ you sent: for you gave us in it that assurance
 Cic. 45. “ of peace, which from my confidence in you
 Coff. “ alone I had always been promising. I must
 D. JUNIUS “ tell you however, that your old enemies, but
 SILANUS, “ new friends, are extremely shocked and dis-
 L. LICINIUS “ appointed at it. As to the particular letter
 MURENA. “ which you sent to me, though it brought me
 “ so slight an intimation of your friendship, yet
 “ it was very agreeable: for nothing is apt to
 “ give me so much satisfaction, as the consciof-
 “ nefs of my services to my friends; and if at
 “ any time they are not requited as they ought
 “ to be, I am always content that the balance
 “ of the account should rest on my side. I make
 “ no doubt however, but that, if the distin-
 “ guished zeal, which I have always shewn for
 “ your interests, has not yet sufficiently recom-
 “ mended me to you, the public interest at least
 “ will conciliate, and unite us. But that you
 “ may not be at a loss to know what it was,

48.] in which sense it be-
 longed equally to all who
 had supreme command in a-
 ny part of the Empire, and
 was never used as a peculiar
 title. But after a victory,
 in which some considerable
 advantage was gained, and
 great numbers of the enemy
 slain, the soldiers, by an uni-
 versal acclamation, used to
 salute their General in the
 field with the appellation of
Emperor; ascribing as it were
 the sole merit of the action
 to his auspices and conduct.
 This became a title of honor,
 of which all Commanders
 were proud, as being the ef-
 fect of success and victory,

and won by their proper va-
 lor; and it was always the
 first and necessary step to-
 wards a Triumph. On these
 occasions therefore *the title*
of Emperor was constantly as-
 sumed and given to Generals
 in all acts and letters, both
 public and private, but was
 enjoyed by them no longer
 than the commission lasted,
 by which they had obtained
 it; that is, to the time of
 their return and entrance in-
 to the City, from which mo-
 ment their command and title
 expired together of course,
 and they resumed their civil
 character, and became pri-
 vate Citizens.

“ which I expected to find in your letter, I will
 “ tell it you frankly, as my own nature and our
 “ friendship require. I expected, out of regard
 “ both to the Republic and to our familiarity,
 “ to have had some compliment or congratula-
 “ tion from you on what I lately acted in my
 “ Consulship; which you omitted, I imagine,
 “ for fear of giving offence to certain persons:
 “ but I would have you to know, that the
 “ things which I have been doing for the safety
 “ of my country, are applauded by the testi-
 “ mony and judgement of the whole earth;
 “ and when you come amongst us, you will
 “ find them done with so much prudence and
 “ greatness of mind, that you, who are much
 “ superior to Scipio, will admit me, who am
 “ not much inferior to Lælius, to a share both
 “ of your public counsils and private friendship.
 “ Adieu [m].”

A. Urb. 691.
 Cic. 45.
 Coss.
 D. JUNIUS
 SILANUS,
 L. LICINIUS
 MURENA.

SOON after CATILINE'S defeat, a fresh inquiry was set on foot at Rome against the rest of his accomplices, upon the information of one L. Vettius; who, among others, impeached J. Cæsar before Novius Niger the Quæstor, as Q. Curius also did in the Senate; where, for the secret intelligence, which he had given very early to Cicero, he claimed the reward which had been offered to the first discoverer of the plot. He affirmed, that what he deposed against Cæsar, was told to him by Catiline himself; and Vettius offered to produce a letter to Catiline in Cæsar's own hand. Cæsar found some difficulty to repell so bold an accusation, and was forced to implore the aid and testimony of Cicero to prove that he also had given

[m] Epist. fam. 5. 7.

early

A. Urb. 691. *early information of Catiline's designs*: but by his vigor and interest in the City, he obtained a full revenge at last upon his accusers; for he deprived Curius of the reward, and got Vettius committed to prison, after he had been miserably handled, and almost killed by the mob; nor content with this, he imprisoned the Quæstor Novius too; for suffering a superior magistrate to be arraigned before him [n].

Cic. 45
Coff.
D. JUNIUS
SILANUS,
L. LICINIUS
MURENA.

SEVERAL others however of considerable rank were found guilty and banished; some of them not appearing to their citation, others after a trial; viz. M. Porcius Lecca, C. Cornelius, L. Vargunteius, Servius Sylla, and P. Autronius, &c. The last of these, who lost the Consulship four years before upon a conviction of bribery, had been Cicero's school-fellow, and colleague in the Quæstorship; and solicited him with many tears to undertake his defense: but Cicero not onely refused to defend him, but, from the knowledge of his guilt, appeared as a witness against him [o].

P. SYLLA also, Autronius's partner and fellow-sufferer in the cause of bribery, was now tried for conspiring twice with Catiline; once, when the plot proved abortive, soon after his former trial; and a second time, in Cicero's Consulship: he was defended in the first by Hortensius, in the last by Cicero. The prosecutor was Torquatus, the son of his former accuser, a young noble-

[n] Cum implorato Ciceronis testimonio, quædam fe de conjuratione ultro detulisse docuisset, ne Curio præmia darentur, effecit: Vettium—pro rostris in concione pæne discerptum, in carcere conjecit. Eodem Novium Quæstorem, quod compellari apud se majorem po-

testatem passus esset. Sucton. Jul. Cæs. 17.

[o] Veniebat ad me, & sæpe veniebat Autronius multis cum lachrymis, supplex, ut se defenderem: se meum condiscipulum in pueritia, familiarem in adolecentia, collegam in Quæstura commemorabat fuisse. Pro Sylla, 6. 30.

man of great parts and spirit; who ambitious of the triumph of ruining an enemy, and fearing that Cicero would snatch it from him, turned his raillery against Cicero instead of Sylla; and to take off the influence of his authority, treated his character with great petulance, and employed every topic which could raise an odium and envy upon him: he called him *a King, who assumed a power to save or destroy, just as he thought fit*; said, *that he was the third foreign King who had reigned in Rome after Numa and Tarquinius*; and *that Sylla would have run away and never stood a trial, if he had not undertaken his cause*: whenever he mentioned *the plot and the danger of it, it was with so low and feeble a voice, that none but the judges could hear him*; but when he spoke of *the prison and the death of the conspirators, he uttered it in so loud and lamentable a strain, as to make the whole Forum ring with it* [p].

A. Urb. 691.
Cic. 45.
Coff.
D. JUNIUS
SILANUS,
L. LICINIUS
MURENA.

CICERO therefore, in his reply, was put to the trouble of defending himself, as well as his client. “As to Torquatus’s calling him a *foreigner*, on the account of his being born in one of the corporate Towns of Italy, he owns it; and in that Town, he says, whence the Republic had been twice preserved from ruin; and was glad that he had nothing to reproach him with, but what affected not onely the greatest part, but the greatest men of the City; Curius, Coruncanius, Cato, Marius, &c. but since he had a mind to be witty, and would needs make him a foreigner, why did not he call him a foreign Consul, rather than a King; for that would have been much more wonderful, since foreigners had been Kings, but

A. Urb. 691. “ never Consuls of Rome. He admonishes
 Cic. 45. “ him, who was now in the course of his pre-
 Coff. “ ferment, not to be so free of giving that title
 D. JUNIUS “ to Citizens, lest he should one day feel the
 SILANUS, “ resentment and power of such foreigners: that
 L. LICINIUS “ if the Patricians were so proud, as to treat him
 MURENA. “ and the judges upon the bench as foreigners,
 “ yet Torquatus had no right to do it, whose
 “ mother was of Asculum [q]. Do not call me
 “ then Foreigner any more, says he, lest it turn
 “ upon yourself; nor a King, lest you be laugh-
 “ ed at; unless you think it kingly, to live so
 “ as not to be a slave, not onely to any man,
 “ but even to any appetite; to contemn all
 “ sensual pleasures; to covet no man’s gold or
 “ silver, or any thing else; to speak one’s mind
 “ freely in the Senate; to consult the good,
 “ rather than the humor of the people; to
 “ give way to none, but to withstand many:
 “ If you take this to be kingly I confess myself
 “ a King: but if the insolence of my power, if
 “ my dominion, if any proud or arrogant say-
 “ ing of mine provokes you, why do not you
 “ urge me with that, rather than the envy of a
 “ name, and the contumely of a groundless
 “ calumny?”—He procedes to shew, “ that his
 “ kingdom, if it must be called so, was of so
 “ laborious a kind, that there was not a man
 “ in Rome who would be content to take his
 “ place [r].” He puts him in mind, “ that
 “ he was disposed to indulge and bear with his
 “ pertness, out of regard to his youth and to
 “ his father—though no man had ever thrown
 “ the slightest aspersions upon him, without being
 “ chastised for it—but that he had no mind to

[q] Ibid. 7, 8.

[r] Ibid. 9.

“ fall upon one whom he could so easily van- A. Urb. 691.
 “ quish; who had neither strength, nor age, Cic. 45.
 “ nor experience enough for him to contend Coff
 “ with: he advised him however not to abuse D. JUNIUS
 “ his patience much longer, lest he should be SILANUS,
 “ tempted at last to draw out the stings of his L. LICINIUS
 “ speech against him [s].” As to the merits of MURENA.
 the cause, though there was no positive proof,
 yet there were many strong presumptions against
 Sylla, with which his adversary hoped to oppress
 him: but Cicero endeavoured to confute them,
 by appealing “ to the tenor and character of his
 “ life; protesting in the strongest terms, that
 “ he, who had been the searcher and detector
 “ of the plot, and had taken such pains to get
 “ intelligence of the whole extent of it, had
 “ never met with the least hint or suspicion of
 “ Sylla’s name in it; and that he had no other
 “ motive for defending him, but a pure regard
 “ to justice; and as he had refused to defend
 “ others, nay, had given evidence against them
 “ from the knowledge of their guilt, so he had
 “ undertaken Sylla’s defense through a per-
 “ suasion of his innocence [t].” Torquatus
 for want of direct proof, threatened *to examine*
Sylla’s slaves by torture: this was sometimes
 practised upon the demand of the Prosecutor;
 but Cicero observes upon it, “ that the effect of
 “ those torments was governed always by the
 “ constitution of the patient, and the firmness
 “ of his mind and body; by the will and plea-
 “ sure of the torturer, and the hopes and fears
 “ of the tortured; and that in moments of so
 “ much anguish there could be no room for
 “ truth: he bids them put Sylla’s life to the

[s] Ibid. 16.

[t] Ibid. 30.

A. Urb. 691. “ rack, and examine that with rigor; whether
 Cic. 45. “ there was any hidden lust, any latent treason,
 Coss. “ any cruelty, any audaciousness in it: that
 D. JUNIUS “ there could be no mistake in the cause, if the
 SILANUS, “ voice of his perpetual life, which ought to be
 L. LICINIUS “ of the greatest weight, was but attended
 MURENA. “ to [u].” Sylla was acquitted; but Cicero
 had no great joy from his victory, or comfort
 in preserving such a Citizen, who lived after-
 wards in great confidence with Cæsar, and com-
 manded his right wing in the battel of Pharsalia [x]; and served him afterwards in his power,
 as he had before served his kinsman Sylla, in ma-
 naging his confiscations and the sale of the forfeited
 estates.

ABOUT the time of this trial Cicero bought a
 house of M. Crassus, on the *Palatine hill*, ad-
 joining 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 before by the fa-
 mous Tribun, M. Livius Drusus; on which oc-
 casion we are told, *that when the architect promised*
to build it for him in such a manner, that none
of his neighbours 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 [y].
 It was situated in the most conspicuous part of the
 city, near to the center of all business, overlook-

[u] Ibid. 28.

[x] Vid. Cæs. comment.
 de bello civili.

[y] Cum promitteret ei
 architectus, ita se adificatu-
 rum, ut libera a conspectu,
 inmundis ab omnibus arbitris

esset—Tu vero, inquit, fi-
 quid in te artis est, ita com-
 pone domum meam, ut quic-
 quid agam ab omnibus per-
 spici possit. Vell. P. 2. 14.
 Ep. fam. 5. 6.

ing the Forum and the Rostra; and what made it the more splendid, was it's being joined to a Portico or Colonnade, called by the name of Catulus; who built it out of the Cimbric spoils, on that area where Flaccus formerly lived, whose house was demolished by public authority for his seditious practices with C. Gracchus [z]. In this purchase he followed the Rule which he recommends in his Offices, with regard to the habitation of a principal Citizen; that his dignity should be adorned by his house, but not derived from it [a]: where he mentions several instances of great men, who by the splendor of their houses on this very hill, which were constantly striking the eyes of the people, and imprinting a notion of their magnificence, made their way the more easily to the highest honors of the Republic.

A. Urb. 691.
Cic. 45.
Coff.
D. JUNIUS
SILANUS,
L. LICINIUS
MURENA.

A. GELLIUS tells us, that having resolved to buy the house, and wanting money to pay for it, he borrowed it privately of his client Sylla, when he was under prosecution; but the story taking wind, and being charged upon him, he denied both the borrowing and design of purchasing, yet soon after bought the house; and when he was reproached with the denial of it, replied onely laughing, that they must be fools to imagine, that when he had resolved to buy, he would raise competitors of the purchase by proclaiming it [b].

THE story was taken probably from some of the spurious collections of Cicero's *Jests*; which

[z] M. Flaccus, quia cum Graccho contra Reipub. salutem fecerat, & Senatûs sententia est interfectus, & domus ejus everfa est: in qua porticum post aliquanto Q. Catulus de manubiis Cim-

bricis fecit. Pr. dom. 38.

[a] Ornata est enim dignitas domo, non ex domo tota quaerenda. De Offic. 1. 39.

[b] A. Gellius, 12. 12.

A. Urb. 691. were handed about not onely after his death, but
 Cic. 45. even in his life-time, as he often complains to his
 Coff. friends [c]: for it is certain, that there could be
 D. JUNIUS nothing dishonorable in the purchase, since it was
 SILANUS, tranſacted ſo publicly, that before it was even
 L. LICINIUS concluded, *one of his friends congratulated him*
 MURENA. *upon it by letter from Macedonia [d].* The truth
 is, and what he himſelf does not diſſemble, *that*
he borrowed part of the money to pay for it, at ſix
per cent; and ſays merrily upon it, that he was
now ſo plunged in debt, as to be ready for a plot,
but that the conſpirators would not truſt him [e].
 It raiſed indeed ſome cenſure upon his vanity,
 for purchaſing ſo expenſive a houſe with borrow-
 ed money: but Meſſala, the Conſul, happen-
 ing ſoon after to buy Autronius's houſe at a great-
 er price, and with borrowed money too, it gave
 him ſome pleaſure, that he could juſtify himſelf
 by the example of ſo worthy a Magiſtrate: By
 Meſſala's purchaſe, ſays he, *I am thought to have*
made a good bargain; and men begin to be con-
vinced that we may uſe the wealth of our friends,
in buying what contributes to our dignity [f].

[c] Ais enim, ut ego diſ-
 ceſſerim omnia omnium dic-
 ta, in his etiam Seſtiana in
 me conferri. Quid? tu id
 pateris? nonne defendis?
 nonne reſiſtis? &c. Ep. fam.
 7. 32.

Sic audio Cæſarem—ſi
 quod afferatur ad eum pro
 meo, quod meum non eſt,
 rejicere ſolere. Ibid. 9. 16.

[d] Quod ad me pridem
 ſcripſeras, velle te bene eve-
 nire, quod de Cræſſo domum
 emeram—Emi eam ipſam do-

mum H. S. xxxv. aliquanto
 poſt tuam gratulationem. Ep.
 fam. 5. 6.

[e] Itaque ſcito, me nunc
 tantam habere æris alieni,
 ut cupiam conjurare, ſi quiſ-
 quam recipiat. Sed partim
 me excludunt, &c. Ibid.

[f] Ea emptione & nos
 bene miſſe judicati ſumus:
 & homines intelligere cœpe-
 runt, licere amicorum facul-
 tatibus in emendo ad digni-
 tatem aliquam pervenire. Ad
 Att. 1. 13.

BUT the most remarkable event, which hap- A. Urb. 691.
 pened in the end of this year, was *the pollution* Cic. 45.
of the mysteries of the BONA DEA, or the Good Coll.
Goddeſs by P. Clodius; which by an unhappy train D. JUNIUS
 of conſequences, not onely involved Cicero in an SILANUS,
 unexpected calamity, but ſeems to have given L. LICINIUS
 the firſt blow towards the ruin of the Republic. MURENA.
 Clodius was now Quæſtor, and by that means a
 Senator; deſcended from *the nobleſt family in*
Rome, in the vigor of his age, of a gracefull
 perſon, lively wit, and flowing eloquence; but
 with all the advantages of nature he had a mind
 incredibly vicious; was fierce, insolent, audaci-
 ous, but above all, moſt profligately wicked,
 and an open contemner of Gods and men; valu-
 ing nothing, that either nature or the laws al-
 lowed; nothing, but in proportion as it was de-
 ſperate and above the reach of other men; diſ-
 daining even honors in the common forms of
 the Republic; nor reliſhing pleaſures, but what
 were impious, adulterous, inceſtuous [g]. He
 had an intrigue with *Cæſar's wife Pompeia*, who,
 according to annual cuſtom, was now celebrating
 in her houſe *theſe awfull and myſtic ſacrifices of the*
Goddeſs, to which *no male creature* was ever ad-
 mitted, and where every thing maſculine was ſo
 ſcrupuloſly excluded, *that even pictures of that*

[g] Exorta eſt illa Reipub. ſacris, religionibus, auctori-
 tati veſtræ, judiciis publicis
 funeſta Quæſtura: in qua
 idem iſte deos, homineſque,
 pudorem, pudicitiam, Senatûs
 auctoritatem, jus, fas, leges,
 judicia violavit, &c. De
 Aruſpic. reſp. 20.

Qui ita judicia pœnamque
 contempſerat, ut eum nihil

delectaret, quod aut per na-
 turam fas eſſet, aut per leges
 liceret. Pro Mil. 16.

P. Clodius, homo nobilis,
 diſertus, audax; qui neque
 dicendi, neque faciendi ullum,
 niſi quem vellet, noſſet mo-
 dum; malorum propoſitorum
 executor acerrimus, infamis
 etiam ſororis ſtupro, &c. Veil.
 Pat. 2. 45.

A. Urb. 691. *fort were covered during the ceremony [b].* This
 Cic. 45. was a proper scene for Clodius's *genius* to act up-
 Coff. on; an opportunity of daring, beyond what
 D. JUNIUS man had ever dared before him: the thought of
 SILANUS, mixing the impurity of his lusts with the sanctity
 L. LICINIUS of these venerable rites flattered his imagination
 MURENA. so strongly, that he resolved to gain access to his
 mistress in the very midst of her holy ministry.
 With this view he dressed himself *in a woman's
 habit*, and by the benefit of his smooth face,
 and *the introduction of one of the maids*, who was
 in the secret, hoped to pass without discovery:
 but by some mistake between him and his guide,
 he lost his way when he came within the house,
 and fell in unluckily among the other female
 servants, who detecting him by his voice, alarm-
 ed the whole company by their shrieks, to the
 great *amazement of the matrons, who presently
 threw a veil over the sacred mysteries*, while Clo-
 dius found means to escape *by the favor of some
 of the damsels [i]*.

THE story was presently spread abroad, and
 raised a general scandal and horror through the
 whole city: in the vulgar, for the profanation
 of a religion held the most sacred of any in
 Rome; in the better sort, for it's offence to good
 manners, and the discipline of the Republic.

[b] ————ubi velari fit ei deæ, cujus ne nomen
 pictura jubetur, quidem viros scire fas est.
 Quæcunque alterius sextus De Harusp. respons. 17.
 imitata figuram est, [i] P. Clodium, Appii fi-
 Juven. 6. 339. lium, credo te audisse cum
 Quod quidem sacrificium ne veste muliebri deprehensum
 mo ante P. Clodium in omni domi C. Cæsaris, cum pro
 memoria violavit.——quod populo fieret, eumque per
 fit per virgines Vestales; fit manus servulæ servatum &
 pro populo Romano; fit in eductum; rem esse insigni
 ea domo, quæ est in impe- infamia. Ad Att. 1. 12.
 rio; fit incredibili ceremonia;

Cæsar put away his wife upon it; and the honest of all ranks were for pushing this advantage against Clodius as far as it would go, in hopes to free themselves by it of a citizen, who by this, as well as other specimens of his audaciousness, seemed born to create much disturbance to the State [k]. It had been the constant belief of the populace, that if any man should ever pry into these mysteries, he would be instantly struck blind: But it was not possible, as Cicero says, to know the truth of it before, since no man, but Clodius, had ever ventured upon the experiment: though it was now found, as he tells him, that the blindness of the eyes was converted to that of the mind [l].

THE affair was soon brought before the Senate; A. Urb. 692. where it was resolved, to refer it to the College of Cic. 46. Priests, who declared it to be an abominable impiety; Coff. upon which the Consuls were ordered to provide a M. PUPIUS PISO, law for bringing Clodius to a trial for it before the M. VALERIUS MESSALA. people [m]. But Q. Fufius Calenus one of the Tribuns, supported by all the Clodian faction, would not permit the law to be offered to the suffrage of the Citizens. This raised a great ferment

[k] Videbam, illud scelus tam importunum, audaciam tam immanem adolescentis, furentis, nobilis, vulnerati, non posse arceri otii finibus: erupturum illud malum aliquando, si impunitum fuisset, ad perniciem civitatis. De Harusp. resp. 3.

[l] Aut quod oculos, ut opinio illius religionis est, non perdidisti. Quis enim ante te sacra illa vir sciens viderat, ut quisquam pœnam, quæ sequeretur illud scelus, scire possit? Ibid. 18.

Pœna omnis oculorum ad

cæcitatem mentis est conversa. Pro dom. 40.

[m] Id sacrificium cum Virgines instaurent, mentionem a Q. Cornificio in Senatu factam—post rem ex S. C. ad Pontifices relatum; idque ab eis nefas esse decretum: deinde ex S. C. Consules rogationem promulgasse: uxori Cæiarem nuncium remisisse—In hac causa Piso, amicitia P. Clodii ductus, operam dat, ut ea rogatio—antiquetur, &c. Ad Att. 1. 13.

A. Urb. 692. in the city, while the Senate adhered to their former resolution, though the Consul Piso used all his endeavours to divert them from it, and Clodius in an abject manner *brew himself at the feet of every Sena or*; yet after a second debate in a full house, *there were fifteen only who voted on Clodius's side, and four hundred directly against him*; so that a fresh decree passed, *to order the Consuls to recommend the law to the people with all their authority, and that no other business should be done, till it was carried [n]*: but this being likely to produce great disorders, Hortensius proposed an expedient, which was accepted by both parties, that the Tribun Fufius *should publish a law for the trial of Clodius by the Træ or with a select bench of judges*. The only difference between the two laws was, whether he should be tried *by the peopl*, or *by particular judges*: but *this*, says Cicero, *was every thing*. Hortensius was afraid, lest he should escape in the squabble, without any trial; being persuaded, that no judges could absolve him, *and that a sword of lead, as he said, would destroy him*: but the Tribun knew that in such a trial there would be room for intrigue, both in chusing and corrupting the judges, which Cicero likewise foresaw from the first; and wished therefore to leave him rather to the effect of that odium, in which his character then lay, than bring him to a trial where he had any chance to escape [o].

CLODIUS'S

[n] Senatus vocatur; cum de ameterio sequenti Senatu contra rogante Pisono, ad pedes oratorum sequebamur accedente Clodio, ut Consules populum cohortarentur ad rogationem accipiendam: homines ad xv. Curioni, nullum S. C. faciendi, assenserunt, ex

altera parte facile cccc. fuerunt.—Senatus decernebat, ut ante, quam rogatio lata esset, ne quid ageretur. Ibid. 14.

[o] Postea vero quam Hortensius excogitavit, ut legem de religione Fufius Tribunus pleb. ferret: in qua nihil aliud a Consulari rogatione disse-

CLODIUS's whole defense was, to prove him-^{A Urb. 692.} self absent at the time of the fact; for which pur-^{Cic. 46.} pose he produced men to swear, *that he was then*^{Coff} *at Interamna, about two or three days jour-^{M. PUPIUS} ex from*^{PISO,} *the city.* But Cicero being called upon to give his^{M. VALERI-} testimony, deposed, *that Clodius had been with*^{US MESSALA.} *him that very morn- g at his house in Rome [p].*

As soon as Cicero appeared in the court, the Clo- dian mob began to insult him with great rudeness; *but the judges rose up, and received him with such respect,* that they presently secured him from all farther affronts [q]. Cæsar, who was the most particularly interested in the affair, being summoned also to give evidence, declared, *that he knew nothing at all of the matter; though his mother Aurelia and sister Julia, who were examined before him, had given a punctual relation of the whole fact; and being interrogated, how he came then to part with his wife?* he replied, *that all who belonged to him ought to be free from suspicion, as well as guilt [r].* He saw very well how the thing was like to turn, and had no mind to exasperate a man of Clodius's cha-

differebat, nisi iudicum genus (in eo autem eant omnia) pugnavitque ut ita fieret; quod & sibi & aliis persuaserat, nullis illum iudicibus efigere posse; contraxi vela, perspicuus inopiam iudicum. — Hortensius — non vidit illud, satis esse illum in infamia & sordibus relinqui quam infirmo iudicio committi. Sed ductus odio properavit rem deducere in iudicium, cum illum plumbeo gladio jugulatum iri tamen diceret — A me tamen ab initio consilium Hortensii reprehendebatur. Ad Att. 1. 16.

[p] Plutarch. in Cic. Val. Max 8. 5.

[q] Me vero teste producto, Credo te — audisse. quæ confurrectio iudicum facta sit, ut me circumsteterint, &c. Ad Att. ibid.

[r] Negavit se quidquam comperisse, quamvis & mater Aurelia, & soror Julia, apud eosdem iudices, omnia ex fide retulissent: interrogatusque, cur igitur repudiasset uxorem? Quoniam, inquit, meos tam suspicione quam crimine iudico carere oportere. Suet. J. Cæs. 74.

racter,

A. Urb. 692.
Cic. 46.
Coff.
M. PUPIUS
PISO,
M. VALERI
US MESSALA.

racter, who might be of good service to him for the advancement of his future projects. Plutarch says, that Cicero *himself was urged on to this act against his will, by the importunity of his wife: a fierce, imperious dame, jealous of Clodius's sister, whom she suspected of some design to get Cicero from her, which by this step she hoped to make desperate.* The story does not seem improbable; for before the trial, Cicero owns himself to be growing every day *more cool and indifferent about it*; and in his railleries with Clodius after it, touches upon *the forward advances which his sister had made towards him*; and at the very time of giving his testimony, did it with no spirit, *nor said any thing more, as he tells us, than what was so well known, that he could not avoid saying it [s].*

THE judges seemed to act at first with great gravity; granted every thing that was asked by the prosecutors; and demanded a guard to protect them from the mob: which the Senate readily ordered, with great commendation of their prudence: but when it came to the issue, twenty-five onely condemned, while thirty-one absolved him. Crassus is said to have been Clodius's chief manager, in tampering with the judges; employing every art and instrument of corruption, as it suited the different tempers of the men; “ and where
“ money would not do, offering even certain
“ ladies and young men of quality to their pleasure. Cicero says, that a more scandalous company of sharpers never sat down at a gaming-table; infamous Senators, beggarly Knights,
“ with a few honest men among them, whom

[s] Nosmetipsi, qui Lycurgei a principio fuissimus, quotidie demitigamur. Ad Att. l. 13.

Neque dixi quicquam pro testimonio, nisi quod erat ita notum atque testatum, ut non possem præterire. Ibid. 16.

“ Clodius

“ Clodius could not exclude; who, in a crew fo
 “ unlike to themselves, fat with sad and mourn-
 “ ful faces, as if afraid of being infected with
 “ the contagion of their infamy; and that Catu-
 “ lus, meeting one of them, asked him, what
 “ they meant by desiring a guard? were they
 “ afraid of being robbed of the money which
 “ Clodius had given them [t]?”

A. Urb. 692.
 Cic. 46.
 Coff.
 M. PUPPIUS
 PISO,
 M. VALERI-
 US MESSALA.

THIS transaction however gave a very serious concern to Cicero, who laments, “ that the firm and quiet state of the Republic, which he had established in his Consulship, and which seemed to be founded in the union of all good men, was now lost and broken, if some Deity did not interpose, by this single judgement; if that, says he, can be called a judgement, for thirty of the most contemptible scoundrels of Rome to violate all that is just and sacred for the sake of money; and vote that to be false, which all the world knows to be true.” As he looked upon himself to be particularly affronted by a sentence, given in flat contradiction to his testimony, so he made it his business on all occasions to dis-

[t] Nosti Calvum—biduo per unum servum, & eum ex gladiatorio ludo, confecit totum negotium. Arcessivit ad se, promisit, intercessit, dedit. Jam vero (O Dii boni, rem perditam!) etiam noctes certarum mulierum, atque adolescentulorum nobilium introductiones nonnullis iudicibus pro mercedis cumulo fuerunt—xxv iudices ita fortes fuerunt, ut summo proposito periculo vel perire maluerint, quam perdere omnia. xxxi fuerunt, quos fames magis

quam fama commoverit. Quorum Catulus cum vidisset quendam; Quid vos, inquit, praesidium a nobis postulabatis? an, ne nummi vobis eriperentur, timebatis?

Maculosi Senatores, nudi Equites—pauci tamen boni inerant, quos rejectione fugare ille non poterat; qui mæsti inter sui dissimiles & mærentes sedebant, & contagione turpitudinis vehementer permovebantur. Ad Att. 1. 16.

A. Urb. 692. play the iniquity of it, and to fling the several
 Cic. 46. actors in it with all the keenness of his raillery [u].
 Coff. In a debate soon after in the Senate on the state
 M. PUPIUS of the Republic, taking occasion to fall upon this
 PISO, affair, he “ exhorted the Fathers not to be discour-
 M. VALERI-
 US MESSALA. “ raged for having received one single wound ;
 “ which was of such a nature, that it ought nei-
 “ ther to be dissembled, nor to be feared ; for to
 “ fear it, was a meanness : and not to be sensible
 “ of it, a stupidity : That Lentulus was twice ac-
 “ quitted ; Catiline also twice ; and this man was
 “ the third, whom a bench of judges had let
 “ loose upon the Republic. But thou art mis-
 “ taken, Clodius, says he ; the judges have not
 “ reserved thee for the city, but for a prison :
 “ they designed thee no kindness by keeping thee
 “ at home, but to deprive thee of the benefit of
 “ an exile. Wherefore, Fathers, rouse your usual
 “ vigor ; resume your dignity ; there subsists still
 “ the same union among the honest ; they have
 “ had indeed a fresh subject of mortification, yet
 “ their courage is not impaired by it : no new
 “ mischief has befallen us ; but that onely, which
 “ lay concealed, is now discovered, and by the
 “ trial of one desperate man many others are
 “ found to be as bad as he [x].”

CLODIUS, not caring to encounter Cicero by formal speeches, chose to teize him with raillery, and turn the debate into ridicule. *You are a fine Gentleman indeed,* says he, *and have been at Baia. That's not so fine,* replied Cicero, *as to be caught at the mysteries of the Goddesses. But what,* says he, *has a clown of Arpinum to do at the hot wells ? Ask that friend of yours,* replied Cicero, *who had a*

[u] Insecundis vero, exagitantisque nummariis iudicibus, omnem omnibus studio-

sis ac fautoribus illius victoriae *μαρτυρίας* eripui. Ibid.

[x] Ibid.

month's mind to your Arpinum clown [y]. You have bought a house, says he [z]: You should have said, Judges, replied Cicero: Those judges, says he, would not believe you upon your oath: Yes, replied Cicero, twenty five of them gave credit to me; while the rest would not give any to you, but made you pay your money beforehand. This turned the laugh so strongly on Cicero's side, that Clodius was confounded, and forced to sit down [a]. But being now declared enemies, they never met without some strokes of this kind upon each other; which, as Cicero observes, must needs appear flat in the narration, since all their force and beauty depended on the smartness of the contention, and the spirit with which they were delivered [b].

THE present Consuls were M. Pupius Piso and M. Messala; the first of whom, as soon as he entered into office, put a slight affront upon Cicero: for his opinion having been asked always *the first* by the late Consuls, Piso called upon him onely *the second, on Catulus the third, Hortensius the fourth*: This, he says, did not displease him, since it left him more at liberty in his voting; and freed him from the obligation of any complaisance to a man whom he despised [c]. This Consul was warmly in the interests of Clodius; not so much out of friendship, as a natural inclination to the worst side: for

[y] This is supposed to refer to his sister Clodia, a lady famous for her intrigues; who had been trying all arts to tempt Cicero to put away Terentia, and to take her for his wife.

[z] Though Clodius reproaches Cicero for the extravagant purchase of a house, yet he himself is said to have

given afterwards near four times as much for one, viz. about 119,000l. sterling. Plin. Hist. N. l. 36. 15.

[a] Ad Att. 1. 16.

[b] Nam cætera non possunt habere neque vim, neque venustatem, remoto illo studio contentionis. Ibid.

[c] Ibid. 13.

according

A. Urb. 692. according to Cicero's account of him, he was a
 Cic. 46. man " of a weak and wicked mind; a churlish,
 Cof. " captious sneerer, without any turn of wit; and
 M. PUPPIUS " making men laugh by his looks rather than
 PISO, " jests; favoring neither the popular, nor the
 M. VALERI- " aristocratical party; from whom no good was
 US MESSALA. " to be expected, because he wished none; nor
 " hurt to be feared, because he durst do none;
 " who would have been more vicious, by having
 " one vice the less, sloth and laziness, &c. [*d*]."
 Cicero frankly used the liberty, which this Con-
 sul's behaviour allowed him, of delivering his sen-
 timents without any reserve; giving Piso himself
 no quarter, but exposing every thing that he did
 and said in favor of Clodius, in such a manner, as
 to hinder the Senate from decreeing to him the pro-
 vince of Syria, which had been designed and in a man-
 ner promised to him [*e*]. The other Consul, Mes-
 sala, was of a quite different character; a firm and
 excellent magistrate, in the true interests of his coun-
 try, and a constant admirer and imitator of Ci-
 cero [*f*].

ABOUT this time Cicero is supposed to have
 made that elegant oration, still extant, in the de-
 fense of his old Preceptor, the Poet Archias: he
 expected for his pains an immortality of fame from

[*d*] Neque id magis ami-
 citia Clodii ductus, quam stu-
 dio perditarum rerum, atque
 partium. Ibid. 14.

Consul autem ipse parvo
 animo & pravo; tantum cav-
 illator genere illo moroso,
 quod etiam sine dicacitate ri-
 detur; facie magis, quam
 facetiis ridiculus: nihil agens
 cum Repub. sejunctus ab opti-
 matibus: a quo nihil speres
 boni Reipub. quia non vult;

nihil metuas mali, quia non
 audet. Ibid. 13.

Uno vitio minus vitiosus,
 quod iners, quod somni ple-
 nus. Ibid. 14.

[*e*] Consulem nulla in re
 consistere unquam sum passus:
 desponsam homini jam Syri-
 am ademi. Ibid. 16.

[*f*] Messala Consul est e-
 gregius, fortis, constans, di-
 ligens, nostri laudator, ama-
 tor, imitator. Ibid. 14.

the praise of Archias's muse; but by a contrary fate of things, instead of deriving any addition of glory from Archias's compositions, it is wholly owing to his own, that the name of Archias has not long ago been buried in oblivion. From the great character given by him of the talents and genius of this Poet, we cannot help regretting the intire loss of his works: he had sung in Greek verse the triumphs of Marius over the Cimbri, and of Lucullus over Mithridates; and was now attempting the Consulship of Cicero [g]: but this perished with the rest, or was left rather unfinished and interrupted by his death, since we find no farther mention of it in any of Cicero's later writings.

A. Urb. 692.
Cic. 46.
Coff.
M. PUPPIUS
PISO,
M. VALERI-
US MESSALA.

POMPEY the Great returned to Rome about the beginning of this year, in the heighth of his fame and fortunes, from the *Mithridatic war*. The city had been much alarmed about him by various reports from abroad, and several tumults at home; where a general apprehension prevailed, of his coming at the head of an army to take the government into his hands [b]. It is certain, that he had it now in his power to make himself Master of the Republic, without the hazard even of a war, or any opposition to controul him. Cæsar, with the Tribun Metellus, was inviting him to it, and had no other ambition at present than to serve under

[g] Nam & Cimbricas res adolefcens attigit, & ipsi illi C. Mario, qui durior ad hæc studia videbatur, jucundus fuit.

Mithridaticum vero bellum, magnum atque difficile —totum ab hoc expressum est; qui libri non modo L. Lucillum—verum etiam populi Rom. nomen illustrent.

—Nam quas res in Consulatu nostro vobiscum simul pro salute urbis atque imperii—gessimus, attigit hic versibus atque inchoavit: quibus auditis, quod mihi magna res & jucunda visa est, hunc ad perficiendum hortatus sum. Pro Archia, 9. 11.

[b] Plutarch. in Pomp.

him:

A. Urb. 692. him: but Pompey was too phlegmatic to be easily
 Cic. 46. induced to so desperate a resolution; or seems rather indeed to have had no thoughts at all of that
 Coff. fort, but to have been content with the rank
 M. PUPPIUS PISO, which he then possessed, of *the first Citizen of*
 M. VALERI- *Rome, without a rival.* He had lived in a perpetual course of success and glory, without any flur
 US MESSALA. either from the Senate or the people, to inspire him with sentiments of revenge, or to give him a pretense for violent measures; and he was persuaded, that the growing disorders of the city would soon force all parties to create him *Dictator, for the settlement of the state*; and thought it of more honor to his character to obtain that power by the consent of his citizens, than to extort it from them by violence. But whatever apprehensions were conceived of him before his coming, they all vanished at his arrival; for he no sooner set foot in Italy, than *he disbanded his troops, giving them orders onely to attend him in his Triumph*; and with a private retinue pursued his journey to Rome, where the whole body of the people came out to receive him with *all imaginable gratulations and expressions of joy for his happy return* [i].

By his late victories he had greatly extended the barrier of the empire into the continent of Asia, having added to it *three powerfull Kingdoms* [k], Pontus, Syria, Bithynia, which he reduced to the condition of *Roman Provinces*; leaving *all the other Kings and nations of the East tributary to the Republic, as far as the Tigris.* Among his other conquests he took *the city of Jerusalem*, by the opportunity of a contest about the crown *between the two brothers Hircanus and Aristobulus*:

[i] Plutarch. in Pomp.

[k] Ut Asia, quæ imperium antea nostrum terminabat,

nunc tribus novis provinciis ipsa cingatur. De Provin. Consulat. 12.

The lower Town was surrendered to him with little or no opposition; but *the Fortrefs of the Temple* cost him a siege of three months; nor would he have taken it then so easily, as Dio tells us [l], *had it not been for the advantage, that the besieged gave him by the observance of their weekly Sabbaths, on which they abstained so religiously from all work, as to neglect even their necessary defense.* He shewed great humanity to the people, and touched no part of the sacred treasure, or vessels of gold, which were of an immense value [m]; yet was drawn by his curiosity into such a profanation of their Temple, as mortified them more than all that they had suffered by the war: for in taking a view of the buildings, he entered with his officers, not only into the Holy Place where none but the Priests, but into the Holy of Holies, where none but the High Priest was permitted by the law to enter: by which act, as a very eminent writer, more piously perhaps than judiciously remarks, he drew upon himself the curse of God, and never prospered afterwards [n]. He carried Aristobulus and his children prisoners to Rome, for the ornament of his Triumph; and settled Hircanus in the government and the High Priesthood, but subject to a tribute. Upon the receipt of the public letters, which brought the account of his success, the Senate passed a decree, that, on all festival days, he should have the privilege to wear a laurel crown with his General's robe; and in the Equestrian races of the Circus, his triumphal habit: an honor, which when he had once used, to shew his gratefull sense of it, he ever after prudently declined; since without adding any thing to his

A. Urb. 692.
Cic. 46.
Coff.
M. PUPIUS
PISO.
M. VALERI-
US MESSALA.

[l] Dio, l. 37. p. 36.

Flav. c. 28.

[m] At Cn. Pompeius, cap-
tis Hierosolymis, victor ex
illo fano nihil attigit. Pro

[n] Prideaux. Connect.
par, 2. p. 343.

Connect.

A. Urb. 692. power, it could serve onely to encrease the envy,
 Cic. 46. which many were endeavouring to stir up against
 Coff. him [o].

M. PUPIUS

PISO,

M. VALERI-
 US MESSALA.

ON the merit of these great services he did many acts abroad of a very extraordinary nature; gave what laws he pleased to the whole East; distributed the conquered countries at discretion to the Kings and Princes who had served him in the wars; built twenty-nine new cities, or colonies; and divided to each private soldier about fifty pounds sterling, and to his officers in proportion; so that the whole of his donative is computed to amount to above three millions of our money [p].

HIS first business therefore after his return, and what he had much at heart, was to get *these acts ratified by public authority*. The popular faction promised him every thing, and employed all their skill to divert him from an union with Cicero and the Senate, and had made a considerable impression upon him: but he found the state of things very different from their representations; saw Cicero still in high credit; and by his means the authority of the Senate much respected; which obliged him to use great management, and made him so cautious of offending any side, that he pleased none. Cicero says of his first speech, *that it was neither agreeable to the poor, nor relished by the rich; disappointed the seditious, yet gave no satisfaction to the honest* [q]. As he happened to come home in the very heat of Clodius's affair, so he was presently urged by both parties to declare for the one or the other. Fufius, a busy factious Tribun, demanded of him before the people, *what*

[o] Dio, l. 37. p. 39.

[p] Plin. Hist. l. 37. 2.
 Appian. de bell. Mithridat.

[q] Prima concio Pompeii

—non jucunda miseris, inanis
 improbis, beatis non grata,
 bonis non gravis. Itaque fri-
 gebat. Ad Att. l. 14.

be thought of Clodius's being tried by the Prætor and a bench of Judges? To which he answered very aristocratically, as Cicero calls it; That he had ever tak'n the authority of the Senate to be of the greatest weight in all cases. And when the Consul Messala asked him in the Senate, what his opinion was of that profanation of religion, and the law proposed about it? he took occasion, without entering into particulars, to applaud in general all that the Senate had done in it; and upon sitting down, told Cicero, who sat next to him, that he had now said enough, he thought, to signify his sentiments of the matter [r].

CRASSUS observing Pompey's reserve, resolved to push him to a more explicit declaration, or to get the better of him at least in the good opinion of the Senate; rising up therefore to speak, he launched out, in a very high strain, into the praises of Cicero's Consulship; declaring himself indebted to it, for his being at that time a Senator and a Citizen; nay, for his very liberty and his life; and that as often as he saw his wife, his family, and his country, so often he saw his obligations to Cicero. This discomposed Pompey, who was at a loss to understand Crassus's motive; whether it was to take the benefit of an opportunity, which he had omitted, of ingratiating himself with Cicero; or that he knew Cicero's acts to be in high esteem, and the praise of them very agreeable to the Senate; and it piqued him the more, for it's coming from a quarter, whence it was least to be expected; from one, whom Cicero out of regard to him had always treated with a particular slight. The incident however, raised Cicero's spirits, and made him exert himself before his new hearer, Pompey, with all

[r] Mihi que, ut affedit, etiam de istis rebus esse redidit, se putare satis ab se sponsum. Ib.

A. Urb. 692. the pride of his eloquence: his topics were, *the firmness and gravity of the Senate; the concord of the Equeſtrian order; the concurrence of all Italy; the lifeleſs remains of a baffled conſpiracy; the peace and plenty which had ſince ſucceeded*: all which he diſplayed with his utmoſt force, to let Pompey ſee his aſcendant ſtill in that aſſembly, and how much he had been impoſed upon by the accounts of his new friends [s]. Pompey likewiſe on his ſide began preſently to change his tone, and affected on all public occaſions to pay ſo great a court to Cicero, that the other faction gave him the nickname of Cnæus Cicero: and their ſeeming union was ſo generally agreeable to the city, *that they were both of them conſtantly clapped, whenever they appeared in the Theater, without a kiſs from any quarter* [t]. Yet Cicero eaſily diſcovered that all this outward civility was but feigned and artificial; *that he was full of envy within, and had no good intentions towards the public; nothing candid or ſincere; nothing great, generous, or free in him* [u].

THERE was one point which Pompey reſolved to carry this ſummer, againſt the univerſal incli-

[s] Proxime Pompeium ſedebam: intellexi hominem moveri; utrum Craſſum inire eam gratiam, quam ipſe prætermiſſet.

Ego autem, Dii boni, quomodo ἐπιπεπερευσάμην novo auditori Pompeio?—Hæc erat ὑπόθεσις, de gravitate Ordinis, de Equeſtri concordia, de conſenſione Italiae, de immortalis reliquiis conjurationis, de vilitate, de otio. Ad Att. I. 14.

[t] Uſque eo, ut noſtri illi comiſſatores conjuratio-

nis, barbatuli juvenes, illum in ſermonibus Cnæum CICERONEM appellent. Itaque & ludis & gladiatoribus mirandas ἐπισημασίας, ſine ulla paſtoricia ſiſtula, auferabant. Ibid. 16.

[u] Nos, ut oſtendit, admodum diligit—aperte laudat; occulte, ſed ita ut perſpicuum ſit, invidet: nihil come, nihil ſimplex, nihil ἐν τοῖς πολλοῖς honeſtum, nihil illuſtre, nihil forte, nihil liberum. Ibid. 13.

nation of the city; *the election of L. Afranius*, one of his creatures, to the Consulship: *in which he fights*, says Cicero, *neither with authority, nor interest, but with what Philip of Macedon took every fortress, into which he could drive a loaded ass* [x]. Plutarch says, *that he himself distributed the money openly in his own gardens*: but Cicero mentions it as a current report, *that the Consul Piso had undertaken to divide it at his house*: which gave birth to two new laws, drawn up by Cato and his brother in law Domitius Ahenobarbus, and supposed to be levelled at the Consul; the one of which gave a liberty to search the houses even of Magistrates, on informations of bribery; the other declared all those enemies to the State, at whose houses the dividers of money were found [y]. Pompey however intruded Afranius upon the city, by which he disgusted all the better sort both of the Senate and people [z].

A. Urb. 692.
Cic. 46.
Coff.
M. PUPPIUS
PISO,
M. VALERIU
US MESSALA.

HE had been making preparation all this summer for his Triumph, which he deferred to his birth-day, *the thirtieth of September*; having resided in the mean while, as usual, in the suburbs: so that the Senate and people, in compliment to him, held their assemblies generally, during that time, without the walls; some of which are mentioned to have been in *the Flaminian Circus* [a]. His

[x] In eo neque auctoritate, neque gratia pugnat; sed quibus Philippus omnia castella expugnari posse dicebat, in quæ modo a sellis onustus auro posset ascendere. Ibid. 16.

[y] Consul autem ille—suscepisse negotium dicitur, & domi divitiores habere: sed S. C^{ta} duo jam facta sunt odiosa, quod in Consulem facta

putantur, Catone & Domitio postulante, &c. Ibid. 16.

[z] Consul est impositus nobis, quem nemo præter nos philosophos aspicere sine suspiratu posset. Ibid. 18.

[a] Fufius in concionem produxit Pompeium; res agebatur in Circo Flaminio. Ib. 14.

A. Urb. 692. Triumph lasted *two days* and was the most splendid which had ever been seen in Rome: *he built a Temple to Minerva out of the spoils*, with an inscription giving a summary of his victories: *That he had finished a war of thirty years; had vanquished, slain, and taken two millions, one hundred and eighty three thousand men; sunk or taken eight hundred and forty six ships; reduced to the power of the Empire a thousand five hundred and thirty eight towns and fortresses; and subdued all the countries between the lake Maotis and the Red Sea [b].*

Cic. 46.
Coff.
M. PUPIUS
PISO,
M. VALERI-
US MESSALA.

QUINTUS CICERO, who, by the help and interest of his brother, was following him at a proper distance, through all the honors of the State, having been *Prætor* the last year, now obtained the government of Asia; a rich and noble Province, comprehending the greatest part of what is called Asia Minor. Before he went to take possession of it, he earnestly pressed Atticus, whose sister he married, to go along with him as one of *his Lieutenants*; and resented his refusal so heinously, that Cicero had no small trouble to make them friends again. There is an excellent letter on this subject from Cicero to Atticus; which I cannot forbear inserting, for the light which it gives us into the genuin character of all the three, as well as of

[b] CN. POMPEIUS. CN. F. MAGNUS. IMP.
BELLO. XXX. ANNORUM. CONFECTO.

FUSIS. FUGATIS. OCCISIS. IN DEDITIONEM
ACCEPTIS. HOMINUM. CENTIES. VICIES.
SEMEL. CENTENIS. LXXXIII. M.

DEPRESSIS AUT CAPT. NAVIBUS. DCCCXLVI.
OPPIDIS. CASTELLIS. M.D.XXXVIII.

IN FIDEM RECEPTIS.

TERRIS. A. MÆOTI. LACU. AD RUBRUM.
MARE. SUBACTIS.

VOTUM. MERITO. MINERVÆ.

Plin. Hist. N. 7. 26.

other

other great men of those times, with a short account also of the present state of the Republic.

A. Urb. 692.
Cic. 46.
Coff.
M. PUPPIUS
PISO,
M. VALERI-
US MESSALA.

Cicero to Atticus.

“ I PERCEIVE from your letter, and the copy
“ of my brother’s, which you sent with it, a great
“ alteration in his affection and sentiments with
“ regard to you : which affects me with all that
“ concern, which my extreme love for you both
“ ought to give me ; and with wonder at the
“ same time, what could possibly happen either
“ to exasperate him so highly, or to effect so
“ great a change in him. I had observed indeed
“ before, what you also mistrusted at your leaving
“ us, that he had conceived some secret disgust,
“ which shocked and filled his mind with odious
“ suspicions : which though I was often attempt-
“ ing to heal, and especially after the allotment
“ of his Province, yet I could neither discover
“ that his resentment was so great, as it appears
“ to be from your letter, nor find, that what I
“ said had so great an effect upon him as I wished.
“ I comforted myself however with a persuasion,
“ that he would contrive to see you at Dyrrha-
“ chium, or some other place in those parts ; and
“ in that case made no doubt, but that all would
“ be set right ; not onely by your discourse and
“ talking the matter over between yourselves, but
“ by the very sight and mutual embraces of each
“ other ; for I need not tell you, who know it
“ as well as myself, what a fund of good nature
“ and sweetness of temper there is in my brother,
“ and how apt he is, both to take and to forgive
“ an offence. But it is very unlucky, that you
“ did not see him ; since, by that means, what
“ others have artfully inculcated, has had more in-

A. Urb. 592. "fluence on his mind, than either his duty, or
 Cic. 46. "his relation to you, or your old friendship,
 Coss. "which ought to have had the most. Where
 M. PAPIUS "the blame of all this lies, it is easier for me to
 PISO, "imagine, than to write; being afraid, lest,
 M. VALERI- "while I am excusing my own people, I should
 US MESSALA. "be too severe upon yours; for as I take the case
 "to be, if those of his own family did not make
 "the wound, they might at least have cured it.
 "When we see one another again, I shall explain
 "to you more easily the source of the whole evil,
 "which is spread somewhat wider than it seems
 "to be.—As to the letter which he wrote to you
 "from Thessalonica, and what you suppose him
 "to have said of you to your friends at Rome,
 "and on the road, I cannot conceive what could
 "move him to it. But all my hopes of making
 "this matter easy depend on your humanity: for
 "if you will but reflect, that the best men are
 "often the most easy, both to be provoked, and
 "to be appeased; and that this quickness, if I
 "may so call it, or flexibility of temper, is generally
 "the proof of a good nature; and above
 "all, that we ought to bear with one another's
 "infirmities or faults, or even injuries: this troublesome
 "affair, I hope, will soon be made up
 "again. I beg of you that it may be so. For it
 "ought to be my special care, from the singular
 "affection which I bear to you, to do every thing
 "in my power, that all, who belong to me, may
 "both love and be beloved by you. There was
 "no occasion for that part of your letter, in which
 "you mention the opportunities, which you have
 "omitted of employments both in the City and
 "the Provinces; as well at other times, as in
 "my Consulship; I am perfectly acquainted with
 "the ingenuity and greatness of your mind; and
 "never

“ never thought, that there was any other differ- A. Urb. 692.
 “ ence between you and me, but in a different choice Cic. 46.
 “ and method of life: whilst I was drawn, by a ^{Coff.}
 “ sort of ambition, to the desire and pursuit of ^{M. PUPIUS}
 “ honors; you, by other maxims, in no wise ^{PISO,}
 “ blameable, to the enjoyment of an honorable ^{M. VALERI-}
 “ retreat. But for the genuin character of ^{US MESSALA.}
 “ bity, diligence, exactness of behaviour, I neither
 “ prefer myself, nor any man else to you: and as
 “ for love to me, after my brother and my own
 “ family, I give you always the first place. For
 “ I saw, and saw it in a manner the most affect-
 “ ing, both your sollicitude and your joy, in all
 “ the various turns of my affairs; and was often
 “ pleased, as well with the applause, which you
 “ gave me in success, as the comfort, which you
 “ administered in my fears: and even now, in
 “ the time of your absence, I feel and regret the
 “ loss, not only of your advice, in which you
 “ excell all; but of that familiar chat with you,
 “ in which I used to take so much delight.
 “ Where then shall I tell you that I most want
 “ you? in public affairs? where it can never be
 “ permitted to me to sit idle; or in my labors at
 “ the bar? which I sustained before through am-
 “ bition; but now, to preserve my dignity: or
 “ in my domestic concerns? where, though I
 “ always wanted your help before, yet since the
 “ departure of my brother, I now stand the more
 “ in need of it. In short, neither in my labors,
 “ nor rest; neither in business, nor retirement;
 “ neither in the Forum, nor at home; neither in
 “ public, nor in private affairs, can I live any
 “ longer without your friendly counsel, and en-
 “ dearing conversation. We have often been re-
 “ strained, on both sides, by a kind of shame,
 “ from explaining ourselves on this article; but I
 “ was

A. Urb. 692. “ was now forced to it by that part of your letter,
 Cic. 46. “ in which you thought fit to justify yourself and
 Coff. “ your way of life to me.—But to return to my
 M. PUPPIUS “ brother; in the present state of the ill humor
 PISO, “ which he expresses towards you, it happens
 M. VALERI- “ however conveniently, that your resolution of
 US MESSALA. “ declining all employments abroad was declared
 “ and known long beforehand, both to me and
 “ your other friends; so that your not being now
 “ together cannot be charged to any quarrel or
 “ rupture between you, but to your judgement
 “ and choice of life. Wherefore both this breach
 “ in your union will undoubtedly be healed again,
 “ and your friendship with me remain for ever
 “ inviolable, as it has hitherto been.—We live
 “ here in an infirm, wretched, tottering Republic:
 “ for you have heard, I guess, that our Knights
 “ are now almost disjoined again from the Senate.
 “ The first thing which they took amiss, was the
 “ decree for calling the judges to account, who
 “ had taken money in Clodius’s affair: I hap-
 “ pened to be absent when it passed; but hear-
 “ ing afterwards that the whole order resented it,
 “ though without complaining openly, I chid the
 “ Senate, as I thought, with great effect; and in
 “ a cause not very modest, spoke forcibly and
 “ copiously. They have now another curious
 “ petition, scarce fit to be endured; which yet I
 “ not onely bore with, but defended. The
 “ company, who hired the Asiatic revenues of
 “ the Censors, complained to the Senate, that,
 “ through too great an eagerness, they had given
 “ more for them than they are worth, and
 “ begged to be released from the bargain. I was
 “ their chief advocate, or rather indeed the se-
 “ cond; for Crassus was the man, who put them
 “ upon making this request. The thing is odious
 “ and

“ and shamefull, and a public confession of their A. Urb. 692.
 “ rashness: but there was great reason to appre- Cic. 46.
 “ hend, that if they should obtain nothing, they Coff.
 “ would be wholly alienated from the Senate; so M. PUPIUS
 “ that this point also was principally managed by PISO,
 “ me. For, on the first and second of Decem- M. VALERI-
 “ ber, I spoke a great deal on the dignity of the US MESSALA.
 “ two orders, and the advantages of the concord
 “ between them, and was heard very favorably
 “ in a full house. Nothing however is yet done;
 “ but the Senate appears well disposed: for Me-
 “ tellus, the Consul elect, was the onely one, who
 “ spoke against us; though that Hero of ours,
 “ Cato, was going also to speak, if the shortness
 “ of the day had not prevented him. Thus, in
 “ pursuit of my old measures, I am supporting,
 “ as well as I can, that concord which my Con-
 “ sulship had cemented: but since no great stress
 “ can now be laid upon it, I have provided
 “ myself another way, and a sure one, I hope, of
 “ maintaining my authority; which I cannot well
 “ explaine by letter, yet will give you a short hint
 “ of it. I am in strict friendship with Pompey—
 “ I know already what you say—and will be upon
 “ my guard, as far as caution can serve me; and
 “ give you a farther account, some other time,
 “ of my present conduct in politics. You are to
 “ know, in the mean while, that Luceius de-
 “ signs to sue directly for the Consulship; for he
 “ will have, it is said, but two competitors:
 “ Cæsar, by means of Arrius, proposes to join
 “ with him; and Bibulus, by Piso’s mediation,
 “ thinks of joining with Cæsar. Do you laugh
 “ at this? Take my word for it, it is no laugh-
 “ ing matter. What shall I write farther? What?
 “ There are many things; but for another occa-
 “ sion. If you would have us expect you, pray
 “ let

“ let me know it: at present I shall beg onely
 “ modestly, what I desire very earnestly, that
 “ you would come as soon as possible. *December*
 “ *the fifth* [c].”

As to *the petition of the Knights*, mentioned in this letter, Cato, when he came afterwards to speak to it, opposed it so resolutely, that he prevailed to have it rejected: which Cicero often condemns, as contrary to all good policy; and complains sometimes in his letters, *that Cato, though he was the onely man who had any regard for the Republic, yet frequently did mischief, by pursuing his maxims absurdly, and without any regard to the times* [d]: and upon a review of the transactions which had passed since his consulship, and the turn which the public affairs were then taking, he seems to foretell, *that the Republic could not stand much longer; since this very year had overthrown the two main pillars of it, which he had been erecting with such pains; the authority of the Senate, and their union with the Knights* [e].

A. Urb. 693.
 Cic. 47.
 Coss.
 Q. CÆCILIUS METELLUS CELER,
 L. AFRANIUS

Q. CÆCILIUS METELLUS and L. Afranius were now Consuls. The first had been *Prætor* in Cicero's Consulship, and commanded an army against Catiline, and was an excellent Magistrate and true Patriot; a firm opposer of all the facti-

[c] Ad Att. 1. 17.

[d] Unus est, qui curet, constantia magis & integritate, quam, ut mihi videtur, consilio & ingenio, Cato; qui miseros publicanos, quos habuit amantissimos sui, tertium jam mensem vexat, neque eis a Senatu responsum dari patitur. Ad. Att. 1. 18. it. 2. 1.

[e] Nam ut ea breviter,

quæ post discessum tuum acta sunt, colligam, jam exclames necesse est, res Romanas diutius stare non posse.

Sic ille annus duo firmamenta Reipub. per me unum constituta, evertit: nam & Senatûs auctoritatem abjecit, & Ordinum concordiam disjunct. Ad Att. 1. 18.

ous, and a professed enemy always to Pompey; in which he was the more heated by a private resentment of the affront offered to his sister Mucia, whom Pompey had lately put away [f]. His partner, Afranius, was the creature of Pompey's power; *but of no credit or service to him, on the account of his luxury and laziness; being fonder of balls, than of business.* Cicero calls him a Consul, whom none but a Philosopher could look upon without sighing; a Soldier without spirit; and a proper butt for the raillery of the Senate, where Palicanus abused him every day to his face; and so stupid, as not to know the value of what he had purchased [g].

A. Urb. 693.
Cic. 47.
C
Q. CÆCILI-
US METEL-
LUS CELER,
L. AFRANI-
US.

By the help of this Consul and some of the Tribuns, Pompey imagined, that he should readily obtain the ratification of his acts, together with an Agrarian law, which he was pushing forward at the same time, for the distribution of lands to his soldiers; but he was vigorously opposed in them both by the other Consul Metellus, and the generality of the Senate [b]. Lucullus declared, that they ought not to confirm his acts in the gross, as if they received them from a master, but to consider them

[f] Metellus est Consul egregius, & nos amat, &c. Ib. 18, 19, 20. Dio, l. 37. p. 52.

[g] Quem nemo præter nos Philosophos aspicere sine suspiratu possiet.

Auli autem filius, ó dii immortales! quam ignavus & sine animo miles! quam dignus, qui Palicano, sicut facit, os ad male audiendum quotidie præbeat!

Ille alter ita nihil est, ut plane quid emerit, nesciat.

Auli filius vero ita se gerit,

ut ejus Consulatus non Consulatus sit, set magni nostri ἐπιπρωιον. Ad Att. ib. Dio, ib.

[b] Agraria autem promulgata est a Flavio, sane levis, &c. Ad Att. l. 18.

Agraria lex a Flavio Tribuno pleb. vehementer agitabatur, auctore Pompeio: — Nihil populare habebat præter auctorem: — Huic toti rationi agrariæ Senatus adversabatur, suspicans Pompeio novam quandam potentiam quæri. Ibid. 19.

separately,

A. Urb. 693. *separately, and ratify those onely which were found to be reasonable [i].* But the Tribun Flavius, who was the promotor of the law, impatient of this opposition, and animated by Pompey's power, had the hardiness to commit Metellus to Prison; and when all the Senate followed, and resolved to go to prison too, he clapt his chair at the prison-door to keep them out: but this violence gave such a general scandal to the city, that Pompey found it advisable to draw off the Tribun, and release the Consul [k]. In order to allay these heats, Cicero offered an amendment to the law, which satisfied both parties, by securing the possessions of all private proprietors, and hindering the public lands from being given away: his proposal was, that out of the new revenues, which Pompey had acquired to the Empire, five years rents should be set apart to purchase lands for the intended distribution [l]. But the progress of the affair was suspended by the sudden alarm of a Gallic war, which was always terrible to Rome, and being now actually commenced by several revolted nations, called for the immediate care and attention of the Government [m].

THE Senate decreed the two Gauls severally to the two Consuls; and required them to make levies without any regard to privilege, or exemption from

[i] Dio, l. 37. 52.

[k] Ibid.

[l] Ex hac ego lege, secunda concionis voluntate, omnia tollebam quæ ad privatorum incommodum pertinebant.--Unam rationem non rejiciebam, ut ager hac adventitia pecunia emeretur, quæ ex novis vectigalibus per quinquennium reciperetur.—Magna cum Agrariorum gra-

tia confirmabam omnium privatorum possessiones, (is enim est nosser exercitus, hominum ut tute scis, locupletium) populo autem & Pompeio (nam id quoque volebam) satisfaciebam emptione. Ad Att. 1. 19.

[m] Sed hæc tota res interpellata bello refrixerat. Ad Att. 1. 19.

service: and that three Senators should be chosen by lot, one of them of Consular rank, to be sent with a public character to the other Gallic cities, to dissuade them from joining in the war. In the allotment of these ambassadors, the first lot happened to fall upon Cicero; but the whole assembly remonstrated against it, declaring his presence to be necessary at Rome, and that he ought not to be employed on such an errand. The same thing happened to Pompey, on whom the next lot fell, who was retained also with Cicero, as two pledges of the public safety [n]. The three at last chosen were Q. Metellus Creticus, L. Flaccus, and Lentulus. The *Transalpine Gaul*, which was the seat of the war, fell to the lot of Metellus; who could not contain his joy upon it for the prospect of glory which it offered him. Metellus, says Cicero, is an admirable Consul: I blame him onely in one thing, for not seeming pleased with the news of peace from Gaul. He longs, I suppose, to triumph. I wish that he was as moderate in this, as he is excellent in all other respects [o].

CICERO now finished in the Greek language, and in the stile and manner of Isocrates, what he calls a *Commentary or Memoirs of the transactions of his Consulship*; and sent it to Atticus, with a desire, if he approved it, to publish it in Athens and the cities

[n] Senatus decrevit, ut Consules duas Gallias fortirentur; delectus haberetur; vacationes ne valerent; legati cum auctoritate mitterentur, qui adirent Gallia civitates.— Cum de Consularibus mea prima fors exisset, una voce Senatus frequens me in urbe retinendum censuit. Hoc idem post me Pompeio acci-

dit; ut nos duo, quasi pignora Reipub. retineri videremur. Ibid.

[o] Metellus tuus est egregius Consul: unum reprehendo, quod otium e Gallia nunciari non magnopere gaudet. Cupit, credo, triumphare. Hoc vellem mediocrius; cætera egregia. Ibid. 20.

A. Urb. 693. of Greece. He happened to receive a piece at the
 Cic. 47. same time, and on the same subject, from Atticus,
 Coss. which he rallies as *rough and unpolished, and with-*
 Q. CÆCILI- *out any beauty, but it's simplicity.* He sent his own
 US METEL- work also to Posidonius of Rhodes, and begged
 LUS CELER, *that he would undertake the same argument in a more*
 L. AFRANI- *elegant and masterly manner.* But Posidonius an-
 US. *swered him with a compliment, that instead of*
being encouraged to write by the perusal of his piece,
he was quite deterred from attempting it. Upon
 which Cicero says jocosely, *that he had confounded*
the whole Greek nation, and freed himself from the
importunity of those little wits, who had been teizing
him so long, to be employed in writing the history of
his acts [p]. What he says in excuse for taking
 that task upon himself, is, *that it was not a pane-*
gyric, but a history; which makes our loss of it the
greater, since it must have given a more exact ac-
count of those times, than can now be possibly had,
in an entertaining work, finished with care and ele-
gance; which not onely pleased himself, as it seems
to have done very highly, but, as he tells us,
every body else; If there be any thing in it, says
he, which does not seem to be good Greek, or polite
enough to please your tast, I will not say what Lu-
cullus told you of his own history at Panormus, that
he had scattered some barbarisms in it, on purpose to
make it appear to be the work of a Roman: for if

[p] Tua illa—horridula
 mihi atque incompta visa
 sunt: sed tamen erant ornata
 hoc ipso, quod ornamenta ne-
 glexerant: & ut mulieres,
 ideo bene olere, quia nihil
 olebant, videbantur—Ad me
 rescripsit jam Rhodo Posido-
 nius, se nostrum illud ἰπρόμα-

νημα cum legeret,—non modo
 non excitatum ad scriben-
 dum, sed etiam plane perter-
 ritum esse.—Conturbavi Græ-
 cam nationem: ita vulgo qui
 instabant, ut darem sibi quod
 ornarent, jam exhibere mihi
 modestiam destiterunt. Ad
 Att. 2. 1.

any thing of that kind should be found in mine, it is A. Urb. 693. Cic. 47. Coff. not with design, but contrary to my intention [q].

UPON the plan of these Memoirs, he composed Q. CÆCILIUS METELLUS CELERUS L. AFRANIUS. afterwards a Latin poem in three books, in which he carried down the history to the end of his exile, but did not venture to publish it till several years after: US. Not that he was afraid, he says, of the resentment of those whom he had lashed in it, for he had done that part very sparingly, but of those rather whom he had not celebrated, it being endless to mention all who had been serviceable to him [r]. This piece is also lost, except a few fragments scattered in different parts of his other writings. The three books were severally inscribed to three of the Muses; of which his brother expresses the highest approbation, and admonishes him to bear in mind what Jupiter recommends in the end of Urania, or the second book; which concluded probably with some moral lesson, not unlike to what Calliope prescribes in the third [s].

[q] Commentarium Confulatus mei Græce compofitum ad te mifi: in quo fi quid erit, quod homini Attico minus Græcum, eruditumque videatur, non dicam, quod tibi, ut opinor, Panormi Lucullus de fuis hiftoriis dixerat, fe, quo facilius illas probaret Romani hominis effe, idcirco barbara quædam & σβλινα difperiffie. Apud me fi quid erit ejufmodi, me imprudente erit & invito. Att. 1. 19.

[r] Scripfi etiam verfibus tres libros de temporibus meis, quos jam pridem ad te mi-

ffiffem, fi effe edendos putaffem—fed quia verebar non eos, qui fe læfos arbitrarentur, etenim id feci parce & molliter; fed eos, quos erat infinitum bene de me meritos omnes nominare. Ep. fam. 1. 9.

[s] Quod me admones de noitra Urania, fua defque ut meminerim Jovis orationem, quæ eff in extremo illo libro: ego vero memini, & illa omnia mihi magis fcripfi, quam cæteris. Ep. ad Quint. frat. 2. 9. Vid. Att. 2. 3. De Divin. 1. 11.

A. Urb. 693.

Cic. 47.

Coff.

Q. CÆCILI-
US METEL-
LUS CELER,
L. AFRANI-
US.

*Interea cursus, quos primâ a parte juventæ,
Quosque adeo Consul virtute animoque petisti,
Hos retine; atque auge famam laudesque bonorum.*

*That noble course, in which thy earliest youth
Was train'd to virtue, liberty, and truth,
In which, when Consul, you such honor won,
While Rome with wonder and applause look'd on,
The same pursue; and let each growing year
A fresh encrease of fame and glory bear.*

He published likewise at this time a *Collection of the principal Speeches which he had made in his Consulship*, under the title of his *Consular Orations*: He chose to make a separate volume of them, as Demosthenes had done of his *Philippics*, in order to give a specimen of his *civil or political talents*; being of a different manner, he says, from the dry and crabbed stile of the Bar, and shewing, not onely how he spoke, but how he acted. The two first were against the *Agrarian law of Rullus*; the one to the Senate, the other to the People: the third on the tumult about *Otho*: the fourth, for *Rabirius*: the fifth, to the sons of the proscribed: the sixth, upon his resigning the province of *Gaul*: the seventh, eighth, ninth, and tenth, on the affair of *Catiline*: with two more short ones, as appendixes to those of the *Agrarian law*. But of these twelve, four are intirely lost; the third, fifth, and sixth, with one of the short ones; and some of the rest left maimed and imperfect. He published also at this time in Latin verse a translation of the *Prognostics of Aratus*, which he promises to send to Atticus with the volume of his orations [t]; of which work there are

[t] Fuit enim mihi com- modum, quod in eis oratio- nibus, quæ Philippicæ nomi- nantur, enituerat civis ille tuus

are onely two or three small fragments now remaining.

A. Urb. 693.
Cic. 47.
Coff.

CLODIUS, who had been contriving all this while how to revenge himself on Cicero, began now to give an opening to the scheme, which he had formed for that purpose. His project was, to get himself chosen *Tribun*, and in that office to drive him out of the city, by the publication of a law, which by some stratagem or other he hoped to obtrude upon the people [u]. But as all *Patricians were incapable of the Tribunate*, by it's original institution, so his first step was to make himself a *Plebeian*, by the pretense of an adoption into a *Plebeian house*, which could not yet be done without the suffrage of the people. This case was wholly new, and contrary to all the forms; wanting every condition, and serving none of the ends, which were required in regular adoptions; so that on the first proposal it seemed too extravagant to be treated seriously, and would soon have been hissed off with scorn, had it not been concerted and privately supported by persons of much more weight than Clodius. Cæsar was at the bottom of it, and Pompey secretly favored it: not that they intended to ruin Cicero, but to keep him onely under the lash; and if they could not draw him into their measures, or make him at least sit quiet, to let Clodius loose upon him. The solli-

Q. CÆCILI-
US METEL-
LUS CILER.
L. AFRANI-
US.

tus Demosthenes, & quod se ab hoc refractariolo judiciali dicendi genere abjunxerat, ut *σεμνότερος τις & πολιτικώτερος* videretur, curare, ut meæ quoque essent Orationes, quæ Consulares nominarentur.— Hoc totum *σῶμα* curabo ut habeas: & quoniam te cum scripta, tum res meæ delect-

tant iisdem libris perspicies, & quæ gesserim, & quæ dixerim. Att. 2: 1.

Prognostica mea cum orationibus propediem expecta. Ibid.

[u] Ille autem non simulat, sed plane Tribunus pleb. fieri cupit. Ad Att. 2. 1.

A. Urb. 693. Cic. 47. Coss. Q. CÆCILIUS METELLUS CELER, L. AFRANIUS, censor of it was one Herennius, an obscure, hardy Tribun, who first moved it to the Senate, and afterwards to the people, but met with no encouragement from either: for the Consul Metellus, though brother in law to Clodius, warmly opposed it [x]; and declared, *that he would strangle him sooner with his own hands, than suffer him to bring such a disgrace upon his family* [y]: yet Herennius persisted to press it, but without any visible effect or success; and so the matter hung through the remainder of the year.

CICERO affected to treat it with the contempt, which it seemed to deserve; sometimes rallying Clodius with much pleasantry, sometimes admonishing him with no less gravity: he told him in the Senate, *that his attempt gave him no manner of pain; and that it should not be any more in his power to overturn the State, when a Plebeian, than it was in the power of the Patricians of the same stamp in the time of his Consulship* [z]. But whatever face he put outwardly on this affair, it gave him a real uneasiness within, and made him unite himself more closely with Pompey, for the benefit of his protection against a storm, which he saw ready to break upon him; while Pompey, ruffled likewise by the opposition of the Senate, was as forward on his side to embrace Cicero, as a person necessary to his interests. Cicero however imagining, that this step would be censured by many, as a desertion of his old prin-

[x] Verum præclare Metellus impedit & impediēt. Ibid.

[y] Qui Consul incipientem furere atque conantem, sua se manu interfecturum, sua se manu interfecturum, audiente Senatu dixerit. Pro Cælio, 24.

[z] Sed neque magnopere dixi esse nobis laborandum, quod nihilo magis ei licitum esset Plebeio Rempub. perdere, quam similibus ejus me Consule Patriciis esset licitum. Ad Att. 2. 1.

ciples, takes frequent occasion to explaine the motives of it to his friend Atticus, declaring, “ that the absolution of Clodius, the alienation of the Knights, the indolence and luxury of the Confular Senators, who minded nothing but their fish-ponds, their carps and mullets, and yet were all envious of him, made it necessary for him to seek some firmer support and alliance.—That in this new friendship he should attend still to what the *Sicilian* wagg Epicharmus whispered, *Be watchfull and distrust, for those are the nerves of the mind* [a].” On another occasion he observes, “ That his union with Pompey, though usefull to himself, was more usefull to the Republic, by gaining a man of his power and authority, who was wavering and irresolute, from the hopes and intrigues of the factious: that if this could not have been done without drawing upon himself a charge of levity, he would not have purchased that, or any other advantage at such a price; but he had managed the matter so, as not to be thought the worse citizen for joining with Pompey, but Pompey himself the better, by declaring for him.—That since Catulus’s death, he stood single and unsupported by the other Consulars in the cause of the aristocracy; for as the Poet Rhinton says, *Some of them were good for nothing, others cared*

A. Urb 693.
Cic. 47.
Coff.
Q. CÆCILI-
US METEL-
LUS CELER,
L. AFRANI-
US.

[a] Cum hoc ego me tanta familiaritate conjunxi, ut uterque nostrum in sua ratione munitior, & in Repub. firmior hac conjunctione esse possit.—

implicati sumus, ut crebro mihi vaser ille Siculus, infusurret Epicharmus, cantilenam illam suam :

Νᾶφε ἢ μέμνασ' ἀπιστεῖν.
ἄεθρα ταῦτα τῶν φρεσῶν.

Ad Att. 1. 19.

Et si iis novis amicitiiis

U 3

“ for

A. Urb. 693. “ *for nothing* [b]. But how much these fish-
 Cic. 47. “ mongers of ours envy me, says he, I will
 Coff “ write you word another time, or reserve it to
 Q. CÆCILI- “ our meeting. Yet nothing shall ever draw
 US METEL- “ me away from the Senate; both because it is
 LUS CELER, “ right, and most agreeable to my interest, and
 L. AFRANJ- “ that I have no reason to be displeas’d with the
 US. “ marks of respect which they give me [c].”
 In a third letter, he says “ You chide me
 “ gently for my union with Pompey: I would
 “ not have you to think, that I sought it onely
 “ for my own sake; but things were come to
 “ such a crisis, that if any difference had hap-
 “ pened between us, it must have caus’d great
 “ disturbance in the Republic; which I have
 “ guarded against in such a manner, that without
 “ departing from my own maxims, I have ren-
 “ dered him the better, and made him remit
 “ somewhat of his popularity: for you must
 “ know, that he now speaks of my acts, which
 “ many have been incensing him against, much
 “ more gloriously than he does of his own;
 “ and declares, that he had onely serv’d the
 “ State successfully, but that I had sav’d it [d].
 “ What good this will do to me, I know not;
 “ but it will certainly do much to the Republic.
 “ What if I could make Cæsar also a better ci-

[b] Illud tamen velim existimes, me hanc viam optimatium post Catuli mortem nec praesidio ullo nec comitatu tenere. Nam ut ait Rhinton, ut opinor,

Οἱ μὲν παρ’ ἑδὲν εἰσιν, οἷς δ’ ἑδὲν μέλει.

Ad Att. 1. 20.

[c] Mihi vero ut invident piscinarii nostri, aut scribam

ad te alias, aut in congressum nostrum reservabo. A curia autem nulla me res divellet. Ibid.

[d] Quem de meis rebus, in quas multi eum incitabant, multo scito gloriosius, quam de suis praedicare. Sibi enim bene gesta, mihi conservatae Reipub. dat testimonium. Ib. 2. 1.

“ tizen,

" tizen, whose winds are now very prosperous; A. Urb. 693.
 " should I do any great harm by it? Nay, if Cic. 47.
 " there were none who really envied me, but all Coff.
 " were encouraging me as they ought, it would Q. CÆCIL-
 " yet be more commendable to heal the viciated US METEL-
 " parts of the State, than to cut them off: but LUS CELER,
 " now, when that body of Knights, who were L. AFRANI-
 " planted by me in my Consulship, with you at US.
 " their head, as our guard in the *Capital*, have
 " deserted the Senate, and our Consulars place
 " their chief happiness in training the fish in
 " their ponds to feed from their hands, and
 " mind nothing else; do not you think, that I
 " am doing good service, by managing so, that
 " those, who can do mischief, will not? For as
 " to our friend Cato, you cannot love him more
 " than I do; yet, with the best intentions and
 " the greatest integrity, he often hurts the Re-
 " public; for he delivers his opinion, as if it
 " were in the polity of Plato, not in the dregs
 " of Romulus [e]. What could be more just, than
 " to call those to an account, who had received
 " money for judging? Cato proposed, the Senate
 " agreed to it: the Knights presently declared
 " war against the Senate, not against me; for I
 " was not of that opinion. What more impudent,
 " than to demand a release from their contract?
 " yet it was better to suffer that loss, than to
 " alienate the whole order: but Cato opposed
 " it, and prevailed; so that now, when the
 " Consul was thrown into prison, as well as in all
 " the tumults which have lately happened, not
 " one of them would stir a foot; though under

[e] Nam Catonem nostrum interdum Reipub. dicit enim
 non tu amas plus, quam ego. tanquam in Platonis πολιτείᾳ,
 Sed tamen ille optimo animo non tanquam in Romuli hæce,
 utens, & summa fide, nocet sententiam. Ad Atr. 1. 2.

A. Urb. 693. " me, and the Consuls who succeeded me, they
 Cic. 47. " had defended the Republic so strenuously,
 Coss. " &c. [f].

Q. CÆCILI-
 US METEL-
 LUS CELER,
 L. AFRANI-
 US.

IN the midst of these transactions, Julius Cæsar returned from the government of Spain, which had been allotted to him from his *Prætorship*, with great fame both for his military and political acts. He conquered the barbarous nations by his arms, and civilized them by his laws; and having subdued the whole country as far as the Ocean, and been saluted Emperor by the soldiers, came away in all haste to Rome, to sue at the same time for the double honor of a *Triumph* and the *Consulship* [g]. But his demand of the first was, according to the usual forms, incompatible with his pretensions to the second; since the one obliged him to continue without the city, the other made his presence necessary within: so that finding an aversion in the Senate to dispense with the laws in his favor, he preferred the solid to the specious, and dropt the *Triumph*, to lay hold on the *Consulship* [h]. He designed L. Luceius for his Colleague, and privately joined interests with him, on condition that Luceius, who was rich, should furnish money sufficient to bribe the *Centuries*. But the Senate, always jealous of his designs, and fearing the effects of his power, when supported by a Col-

[f] Resistit & pervicit Cato. Itaque nunc, Consule in carcere incluso, sæpe item seditione commota, aspiravit nemo eorum, quorum ego concursu, itemque Consules, qui post me fuerunt, Rempub. defendere solebant. Ad Att. 2. 1.

[g] Jura ipsorum perminu statuerit; inveteratam

quandam barbariam ex Gæditanorum moribus & disciplina delerit, Pro Balbo. 19.

Pacatâque provinciâ, pari festinatione, non expectato successiore, ad triumphum simul consulatumque decessit, Sueton. J. Cæs. 18. Vid. it. Dio. l. 37. p. 54.

[h] Dio, ibid.

legue subservient to his will, espoused the other candidate, Bibulus, with all their authority, and made a common purse to enable him to bribe as high as his competitors; which Cato himself is said to have approved [i]. By this means they got Bibulus elected, to their great joy; a man firm to their interests, and determined to obstruct all the ambitious attempts of Cæsar.

A. Urb. 693.
Cic. 47.
Coff.
Q. CÆCILI-
US METEL-
LUS CELER,
L. AFRANI-
US.

UPON Cæsar's going to Spain, he had engaged Crassus to stand bound for him to his creditors, who were clamorous and troublesome, as far as two hundred thousand pounds sterling: so much did he want to be worth nothing, as he merrily said of himself [k]. Crassus hoped, by the purchase of his friendship, to be able to make head against Pompey in the administration of public affairs: but Cæsar, who had long been courting Pompey, and laboring to disengage him from an union with Cicero and the aristocratical interest, easily saw, that as things then stood, their joint strength would avail but little towards obtaining what they aimed at, unless they could induce Pompey also to join with them: on pretence therefore of reconciling Pompey and Crassus, who had been constant enemies, he formed the project of a triple league between the three; by which they should mutually oblige themselves to promote each other's Interest, and to act nothing but by common

[i] Pactus ut is, quoniam inferior gratia esset, pecuniaque polleret, nummos de suo, communi nomine per centurias pronuntiaret. Qua cognita re, Optimates, quos metus ceperat, nihil non aurum eum in summo magistratu, concordia & consentiente collega, auctores Bibulo

fuerunt tantundem pollicendi: ac plerique pecunias contulerunt; ne Catone quidem abnuente eam largitionem e Repub. fieri. Sueton. ib. 19.

[k] Plutarch. in Cæs. Ap-
pian. de bello civ. 2. p. 432.
Sueton. ib. 18.

agreement:

A. Urb. 693. *agreement*: to this Pompey easily consented, on account of the disgust which the Senate had im-
 Cic. 47. Coff. politically given him, by their perverse opposition
 Q. CÆCILI- to every thing which he desired or attempted in
 US METEL-
 LUS CELER, the State.

L. AFRANI- THIS is commonly called *the first Triumvirate*;
 US. which was nothing else in reality but a traiterous
Conspiracy of three, the most powerfull Citizens
 of Rome, to extort from their country by vio-
 lence, what they could not obtain by law. Pom-
 pey's chief motive was, *to get his aëts confirmed*
by Cæsar in his Consulship; Cæsar's, *by giving way*
to Pompey's glory, to advance his own; and Craf-
 sus's, *to gain that ascendant, which he could not*
sustain alone, by the authority of Pompey and the
vigor of Cæsar [1]. But Cæsar, who formed the
 scheme, easily saw, that the chief advantage of
 it would necessarily redound to himself; he knew,
 that the old enmity between the other two,
 though it might be palliated, could never be
 healed without leaving a secret jealousy between
 them; and as by their common help he was sure
 to make himself superior to all others, so by ma-
 naging the one against the other, he hoped to
 gain at last a superiority also over them both [m].
 To cement this union therefore the more strongly
 by the ties of blood as well as interest, he gave

[1] Hoc concilium Pom-
 peius habuerat, ut tandem
 acta in transmarinis provinciis
 per Cæsarem confirmarentur
 Consullem: Cæsar autem,
 quod animadvertibat, se ce-
 dendo Pompeii gloriæ auc-
 turum suam; & invidia com-
 munitatis in illum re-
 legata, confirmaturum vires
 suas: Crassus, ut quem prin-

cipatum solus assequi non
 poterat, auctoritate Pompeii,
 viribus teneret Cæsaris. Vell.
 Pat. 2. 44.

[m] Sciebat enim, se alics
 facile omnes ipsorum auxilio,
 deinde ipsos etiam, unum
 per alterum, haud multo
 postea superaturum esse, Dio,
 l. 37. 55.

his daughter Julia, a beautifull and accomplished young lady, in marriage to Pompey: and from this æra all the Roman writers date *the origin of the civil wars*, which afterwards ensued, and the subversion of the Republic, in which they ended [*n*].

A. Urb. 693.
Cic. 47.
Coff.
Q. CÆCILI-
US METEL-
LUS CELER,
L. AFRANI-
US.

————— *tu causa malorum*
Facta tribus dominis communis Roma—

LUCAN. I. 85.

Hence flow'd our ills, hence all that civil flame,
When Rome the common slave of three became.

CICERO might have made what terms he pleased with the Triumvirate; been admitted even a partner of their power, and a fourth in their league; which seemed to want a man of his character to make it complete. For while the rest were engaged in their governments, and the command of armies abroad, his authority would have been of singular use at home, to manage the affairs of the city, and sollicit what they had to transact with the Senate or People. Cæsar therefore was extremely desirous to add him to the party, or to engage him rather in particular measures with himself; and no sooner entered into the Consulship, than he sent him word by their common friend Balbus, *that he would be governed in every step by him and Pompey, with whom he would endeavour to join Crassus too* [*o*].

But

[*n*] Inter eum & Cn. Pompeium & M. Crassum inita potentia societas, quæ urbi orbique terrarum, nec minus diverso quoque tempore, etiam ipsi exitiabilis fuit. Vell. Pat. 2. 44.

Motum ex Metello consule civicum, &c.

Hor. Carm. 2. i.

[*o*] Cæsar Consul egit eas res, quarum me participem esse voluit—me in tribus sibi conjunctissimis Consularibus esse

A. Urb. 693. But Cicero would not enter into any engagements jointly *with the Three*, whose union he abhorred; nor into private measures with Cæsar, whose intentions he always suspected. He thought Pompey the better citizen of the two; took his views to be less dangerous, and his temper more tractable; and imagined, that a separate alliance with him would be sufficient to screen him from the malice of his enemies. Yet this put him under no small difficulty: for if he opposed the Triumvirate, he could not expect to continue well with Pompey; or, if he served it, with the Senate: in the first, he saw his ruin; in the second, the loss of his credit. He chose therefore, what the wise will always chuse in such circumstances, a middle way; to temper his behaviour so, *that with the constancy of his duty to the Republic, he might have a regard also to his safety, by remitting somewhat of his old vigor and contention, without submitting to the meanness of consent or approbation; and when his authority could be of no use to his country, to manage their new masters so, as not to irritate their power to his own destruction; which was all that he desired* [p]. This was the scheme of politics, which, as he often laments, *the*

esse voluit. De Provinc. Con-
sular. 17.

Nam fuit apud me Cornelius, hunc dico Balbum, Cæsaris familiarem. Is affirmabat, eam omnibus in rebus meo & Pompeii consilio usurum, daturumque operam ut cum Pompeio Crassum conjungeret. Hic sunt hæc. Conjunctioni mihi summa cum Pompeio; si placet etiam cum Cæsare. Ad Att. 2. 3.

[p] Nihil jam a me asperum in quenquam fit, nec tamen quidquam populare ac dissolutum; sed ita temperata tota ratio est, ut Reip. constantiam præstem, privatis rebus meis, propter infirmitatem bonorum, iniquitatem malevolentium, odium in me improborum; adhibeam quandam cautionem. Ad Att. 1. 19.

weakness of the honest; the perverseness of the envious, and the hatred of the wicked obliged him to pursue.

A. Urb. 693.
Cic. 47.
Coff.
Q. CÆCIL-
US METEL-
LUS CELER
L. ABRANI-
US.

ONE of his intimate friends Papirius Pætus, made him a present about this time of a collection of books, which fell to him by the death of his brother Servius Claudius, a celebrated scholar and critic of that age [q]. The books were all at Athens, where Servius probably died; and the manner in which Cicero writes about them to Atticus, shews what a value he set upon the present, and what pleasure he expected from the use of it.

“ PAPIRIUS PÆTUS, says he, an honest
“ man, who loves me, has given me the books,
“ which his brother Servius left; and since your
“ agent Cincius tells me, that I may safely take
“ them by the Cincian law [r], I readily signi-
“ fied my acceptance of them. Now if you
“ love me, or know that I love you, I beg of
“ you to take care by your friends, clients, hosts,
“ freedmen, slaves, that not a leaf of them be
“ lost. I am in extreme want both of the
“ Greek books, which I guess, and the Latin,
“ which I know him to have left: for I find
“ more and more comfort every day, in giving
“ all the time, which I can steal from the Bar,
“ to those studies. You will do me a great plea-
“ sure, a very great one, I assure you, by shew-
“ ing the same diligence in this, that you usual-

[q] Ut Servius, frater tuus, quem literatissimum fuisse judico, facile diceret, hic versus Plauti non est. Ep. fam. 9. 16.

[r] The pleasantry, which Cicero aims at, turns on the

name of Atticus's agent being the same with that of the author of the law; as if by being of that family, his authority was a good warrant for taking any present.

ly do in all other affairs, which you take me
to have much at heart, &c. [s].

WHILE Cicero was in the country in the end of the year, his Architect Cyrus was finishing for him at Rome some additional buildings to his house on mount Palatin: but Atticus, who was just returned from Athens, found great fault with the smallness of the windows; to which Cicero gives a jocosè answer, bantering both the objection of Atticus, and the way of reasoning of the architects: *You little think, says he, that in finding fault with my windows, you condemn the institution of Cyrus [t]; for when I made the same objection, Cyrus told me, that the prospect of the fields did not appear to such advantage through larger lights. For let the eye be A; the object B, C; the rays D, E; you see the rest. If vision indeed were performed, as you Epicureans hold, by images flying off from the object, those images would be well crowded in so strait a passage; but if by the emission of rays from the eye, it will be made commodiously enough. If you find any other fault, you shall have as good as you bring; unless it can be mended without any cost to me [u].*

A. Urb. 694.

Cic. 48.

Coff.

C. JULIUS

CÆSAR,

M. CAL-

PURNIUS

BIBULUS.

CÆSAR and Bibulus entered now into the Consulship, with views and principles wholly opposite to each other; while the Senate were pleasing themselves with their address, in procuring one Consul of their own, to check the ambition of the other, and expecting now to reap the fruit of it. But they presently found upon a trial, that the balance and constitution of

[s] Ad. Att. 1. 20.

called by that name.

[t] Referring to the celebrated piece of Xenophon,

[u] Ad Att. 2. 3.

the Republic was quite changed by the over-bearing power of *the Three*: and that Cæsar was too strong to be controuled by any of the legal and ordinary methods of opposition: he had gained *seven of the Tribuns*, of whom Vatinius was the captain of his mercenaries; whose task it was to scour the streets, secure the avenues of the Forum, and clear it by a superior force of all, who were prepared to oppose them.

A. Urb. 694.
Cic. 48.
Coff.
C. JULIUS
CÆSAR,
M. CAL-
PURNIUS
BIBULUS.

CLODIUS, in the mean time, was pushing on the affair of *his adoption*; and soliciting the people to confirm the law, which he had provided for that purpose. The *Triumvirate* pretended to be against it, or at least to stand neuter; but were watching Cicero's motions, in order to take their measures from his conduct, which they did not find so obsequious as they expected. In this interval it happened, that C. Antonius, Cicero's colleague, who had governed Macedonia from the time of his Consulship, was now impeached and brought to a trial *for the male-administration of his Province*; and being found guilty, was condemned to perpetual exile. Cicero was his advocate, and, in the course of his pleading, happened to fall, with the usual freedom, *into a complaint of the times and the oppression of the Republic*, in a style that was interpreted to reflect severely upon their present rulers. The story was carried directly to Cæsar, and represented to him in such colors, that he resolved to revenge it presently on Cicero, by bringing on Clodius's *law*; and was so eager in it, that he instantly called an assembly of the people, and being assisted by Pompey, as Augur, to make the act legal and auspicious, got the adoption ratified

A. Urb. 694. fied by the people through all the forms [x],
Cic. 48. *within three hours from the time of Cicero's*
Coff. *speaking.*

C. JULIUS
CÆSAR,
M. CAL-
PURNIUS
BIBULUS.

BIBULUS, who was an Augur too, being advertised of what was going forward; sent notice to Pompey, *that he was observing the heavens and taking the auspices*, during which function it was illegal to transact any business with the people [y]. But Pompey, instead of paying any regard to his message, gave a sanction to the proceeding by presiding in it; so that it was carried without any opposition. *And thus the bow, as Cicero calls it, which had been kept bent against him and the Republic, was at last discharged [z]*, and a plain admonition given to him, what he had to expect, if he would not be more complying. For his danger was brought one step nearer, by laying the Tribunate open to Clodius, whose next attempt might probably reach home to him. These *laws of Adoption* were drawn up in the stile of a petition to the people, after the following form.

[x] Hora fortasse sexta diei questus sum in iudicio, cum C. Antonium defenderem, quædam de Repub. quæ mihi visa sunt ad causam miseri illius pertinere. Hæc homines improbi ad quosdam viros fortes longe aliter atque a me dicta erant, detulerunt. Hora nona, illo ipso die, tu es adoptatus. Pro Dom. 16. Vid. Sueton. J. Cæs. 20.

[y] Negant fas esse agi cum populo cum de cælo servatum sit. Quo die de te

lex curiata lata esse dicatur audes negare de cælo esse servatum? Adest præfens vir singulari virtute—M. Bibulus: hunc Consulem illo ipso die contendo servasse de cælo. Pro Dom. 15.

[z] Fuerat ille annus—tanquam intentus arcus in me unum, sicut vulgo rerum ignari loquebantur, re quidem vera in universam Rempub. traductione ad plebem furibundi hominis. Pro Sext. 7.

May it please you, Citizens, to ordain, that *P. Clodius* be, to all intents and purposes of law, as truly the son of *Fonteius*, as if he were begotten of his body in lawfull marriage; and that *Fonteius* have the power of life and death over him, as much as a father has over a proper son: this, Citizens, I pray you to confirm in the manner in which it is desired [a].

A. Urb. 694.
Cic. 48.
Coff.
C. JULIUS
CÆSAR,
M. CALPURNIUS
BIBULUS.

THERE were three conditions absolutely necessary to make an act of this kind regular: first, that the adopter should be older than the adopted, and incapable of procreating children; after having endeavoured it without success when he was capable: secondly, that no injury or diminution should be done to the dignity, or the religious rites of either family: thirdly, that there should be no fraud or collusion in it; nor any thing sought by it, but the genuin effects of a real adoption. All these particulars were to be previously examined by the College of Priests; and if after a due inquiry they approved the petition, it was proposed to the suffrage of the citizens living in Rome, who voted according to their original division into thirty *Curie*, or wards, which seem to have been analogous to *cur parishes* [b]; where no business however could be transacted, when an *Augur* or *Consul* was observing the heavens. Now in this adoption of *Clodius*, there was not one of these conditions observed: the College of Priests was not so much as consulted; the adopter *Fonteius* had

[a] The Lawyers and all the later writers, from the authority of *A. Gellius* call this kind of adoption, which was confirmed by a law of the people, an *Adrogation*: but it does not appear, that there was any such distincti-

on in Cicero's time, who, as oft as he speaks of this act, either to the Senate or the people, never uses any other term, than that of *Adoption*. Vid. *A. Gell.* l. 5. 19.

[b] *Comitis Curiatibus*.

A. Urb. 694. a wife and children; was a man obscure and un-
 Cic. 48. known, not full twenty years old, when Clodius was
 Coff. thirty five, and a Senator of the noblest birth in
 C JULIUS Rome: nor was there any thing meant by it,
 CÆSAR, but purely to evade the laws, and procure the
 M. CALPUR- Tribune: for the affair was no sooner over,
 NIUS BIBU- than Clodius was emancipated, or set free again
 LUS. by his new father from all his obligations [c].
 But these obstacles signified nothing to Cæsar,
 who always took the shortest way to what he
 aimed at, and valued neither forms nor laws, when
 he had a power sufficient to controul them.

BUT the main trial of strength between the
 two Consuls was about the promulgation of an
 Agrarian law, which Cæsar had prepared, for
 distributing the lands of Campania to twenty thou-
 sand poor citizens, who had each three children or
 more. Bibulus mustered all his forces to oppose
 it, and came down to the Forum full of courage
 and resolution, guarded by three of the Tribuns
 and the whole body of the Senate; and as oft as
 Cæsar attempted to recommend it, he as often
 interrupted him, and loudly remonstrated against
 it, declaring, that it should never pass in his
 year. From words they soon came to blows;
 where Bibulus was roughly handled, his Fasces
 broken, pots of filth thrown upon his head; his
 three Tribuns wounded, and the whole party driven

[c] Quod jus est adoptionis,
 Pontifices? Nempe, ut is
 adoptet, qui neque procreare
 liberos jam possit, & cum po-
 tuerit, sit expertus. Quæ
 denique causa cuique adop-
 tionis, quæ ratio generum,
 ac dignitatis, quæ sacerorum,
 quæ a Pontificum collegio
 solet. Quid est horum in ista

adoptione quaesitum? Adop-
 tat annos viginti natus, etiam
 minor, Senatorem. Libe-
 rorumne causa? at procreare
 potest. Habet uxorem:
 suscepit etiam liberos. ———
 Quæ omnis notio Pontificum
 cum adoptarere esse debuit,
 &c. Pro Dom. ad Pontif.
 13.

out of the Forum by Vatinius, at the head of Cæsar's A. Urb. 694.
 mob [d]. When the tumult was over, and the Cic. 48.
 Forum cleared of their adversaries, Cæsar pro-
 duced Pompey and Crassus into the Rostra, to
 signify their opinion of the law to the people; C. JULIUS
 CÆSAR,
 M. CALPUR-
 NIUS BIBU-
 LUS.
 where Pompey, after speaking largely in praise
 of it, declared in the conclusion, *that if any
 should be so hardy as to oppose it with the sword,
 he would defend it with his shield.* Crassus ap-
 plauded what Pompey said, and warmly pressed
 the acceptance of it; so that it passed upon the
 spot without any farther contradiction [e]. Ci-
 cero was in the country during this contest, but
 speaks of it with great indignation in a letter to
 Atticus, and wonders at Pompey's policy, in sup-
 porting Cæsar in an act so odious, *of alienating
 the best revenues of the Republic*; and says,
*that he must not think to make them amends by his
 rents on mount Libanus, for the loss of those,
 which he had taken from them in Campania* [f].
 The Senate and all the Magistrates were obliged,
 by a special clause of this law, *to take an oath to
 the observance of it*; which Cato himself, though
 he had publicly declared that he would never do
 it, was forced at last to swallow [g].

BIBULUS made his complaint the next day in
 the Senate, of the violence offered to his person;
 but finding the assembly so cold and intimidated,

[d] Idemque tu—nomine
 C. Cæsaris, clementissimi at-
 que optimi viri, scelere vero
 atque audacia tua M. Bibu-
 lum foro, curia, templis, lo-
 cis publicis omnibus expulsi-
 ses, inclusum domi contine-
 res. In Vatin. 9. Dio, 38.
 61. Suet. Cæs. 20. Flutarch.
 Pomp.

[e] Dio, ibid. l. 38. 61.

[f] Cnæus quidem noster
 jemi plane quid cogitet, ne-
 scio. Ad Att. 2. 16.

Quid dices? Vedligal te
 nobis in monte Antilibano
 constituisse, agri Campani ab-
 stulisse. Ibid.

[g] Dio, ibid.

A. Urb. 694. that no body cared to enter into the affair, or to
 Cic. 48. move any thing about it, he retired to his house in
 Coff. despair, with a resolution to shut himself up for
 C. JULIUS the remaining eight months of the year, and to
 CÆSAR, act no more in public but by his edicts [b]. This
 M. CALPURNIUS BIBULUS. was a weak step in a magistrate armed with so-
 vereign authority; for though it had one effect,
 which he proposed by it, of turning the odium
 of the city upon his colleague, yet it had another
 that overbalanced it, of strengthening the hands
 and raising the spirits of the adverse party, by
 leaving the field wholly clear to them.

As Cæsar's view in the *Agrarian law* was to oblige the populace, so he took the opportunity, which the Senate had thrown into his hands, of obliging the *Knights* too, by easing them of the disadvantageous contract, which they had long in vain complained of, and remitting a third part of what they had stipulated to pay [i]: and when Cato still opposed it with his usual firmness, he ordered him to be hurried away to prison. He imagined, that Cato would have appealed to the *Tribuns*; but seeing him go along patiently, without speaking a word, and reflecting, that such a violence would create a fresh odium, without serving any purpose, he desired one of the *Tribuns* to interpose and release him [k]. He next procured a special law from the people, for the ratification of all Pompey's acts in *Asia*; and in the struggle about it, so terrified and humbled

[b] Ac postero die in Senatu conquestum, nec ququam reperto, qui super tali conternatione referre, aut censere aliquid auderet — in eam coegit desperationem,

ut quoad potestate abiret, domo abditus nihil aliud quam per edicta obnunciaret. Sueton. Cæs. 20.

[i] Dio, 38. 62.

[k] Plutarch. Cæs.

Lucullus,

Lucullus, who was the chief opposer, *that he brought him to ask pardon at his feet* [l].

A. Urb. 694.
Cic. 48.
Coff.
C. JULIUS
CÆSAR,
M. CALPUR-
NIUS BIBU-
LUS.

He carried it still with great outward respect towards Cicero; and gave him to understand again by Balbus, *that he depended on his assistance in the Agrarian law*: but Cicero contrived to be out of the way, and spent the months of April and May in his Villa near Antium, where he had placed his chief collection of books [m]; amusing himself with *his studies and his children*, or, as he says jocosely, *in counting the waves*. He was projecting however a *system of Geography* at the request of Atticus, but soon grew weary of it, as a subject *too dry and jejune to admit of any ornament* [n]; and being desired also by Atticus to send him *the copies of two orations* which he had lately made, his answer was, *that he had torn one of them, and could not give a copy; and did not care to let the other go abroad, for the praises which it bestowed on Pompey; being disposed rather to recant, than publish them, since the adoption of Clodius* [o]. He seems indeed to

X 3

have

[l] L. Lucullo, liberius resistenti tantum calumniarum metum injecit, ut ad genua ultro sibi accederet. Sueton. J. Cæs. 30.

[m] Nam aut fortiter resistendum est legi Agrariæ, in quo est quædam dimicatio, sed plena laudis: aut quiescendum, quod est non dissimile, atque ire in Solonium, aut Antium: aut etiam adjuvandum, quod a me aiunt Cæsarem sic expectare, ut non dubitet. Ad Att. 2. 3.

Itaque aut libris me delecto, quorum habeo Antii

festivam copiam, aut fluctus numero. Ibid. 6.

[n] Etenim γεωγραφικὰ, quæ constitueram, magnum opus est,—& hercule sunt res difficiles ad explicandum & ὁμοειδῆς; nec tam possunt ἀθροιστικῶς εἶσθαι, quam videbatur. Ibid.

[o] Orationes me duas postulas, quarum alteram non licebat mihi scribere, quia abscideram; alteram, ne laudarem eum, quem non amabam. Ibid. 7.

Ut sciat hic noster Hierosolymarius, traductor ad plebem,

A. Urb. 694. have been too splenetic at present to compose
 Cic. 48. any thing but invectives; of which kind he was
 Coff. now drawing up *certain anecdotes*, as he calls
 C. JULIUS CÆSAR, them, or a secret history of the times, to be
 M. CALPURNIUS BIBULUS. shewn to none but Atticus, *in the stile of Theopompus, the most satirical of all writers: for all his politics, he says, were reduced to this one point, of hating bad citizens, and pleasing himself with writing against them: and since he was driven from the helm, he had nothing to wish, but to see the wreck from the shore; or, as Sophocles says [p].*

*Under the shelter of a good warm roof,
 With mind serenely calm and prone to sleep,
 Hear the loud storm and beating rain without.*

CLODIUS, having got through the obstacle of his adoption, began without loss of time to sue for the Tribunate; whilst a report was industriously spread, which amused the city for a while, *of a breach between him and Cæsar*. He declared every where loudly, *that his chief view in desiring that office was, to rescind all Cæsar's Acts; and Cæsar, on his part, as openly disclaimed any share in his adoption, and denied him to be a Plebeian*. This was eagerly carried to Cicero by young Curio; who assured him, *that all the young*

hem, quam bonam meis putissimis orationibus gratiam retulerit; quarum expecta divinam *παλινοδιαν*. Ibid. 9.

[p] Itaque *αἰετὸς*, quæ tibi uni legamus, Theopompino genere, aut etiam asperiore multo, pangentur. Neque aliud jam quicquam *πολλήνεμαι*, nisi odisse improbos. Att. 2. 6.

Nunc vero cum cogar exire de navi, non abjectis sed receptis gubernaculis, cupio istorum naufragia ex terra intueri; cupio, ut ait tuus amicus Sophocles,

——— *κὰν ὑπὸ σέγη*
 Πικρῶς ἀκύνει ψεκᾶδος εὐ-
 δῶση φρενί. Ibid. 7.

Nobles

Nobles were as much incensed against their proud Kings, as he himself, and would not bear them much longer; and that Memmius and Metellus Nepos had declared against them: which being confirmed also by Atticus's letters, gave no small comfort to Cicero; all whose hopes of any good depended, he says, upon their quarrelling among themselves [q]. The pretended ground of this rupture, as it is hinted in Cicero's letters, was Clodius's *slighting an offer, which the Triumvirate made to him, of an embassy to King Tigranes*; for being weary of his insolence, and jealous of his growing power, they had contrived this employment as an honorable way of getting rid of him: but in the present condition of the Republic, Clodius knew his own importance too well, to quit his views at home, by an offer of so little advantage abroad; and was disgusted, *that Cæsar had not named him among the twenty Commissioners appointed to divide the Campanian lands*; and resolved not to stir from the city, till he had reaped the fruits of the Tribune. Cicero mentioning this affair to Atticus, says, "I am much delighted with what you write about Clodius: try all means to search in- to the bottom of it; and send or bring me word, whatever you either learn or suspect;

A. Urb. 694.
Cic. 48.
Coff.
C. JULIUS
CÆSAR,
M. CALPUR-
NIUS BIBU-
LUS.

[q] Scito Curionem adolescentem venisse me salutatum. Valde ejus sermo de Publio cum tuis litteris congruebat. Ipse vero mirandum in modum Reges odisse superbos. Peræquè narrabat incensam esse juventutem, neque ferre hæc posse. Att. 2. 8.

inquit, Tribunatum plebis petit. Quid ais, & inimicissimus quidem Cæsaribus, & ut omnia, inquit, ista rescindat. Quid Cæsar? inquam. Negat se quicquam de illius adoptione tulisse. Deinde suum, Memmii, Metelli Nepotis expromsit odium. Complexus juvenem dimissi, properans ad epistolas. Ibid. 12.

Incurrit in me Roma veniens Curio meus—Publius.

A. Urb. 694. “ and especially, what he intends to do about
 Cic. 48. “ the embassy. Before I read your letter, I was
 Coss. “ wishing, that he would accept it; not for the
 C. JULIUS “ sake of declining a battle with him, for I am
 CÆSAR, “ in wonderfull spirits for fighting; but I ima-
 M. CALPUR- “ gined, that he would lose by it all the popu-
 NIUS BIBU- “ larity which he has gained, by going over to
 LUS. “ the Plebeians—What then did you mean by
 “ making yourself a Plebeian? Was it onely to
 “ pay a visit to Tigranes? Do not the Kings of
 “ Armenia use to take notice of Patricians?—
 “ You see how I had been preparing myself to
 “ rally the embassy; which if he slights after
 “ all, and if this, as you say, disgusts the au-
 “ thors and promotors of the law, we shall
 “ have rare sport. But to say the truth, Pub-
 “ lius has been treated somewhat rudely by
 “ them; since he, who was lately the onely
 “ man with Cæsar, cannot now find a place
 “ among the twenty; and after promising one
 “ embassy, they put him off with another; and
 “ while they bestow the rich ones upon Drusus,
 “ or Vatinius, reserve this barren one for him,
 “ whose Tribunate was proposed to be of such
 “ use to them. Warm him, I beg of you, on
 “ this head, as much as you can; all our hopes
 “ of safety are placed on their falling out among
 “ themselves, of which, as I understand from
 “ Curio, some symptoms begin already to ap-
 “ pear [r].” But all this noise of a quarrel was
 found at last to be a mere artifice, as the event
 quickly shewed: or if there was any real disgust
 among them, it proceded no farther, than to
 give the better color to a report, by which they
 hoped to impose upon Cicero, and draw some un-

[r] Ad Att. 2. 7.

wary people into a hasty declaration of them-
 selves; and above all, to weaken the obstruction
 to Clodius's *election* from that quarter, whence it
 was chiefly to be apprehended.

A. Urb. 694.
 Cic. 48.
 Coff.
 C. JULIUS
 CÆSAR-
 M. CALPUR-
 NIUS BIBU-
 LUS.

CICERO returned to Rome in May, after an
 interview with Atticus, who went abroad at the
 same time to his estate in Epirus: he resolved to
 decline all public business, as much as he decent-
 ly could, and to give the greatest part of his
 time to the Bar, and to the defense of causes;
 an employment always popular, which made
 many friends, and few enemies, so that *he was still
 much frequented at home, and honorably attended a-
 broad, and maintained his dignity*, he says, *not mean-
 ly, considering the general oppression; nor yet greatly,
 considering the part which he had before acted* [s].
 Among the other causes which he pleaded this
 summer, he twice defended A. Thermus, and
 once L. Flaccus; men of Prætorian dignity,
 who were both acquitted. The speeches for
 Thermus are lost; but that for Flaccus remains,
 yet somewhat imperfect; in which though he
 had lately paid so dear for speaking his mind too
 freely, we find several bold reflections on the
 wretched state of subjection, to which the city
 was now reduced.

THIS L. Valerius Flaccus had been *Prætor* in
 Cicero's *Consulship*, and received the thanks of the
 Senate for his zeal and vigor in the seizure of *Ca-
 tiline's accomplices*; but was now accused by P.
 Lælius of *rapine and oppression in his province of
 Asia*, which was allotted to him from his Prætor-
 ship. The defense consists chiefly in displaying
 the dignity of the criminal, and invalidating the

[s] Me tuor, ut oppressis tantis rebus gestis, parum
 omnibus, non demisse: tu fortiter. Ad Att. 2. 18.

A. Urb. 694. credit of the Asiatic witnesses. Cicero observes,
 Cic. 48. “ That the Judges, who had known and seen
 Coff. “ the integrity of Flaccus’s life through a series of
 C. JULIUS “ great employments, were themselves the best
 CÆSAR, “ witnesses of it, and could not want to learn it
 M. CALPUR- “ from others, especially from Grecians: that for
 NIUS BIEU- “ his part, he had always been particularly ad-
 LUS. “ dicted to that nation and their studies, and knew
 “ many modest and worthy men among them:
 “ that he allowed them to have learning, the
 “ discipline of many arts, an elegance of writing,
 “ a fluency of speaking, and an acuteness of wit:
 “ but as to the sanctity of an oath, they had no
 “ notion of it, knew nothing of the force and the
 “ efficacy of it: that all their concern in giving
 “ evidence was, not how to prove, but how to
 “ express what they said:—that they never ap-
 “ peared in a cause, but with a resolution to hurt;
 “ nor ever considered what words were proper for
 “ an oath, but what were proper to do mischief;
 “ taking it for the last disgrace, to be baffled, con-
 “ futed, and outdone in swearing: so that they
 “ never chose the best and worthiest men for wit-
 “ nesses, but the most daring and loquacious:—
 “ in short, that the whole nation looked upon an
 “ oath as a mere jest, and placed all their credit,
 “ livelihood, and praise on the success of an im-
 “ pudent lie:—whereas of the Roman witnesses,
 “ who were produced against Flaccus, though
 “ several of them came angry, fierce, and willing
 “ to ruin him, yet one could not help observing,
 “ with what caution and religion they delivered
 “ what they had to say; and though they had
 “ the greatest desire to hurt, yet could not do it
 “ for their scruples:—that a Roman, in giving his
 “ testimony, was always jealous of himself, lest
 “ he should go too far; weighed all his words,
 “ and

“ and was afraid to let any thing drop from him
 “ too hastily and passionately ; or to say a syllable
 “ more or less than was necessary [s].” Then
 after shewing at large, by what scandalous methods
 this accusation was procured against Flaccus, and
 after exposing the vanity of the crimes charged
 upon him, together with the profligate characters
 of the particular witnesses ; he declares, “ that
 “ the true and genuine Grecians were all on Flac-
 “ cus’s side, with public testimonies and decrees
 “ in his favor.—Here, says he, you see the Athe-
 “ nians, whence humanity, learning, religion,
 “ the fruits of the earth, the rights and laws of
 “ mankind, are thought to have been first propa-
 “ gated ; for the possession of whose city, the
 “ Gods themselves are said to have contended on
 “ the account of it’s beauty ; which is of so great
 “ antiquity, that it is reported to have brought
 “ forth it’s own Citizens, and the same spot to
 “ have been their parent, their nurse and their
 “ country ; and of so great authority, that the
 “ broken and shattered fame of Greece depends
 “ now singly on the credit of this City.—Here
 “ also are the Lacedæmonians, whose tried and
 “ renowned virtue was confirmed not onely by

A. Urb. 694.
 Cic. 48.
 Coff.
 C. JULIUS
 CÆSAR,
 M. CALPURNIUS
 BIBULUS.

[s] Pro Flacco, 4, 5. This character of *the Greek and Roman witnesses* is exactly agreeable to what Polybius, though himself a Grecian, had long before observed ; that those, who managed the public money in Greece, though they gave ever so many bonds and sureties for their behaviour, could not be induced to act honestly, or preserve their faith, in the case even of a single talent ; whereas in

Rome, out of pure reverence to the sanctity of an oath, they were never known to violate their trust, though in the management of the greatest sums. [Polyb. l. 6. p. 498.] This was certainly true of the old Republic ; but we must make great allowance for the language of the Bar, when we find Cicero applying the same integrity and regard to an oath to the character of his own times.

“ nature,

A. Urb. 694. “ nature, but by discipline; who alone, of all the
 Cic. 48. “ nations upon earth, have subsisted for above
 C. JULIUS “ seven hundred years, without any change in
 CÆSAR, “ their laws and manners.—Nor can I pass over
 M. CALPUR- “ the city of Marseilles, which knew Flaccus when
 NIUS BIBU- “ first a soldier, and afterwards Quæstor; the
 LUS. “ gravity of whose discipline, I think preferable,
 “ not onely to Greece, but to all other cities;
 “ which, though separated so far from the coun-
 “ try, the customs, and the language of all Gre-
 “ cians, surrounded by the nations of Gaul, and
 “ washed by the waves of barbarism, is so wisely
 “ governed by the counsils of an aristocracy, that
 “ it is easier to praise their constitution, than to
 “ imitate it [t].” One part of the charge against
 Flaccus, was, *for prohibiting the Jews to carry out
 of his province the gold, which they used to collect an-
 nually through the empire for the Temple of Jerusa-
 lem; all which he seized and remitted to the treasury
 at Rome.* The charge itself seems to imply, that
 the Jews made no mean figure at this time in the
 empire; and Cicero’s answer, though it betrays a
 great contempt of their religion, through his igno-
 rance of it, yet shews, that their numbers and
 credit were very considerable also in Rome. The
 trial was held near *the Aurelian steps*, a place of
 great resort for the populace, and particularly for
the Jews, who used it probably as a kind of ex-
 change, or general rendezvous of their country-
 men: Cicero therefore proceeds to say, “ It was
 “ for this reason, Lælius, and for the sake of this
 “ crime, that you have chosen this place, and all
 “ this crowd for the trial: you know what a nu-
 “ merous band the Jews are; what concord a-
 “ mong themselves; what a bustle they make in

[t] Ibid. 26.

our assemblies—I will speak softly, that the
 Judges onely may hear me ; for there are peo-
 ple ready to incite them against me and against
 every honest man ; and I would not willingly
 lend any help to that design—Since our gold
 then is annually carried out of Italy, and all
 the Provinces, in the name of the Jews, to
 Jerusalem, Flaccus, by a public edict, prohi-
 bited the exportation of it from Asia : and
 where is there a man, Judges, who does not
 truly applaud this act ? The Senate, on several
 different occasions, but more severely in my
 Consulship, condemned the exportation of gold.
 To withstand this barbarous superstition was a
 piece therefore of laudable discipline ; and, out
 of regard to the Republic, to contemn the
 multitude of Jews, who are so tumultuous in
 all our assemblies, an act of the greatest gra-
 vity : but Pompey, it seems, when he took
 Jerusalem, meddled with nothing in that Tem-
 ple : in which, as on many other occasions, he
 acted prudently, that in so suspicious and ill-
 tongued a people, he would not give any han-
 dle for calumny ; for I can never believe, that
 it was the religion of Jews and enemies, which
 hindred this excellent General, but his own
 modesty.” Then after shewing, “ that Flac-
 cus had not embezzled or seized the gold to his
 own use, but transmitted it to the public trea-
 sury, he observes, that it was not therefore for
 the sake of the crime, but to raise an envy, that
 this fact was mentioned ; and that the accuser’s
 speech was turned from the Judges, and ad-
 dressed to the circle around them : Every city,
 says he, Lælius, has it’s religion ; we have
 ours : while Jerusalem flourished, and Judæa
 was at peace with us, yet their religious rites
 “ were

A. Urb. 694.
 Cic. 48.
 Coff.
 C. JULIUS
 CÆSAR,
 M. CALPURNIUS
 BIBULUS.

A. Urb. 694. “ were held inconsistent with the splendor of this
 Cic. 48. “ Empire, the gravity of the Roman name, and
 Coff. “ the institutions of our ancestors: but much more
 C. JULIUS “ ought they to be held so now; since they have
 CÆSAR, “ let us see, by taking arms, what opinion they
 M. CALPURNIUS BIBULUS. “ have of us; and by their being conquered, how
 “ dear they are to the Gods [u].” He proceeds
 in the last place to shew, what he had intimated
 in the beginning, “ that the real aim of this
 “ trial was to sacrifice those, who had signalized
 “ themselves against Catiline, to the malice and
 “ revenge of the seditious:” and puts the Judges
 in mind, “ that the fate of the city, and the safety
 “ of all honest men, now rested on their shoulders:
 “ that they saw in what an unsettled state
 “ things were, and what a turn their affairs had
 “ taken: that among many other acts, which
 “ certain men had done, they were now contri-
 “ ving, that by the votes and decisions of the
 “ Judges every honest man might be undone:
 “ that these Judges indeed had given many laud-
 “ able judgements in favor of the Republic;
 “ many, against the wickedness of the conspira-
 “ tors: yet some people thought the Republic
 “ not yet sufficiently changed, till the best citizens
 “ were involved in the same punishment with the
 “ worst. C. Antonius, says he, is already op-
 “ pressed; let it be so: he had a peculiar infamy
 “ upon him: yet even he, if I may be allowed
 “ to say it, would not have been condemned by
 “ you: upon whose condemnation a sepulcher
 “ was dressed up to Catiline, and celebrated with
 “ a feast and concourse of our audacious and do-
 “ mestic enemies, and funeral rites performed to
 “ him: now the death of Lentulus is to be re-

[u] Ibid. 28.

“ venged on Flaccus; and what more agreeable
 “ sacrifice can you offer to him, than by Flaccus’s
 “ blood to satiate his detestable hatred of us all?
 “ Let us then appease the manes of Lentulus;
 “ pay the last honors to Cethegus; recall the
 “ banished; nay, let me also be punished for the
 “ excess of my love to my country; I am already
 “ named and marked out for a trial; have crimes
 “ forged; dangers prepared for me; which if
 “ they had attempted by any other method;
 “ or it, in the name of the people, they had
 “ stirred up the unwearied multitude against me,
 “ I could better have borne it; but it is not to
 “ be endured thus: you would think, to drive
 “ out of the city the fathers, the leaders, the
 “ champions of our common safety; by the help
 “ of Senators and Knights, who with one mind
 “ and consent, assented so greatly in the same
 “ cause. They know the mind and inclination
 “ of the Roman people: the people themselves
 “ take all possible occasions of declaring it: there
 “ is no variety in their sentiments, or their lan-
 “ guage. If any one therefore call me thither, I
 “ come: I do not onely not refuse, but require
 “ the Roman people for my judge: let force
 “ onely be excluded; let swords and stones be
 “ removed; let mercenaries be quiet; let slaves
 “ be silent; and when I come to be heard for
 “ myself, there will not be a man so unjust, if he
 “ be free and a citizen, who will not be of opi-
 “ nion, that they ought to vote me rewards, ra-
 “ ther than punishment [x].” He concludes, by
 applying himself as usual, to move the pity and
 clemency of the bench towards the person of the
 criminal, by all the topics proper to excite com-

A. Urb. 694.
 Cic. 48.
 Coff.
 C. JULIUS
 CÆSAR,
 M. CALPUR-
 NIUS BIBU-
 LUS.

[x] Ibid. 38.

passion:

A. Urb. 694. passion: "the merit of his former services; the
 Cic. 48. "luster of his family: the tears of his children;
 Coff. "the discouragement of the honest; and the
 C. JULIUS "hurt, which the Republic would suffer, in be-
 CÆSAR, "ing deprived, at such a time, of such a citizen."
 M. CALPUR- Q. CICERO, who succeeded Flaccus in the pro-
 NIUS BIBU- vince of Asia, was now entering into the third year
 LUS. of his government, when Cicero sent him a most
 admirable letter of advice about the administration
 of his province; fraught with such excellent pre-
 cepts of moderation, humanity, justice and lay-
 ing down rules of governing, so truly calculated
 for the good of mankind, that it deserves a place
 in the closets of all who govern: and especially of
 those, who are entrusted with the command of
 foreign provinces; who by their distance from any
 immediate controul, are often tempted, by the in-
 solence of power, to acts of great oppression.

THE Triumvirate was now dreaded and detest-
 ed by all ranks of men: and Pompey as the first
 of the league, had *the first share of the public ha-
 tred*: so that *these affecters of popularity*, says Cicero;
have taught even modest men to hiss [y]. Bibulus
 was continually teizing them *by his edicts*; in
 which he inveighed and protested against all their
 acts. These edicts were greedily received by the
 city; all people got copies of them; and where-
 ever they were fixed up in the streets, *it was scarce
 possible to pass for the crowds which were reading
 them [z]*. Bibulus was extolled to the skies; though
 I know

[y] Qui fremitus homi-
 num? qui irati animi? quan-
 to in odio noster amicus Mag-
 nus? Ad Att. 2. 13.

Scito nihil unquam fuisse
 tam infame, tam turpe, tam
 peræque omnibus generibus,
 ordinibus, ætatibus, offensum,

quam hunc statum, qui nunc
 est magis mehercule quam
 vellem, non modo quam pu-
 taram. Populares isti jam
 etiam modestos homines sibi-
 lare docuerunt. Ibid. 19.

[z] Itaque archilochia in
 illum edicta Bibuli populo ita
 sunt

I know not why, says Cicero, unless, like another Fabius, he is thought to save the State by doing nothing: for what is all his greatness of mind, but a mere testimony of his sentiments, without any service to the Republic [a]? His edicts however provoked Cæsar so far, that he attempted to excite the mob to storm his house, and drag him out by force: and Vatinius actually made an assault upon it, though without success [b]. But while all the world disliked, lamented, and talked loudly against these proceedings; and above all, young Curio at the head of the young Nobility, yet we seek no remedy, says Cicero, through a persuasion, that there is no resisting, but to our destruction [c].

A. Urb. 694.
Cic. 48.
Coff.
C. JULIUS
CÆSAR,
M. CALPURNIUS
BIBULUS.

THE inclinations of the people were shewn chiefly, as he tells us, in the Theaters and public shows; where, when Cæsar entred, he was received only with a dead applause; but when young Curio, who followed him, appeared, he was clapped, as Pompey used to be in the height of his glory. And in the Apollinarian plays Diphilus, the Tragedian, happening to have some passages in his part, which

sunt jucunda, ut eum locum, ubi proponuntur, præ multitudine eorum qui legunt, transire nequeunt. Ad Att. 2. 21.

[a] Bibulus in cælo est; nec quare, scio. Sed ita laudatur, quasi, unus homo nobis cunctando restituit rem. Ibid. 19.

Bibuli autem ista magnitudo animi in comitiorum dilatione, quid habet, nisi ipsius iudicium sine ulla correctione Reipub. Ibid. 15.

[b] Putarat Cæsar oratione sua posse impelli concionem, ut iret ad Bibulum; multa

cum seditiosissime diceret, vocem exprimere non potuit. Att. 2. 21.

Qui Consulem morti objeceris, inclusum obfederis, extrahere ex suis tectis conatus sis. In Vatin. 9.

[c] Nunc quidem novo quodam morbo civitas moritur; ut cum omnes ea, quæ sunt acta, improbent, querantur, doleant, varietas in re nulla sit, aperteque loquantur & jam clare gemant; tamen medicina nulla afferatur, neque enim resisti sine internecione posse arbitramur. Att. 2. 20.

A. Urb. 694. were thought to hit the character of Pompey,
Cic. 48. *he was forced to repeat them a thousand times :*
Coff.

C. JULIUS
CÆSAR,

M. CALPUR-
NIUS BIBU-
LUS.

Thou by our miseries art great——

*The time will come when thou wilt wretchedly la-
ment that greatness——*

If neither law nor custom can restrain thee——

at each of which sentences, the whole Theater made such a roaring and clapping, that they could hardly be quieted [d]. Pompey was greatly shocked, to find himself fallen so low in the esteem of the city: he had hitherto lived in the midst of glory, an utter stranger to disgrace, which made him the more impatient under so mortifying a change: “ I could scarce refrain from tears, says Cicero, to see what an abject, paultry figure he made in the Rostra, where he never used to appear, but with universal applause and admiration; meanly haranguing against the edicts of Bibulus, and displeasing not onely his audience, but himself: a spectacle, agreeable to none, so much as to Crassus; to see him fallen so low from such a height:——and as Apelles or Protogenes would have been grieved to see

[d] Diphilus Tragœdus in nostro Pompeium petulanter invectus est: *Nestrâ miseriâ tu es magnus, millies coactus est dicere. Tandem virtutem istam veniet tempus cum graviter gemas, totius theatri clamore dixit, itemque cætera. Nam & ejusmodi sunt ii versus, ut in tempus ab inimico Pompeii scripti esse videantur. Si neque leges, neque mores cogunt, & cætera magno cum fremitu & clamore dicta sunt. Ibid. 19.*

Valerius Maximus, who tells the same story, says, *that Diphilus, in pronouncing those sentences, stretched out his hands towards Pompey, to point him out to the company.* But it appears from Cicero's account of it in this letter to Atticus, that Pompey was then at Capua; whither Cæsar sent an express to him in all haste to acquaint him with what had passed, and to call him probably to Rome. Val. Max. 6. 2.

“ one

“ one of their capital pieces besmeared with dirt ; A. Urb. 694.
 “ so it was a real grief to me, to see the man, Cic. 48.
 “ whom I had painted with all the colors of my C. JULIUS
 “ art, become of a sudden so deformed : for CÆSAR,
 “ though no body can think since the affair of M. CALPURNIUS BIBULUS.
 “ Clodius, that I have any reason to be his
 “ friend ; yet my love for him was so great,
 “ that no injury could efface it [e].”

CÆSAR, on the other hand, began to reap some part of that fruit, which he expected from their union : he foresaw from the first, *that the odium of it would fall upon Pompey ; the benefit accrue to himself [f] : till Pompey gradually sinking under the envy, and himself insensibly rising by the power of it, they might come at last to act upon a level : or, as Florus states the several views of the Three, Cæsar wanted to acquire ; Crassus to increase ; Pompey to preserve his dignity [g].* So that Pompey in reality was but the dupe of the other two : whereas if he had united himself with Cicero ; and through him with the Senate ; whether his own and his country's interest called him, and where, from the different talents of the men, there could have been no contrast of glory or power ; he must have preserved through life, what his utmost ambition seemed to aim at, the

[e] Ut ille tum humilis, ut demissus erat : ut ipse etiam sibi, non iis solum qui aderant, displicebat. O spectaculum uni Crasso jucundum, &c.—Quanquam nemo putabat propter Clodianum negotium me illi amicum esse debere : tamen tantus fuit amor, ut exhauriri nulla posset injuria. Ad Att. 2. 21.

se—invidia communis potentiae in illum relegata, confirmaturum vires suas. Veil. Pat. 2. 44.

[g] Sic igitur Cæsare dignitatem comparare, Crasso augere, Pompeio retinere, cupientibus, omnibusque pariter potentiae cupidi, de invadenda Repub: facile convenit. Lib. 4. 2. 11.

[f] Cæsar animadvertibat

Y 2

character

A. Urb. 694. character not onely of the first, but of the best
 Cic. 48. citizen in Rome: but by his alliance with Cæsar,
 Coff. he lent his authority to the nursing up a rival, who
 C. JULIUS gained upon him daily in credit, and grew too
 CÆSAR, strong for him at last in power. The people's dis-
 M. CALPUR- affection began to open his eyes, and make him
 NIUS BIBU- sensible of his error; *which he frankly owned to*
 LUS. *Cicero, and seemed desirous of entering into measures*
with him to retrieve it [b]. He saw himself on the
 brink of a precipice, where to procede was ruin-
 ous, to retreat ignominious: the honest were be-
 come his enemies; and the factious had never
 been his friends: But though it was easy to see
 his mistake, it was difficult to find a remedy:
 Cicero pressed the onely one, which could be ef-
 fectual, *an immediate breach with Cæsar; and used*
all arguments to bring him to it; but Cæsar was
more successful, and drew Pompey quite away from
him [i]; and, having got possession, entangled
 him so fast, that he could never disengage him-
 self till it was too late.

BUT to give a turn to the disposition of the
 people, or to draw their attention at least another
 way, Cæsar contrived to amuse the city with the
 discovery of a new conspiracy, *to assassinate Pom-*
pey. Vettius who, in Catiline's affair, *had im-*

[b] Sed quod facile sen-
 tias, tadet ipsum Pompeium,
 vehementerque pœnitet, &c.
 Att. 2. 22.

Primum igitur illud te
 scire volo, Sampliceranium,
 nostrum amicum, vehementer
 sui status pœnitere, restitui-
 que in eum locum cupere, ex
 quo decidit, doloremque su-
 um impertire nobis, & medi-
 cinam interdum aperte quæ-

rere; quam ego possum inve-
 nire nullam. Ibid. 23.

[i] Ego M. Bibulo, præ-
 stantissimo cive, Consule, ni-
 hil prætermisi, quantum face-
 re, nitique potui, quin Pom-
 peium a Cæsar's conjunctione
 avocarem. In quo Cæsar fe-
 licior fuit: ipse enim Pom-
 peium a mea familiaritate dis-
 junxit. Philip. 2. 10.

peached Cæsar, and smarted severely for it, was now instructed how to make amends for that step, by swearing a plot upon the opposite party; particularly upon young Curio, the briskest opposer of the *Triumvirate*. For this purpose, he insinuated himself into Curio's acquaintance, and when he was grown familiar, opened to him a resolution, which he pretended to have taken, of killing Pompey; in expectation of drawing some approbation of it from him: but Curio carried the story to his father, who gave immediate information of it to Pompey; and so the matter, being made public, was brought before the Senate. This was a disappointment to Vettius, who had laid his measures so, that " he himself should have been seized in the *Forum* with a poignard, and his slaves taken also with poignards; and upon his examination, was to have made the first discovery, if Curio had not prevented him. But being now examined before the Senate, he denied at first his having any such discourse with Curio; but presently recanted, and offered to discover what he knew, upon promise of pardon, which was readily granted: he then told them, that there was a plot formed by many of the young Nobility, of which Curio was the head: that Paullus was engaged in it from the first, with Brutus also and Lentulus, the son of the *Flamen*, with the privity of his father: that Septimius, the secretary of Bibulus, had brought him a dagger from Bibulus himself.—This was thought ridiculous, that Vettius should not be able to procure a dagger, unless the Consul had given him one.—Young Curio was called in to answer to Vettius's information, who soon confounded him, and shewed his narrative to be inconsistent and impossible: for he had deposed,

A. Urb. 694.
Cic. 48.
Coff.
C. JULIUS
CÆSAR,
M. CALPURNIUS
BIBULUS.

A. Urb. 694. “ that the young Nobles had agreed to attack
 Cic. 48. “ Pompey in the *Forum*, on the day when Ga-
 Coff. “ binus gave his shew of Gladiators, and that
 C. JULIUS “ Paullus was to be the leader in the attack ;
 CÆSAR, “ but it appeared, that Paullus was in Macedo-
 M. CALPUR- “ nia at that very time. The Senate therefore
 NIUS BIBU- “ ordered Vettius to be clapt into irons, and that
 LUS. “ if any man released him, he should be deemed
 “ a public enemy.”

CÆSAR however, unwilling to let the matter drop so easily, brought him out again the next day, and produced him to the people in the *Rostra*; and in that place, where Bibulus, though Consul, durst not venture to shew himself, exhibited this wretch, as his puppet, to utter whatever he should think fit to inspire. Vettius impeached several here, whom he had not named before in the Senate; particularly Lucullus and Domitius; he did not name Cicero, but said, that a certain Senator of great eloquence, and Consular rank, and a neighbour of the Consul, had told him, that the times wanted another Brutus or Abala. When he had done, and was going down, being called back again and whispered by Vatinius, and then asked aloud, whether he could recollect nothing more, he farther declared, that Piso, Cicero's son in law, and M. Laterensis were also privy to the design [k]. But it happened in this, as it commonly does in all plots of the same kind, that the too great eagerness of the managers destroyed its effect: for, by the extravagance to which it was pushed, it confuted itself; and was entertained with so general a contempt by all orders, that Cæsar was glad to get rid of it, by strangling or poisoning Vettius pri-

[k] Ad Att. 2. 24. in Vatin. 11. Sueton. J. Cæs. 20.

vately in prison, and giving it out, that it was done by the Conspirators [l].

A. Urb. 694.
Cic. 48.
Coff.

THE Senate had still one expedient in reserve for mortifying Cæsar, by throwing *some contemptible Province* upon him at the expiration of his Consulship; as *the care of the woods or the roads*; or what should give him at least no power to molest them [m]. *The distribution of the Provinces was, by ancient usage and express law, their undoubted prerogative*; which had never been invaded or attempted by the people [n]; so that this piece of revenge, or rather self-defence, seemed to be clearly in their power: but Cæsar, who valued no law or custom, which did not serve his purposes, without any regard to the Senate, applied himself to his better friends, the people; and by his agent Vatinius procured from them, by a new and extraordinary law, the grant of *Cisalpine Gaul, with the addition of Illyricum, for the term of five years*. This was a cruel blow to the power of the Senate, and a direct infringement of the old constitution; as it transferred to the people a right, *which they had never exercised, or pretended to before* [o]. It convinced the Senate however, that all opposition

C. JULIUS
CÆSAR,
M. CALPURNIUS
BIBULUS.

[l] Fregerisne in carcere cervices ipsi illi Vettio, ne quod indicium corrupti iudicii extaret? In Vatin. 11.

Cæsar—desperantam præcipitis consilii eventum, interceptisse veneno indicem creditur. Sueton. J. Cæs. 20. Plutarch. in Lucull.

[m] Eandem ob causam opera optimatibus data est, ut provinciæ futuris Coff. minimi negotii, id est, sylvæ callesque, decernerentur. Sueton. 19

[n] Tu provincias consu-

lares, quas C. Gracchus, qui unus maxime popularis fuit, non modo non abstulit ab Senatu, sed etiam ut necesse esset, quotannis constitui per Senatum decreta lege sanxit. Pro Dom. 9.

[o] Eripueras Senatui provinciæ decernendæ potestatem; Imperatoris deligendi iudicium; ærarii dispensationem; quæ nunquam sibi populus Romanus appetivit, qui nunquam hæc a summi consilii gubernatione auferre conatus est. In Vatin. 15.

A. Urb. 694. was vain; so that when Cæsar soon after declared
 Cic. 48. a desire to have *the Transalpine Gaul* added to his
 C. JULIUS other Provinces *they decreed it to him readily them-*
 CÆSAR, selves; to prevent his recurring a second time to the
 M. CALPURNIUS BIBULUS. *people, and establishing a precedent, so fatal to their*
authority [p].

CLODIUS began now to threaten Cicero with all the terrors of *his Tribunate*; to which he was elected without any opposition: and in proportion as the danger approached, Cicero's apprehensions were every day more and more alarmed. The absence of his friend Atticus, who was lately gone to Epirus, was an additional mortification to him: for Atticus, having a great familiarity with all the Clodian family, might have been of service, either in dissuading Clodius from any attempt, or in fishing out of him at least what he really intended. Cicero pressed him therefore in every letter to come back again to Rome; "If you love me, says he, as much as I am persuaded you do, hold yourself ready to run hither, as soon as I call: though I am doing, and will do every thing in my power to save you that trouble [q].—My wishes and my affairs require you: I shall want neither counsel, nor courage, nor forces, if I see you here at the time. I have reason to be satisfied with Varro: Pompey talks divinely [r].—How much do I wish, that you had

[p] Initio quidem Galliam Cisalpinam, adjecto Illyrico, lege Vatinia accepit, mox per Senatum Comatam quoque: veritis Patribus, ne si ipsi negassent, populus & hanc daret. Sueton. 22.

[q] Tu, si me amas tantum, quantum profecto amas, expeditus facito ut sis; si incitatus, ut accurras. Sed

do operam, & dabo, ne sit necesse. Ad Att. 2. 20.

[r] Te cum ego desidero, tum etiam res ad tempus illud vocat. Plurimum consilii, animi, præsidii denique mihi, si te ad tempus videro, accesserit. Varro mihi satisfacit, Pompeius loquitur divinitus. Ib. 21.

' staid at Rome ! as you surely would have done, A. Urb. 694.
 " if you had imagined how things would happen: Cic. 48.
 " we should easily have managed Clodius, or Coff.
 " learnt at least for certain what he meant to do. C. JULIUS
 " At present he flies about ; raves ; knows not CÆSAR,
 " what he would be at ; threatens many ; and M. CALPURNIUS BIBULUS.
 " will take his measures perhaps at last from
 " chance. When he reflects, in what a general
 " odium the administration of our affairs now is,
 " he seems disposed to turn his attacks upon the
 " authors of it : but when he considers their
 " power, and their armies, he falls again upon
 " me ; and threatens me both with violence and
 " a trial—Many things may be transacted by our
 " friend Varro, which, when urged also by you,
 " would have the greater weight ; many things
 " may be drawn from Clodius himself ; many
 " discovered, which cannot be concealed from
 " you ; but it is absurd to run into particulars,
 " when I want you for all things—the whole de-
 " pends on your coming before he enters into his
 " Magistracy [s]. Wherefore, if this finds you
 " asleep, awake yourself ; if standing still, come
 " away ; if coming, run ; if running, fly : it is
 " incredible, what a stress I lay on your counsel
 " and prudence ; but above all, on your love
 " and fidelity, &c. [t].”

CÆSAR'S whole aim in this affair was to subdue
 Cicero's spirit, and distress him so far, as to force
 him to a dependence upon him : for which end,
 while he was privately encouraging Clodius to pur-
 sue him, he was proposing expedients to Cicero

[s] Ibid. 22.

[t] Quamobrem, si dor-
 mis, expergiscere ; si stas, in-
 gredere ; si ingrederis, curre ;
 si curris, advola. Credibile

non est, quantum ego in con-
 siliis & prudentia tua, & quod
 maximum est, quantum in a-
 more & fide ponam. Ad Att.
 2. 23.

A. Urb. 694. for his security: he offered to put him into the com-
 Cic. 48. mission, for distributing the lands of Campania, with
 Coff. which twenty of the principal Senators were charged:
 C. JULIUS but as it was an invitation onely into the place of one
 CÆSAR, deceased, and not an original designation, Cicero did
 M. CALPURNIUS BIBULUS. not think it for his dignity to accept it; nor cared on
 any account to bear a part in an affair so odious [u];
 he then offered, in the most obliging manner, to make
 him one of his Lieutenants in Gaul, and pressed it
 earnestly upon him: which was both a sure and hono-
 rable way of avoiding the danger, and what he might
 have made use of so far onely, as it served his pur-
 pose, without embarrassing himself with the duty of
 it [x]; yet Cicero, after some hesitation, declined this
 also. He was unwilling to owe the obligation of
 his safety to any man, and much more to Cæsar;
 being desirous, if possible, to defend himself by
 his own strength; as he could easily have done,
 if the *Triumvirate* would not have acted against
 him. But this stiffness so exasperated Cæsar, that
 he resolved immediately to assist Clodius, with all
 his power, to oppress him; and in excuse for it
 afterwards, used to throw the whole blame on Cicero
 himself, for slighting so obstinately all the friendly of-
 fers which he made to him [y]. Pompey all this
 while,

[u] Cosconio mortuo, sum
 in ejus locum invitatus. Id
 erat vocari in locum mortui.
 Nihil me turpius apud homi-
 nes fuisset: neque vero ad
 istam ipsam ἀσφαλείαν quic-
 quam alienius. Sunt enim
 illi apud bonos invidiosi.
 Ibid. 19.

[x] A Cæsare valde libera-
 liter invidior in legationem il-
 lam, sibi ut sum legatus. Illa
 & munitior est, & non impe-
 dit, quo minus adsum, cum

velim. Ibid. 18.

Cæsar me sibi vult esse le-
 gatum. Honestior hæc decli-
 natio periculi. Sed ego hoc
 nunc repudio. Quid ergo
 est? Pugnare malo: nihil tam
 certi. Ibid. 19.

[y] Ac solet, cum se pur-
 gat, in me conferre omnem
 illorum temporum culpam:
 ita me sibi fuisse inimicum,
 ut ne honorem quidem a se
 accipere vellem. Att. 9. 2.

Non

while, to prevent his throwing himself perhaps into Cæsar's hands, was giving him the strongest assurances, confirmed by oaths and vows, that there was no danger, and that he would sooner be killed himself, than suffer him to be hurt; that both Clodius and his brother Appius had solemnly promised to act nothing against him, but to be wholly at his disposal; and if they did not keep their word, that he would let all the world see, how much he preferred Cicero's friendship to all his other engagements. In Cicero's account of this to Atticus, Varro, says he, gives me full satisfaction. Pompey loves me, and treats me with great kindness. Do you believe him? you'll say. Yes I do, He convinces me, that he is in earnest.—Yet since all men of affairs, in their historical reflections, and even Poets too in their verses admonish us always to be upon our guard, nor to believe too easily; I comply with them in one thing; to use all proper caution, as far as I am able; but for the other, find it impossible for me not to believe him [z].

A. Urb. 694.
Cic. 48.
Coff.
C. JULIUS
CÆSAR,
M. CALPURNIUS
BIBULUS.

Non caruerunt suspicione oppressi Ciceronis, Cæsar & Pompeius. Hoc sibi contraxisse videbatur Cicero, quod inter xx. viros dividendo agro Campano esse noluisse. Vell. Pat. 2. 45.

[z] Pompeius omnia pollicetur & Cæsar: quibus ego ita credo, ut nihil de mea comparatione diminuam. Ad Quint. Fr. 1. 2.

Pompeius amat nos, caroque habet. Credis? inquires. Credo: Prorsus mihi persuadet. Sed quia, ut video, pragmatici homines omnibus historicis præceptis, versibus

denique cavere jubent, & ventant credere; alterum facio, ut caveam: alterum, ut non credam, facere non possum. Clodius adhuc mihi denunciât periculum: Pompeius affirmat non esse periculum; adjurat, addit etiam, se prius occisum iri ab eo, quam me violatum iri. Ad Att. 2. 20.

Fidem recepisse sibi & Clodium & Appium de me: hanc si ille non servaret, ita laturum, ut omnes intelligerent, nihil antiquius amicitia nostra fuisse, &c. ibid. 22.

BUT

A. Urb. 694. BUT whatever really passed between Clodius
 Cic. 48. and Pompey; Cicero perceiving that Clodius
 Coff. talked in a different strain to every body else, and
 C. JULIUS denounced nothing but war and ruin to him, be-
 CÆSAR, gan to be very suspicious of Pompey; and pre-
 M. CALPURNIUS BIBULUS. pared to defend himself by his genuin forces, the
 Senate and the Knights, with the honest of all
 ranks, who were ready to fly to his assistance
 from all parts of Italy [a]. This was the situa-
 tion of affairs, when Clodius entered upon *the*
Tribunate; where his first act was, to put the
 same affront on Bibulus, which had been offered
 before to Cicero, on laying down that office, *by*
not suffering him to speak to the people, but onely to
take the accustomed oath.

Q. METELLUS CELER, an excellent Citizen
 and Patriot, who from his Consulship obtained
 the Government of Gaul, to which Cæsar now
 succeeded, died suddenly this summer at Rome, in
 the vigor of his health and flower of his age, not
 without suspicion of violence. His wife, *the sister*
of Clodius, a lewd, intriguing woman, was com-
 monly thought to have poisoned him; as well to
 revenge his opposition to all the attempts of her
 brother, as to gain the greater liberty of pursuing
 her own amours. Cicero does not scruple to
 charge her with it in his speech for Cælius, where
 he gives a moving account of the death of her
 husband, whom he visited in his last moments;
when in broken, faltering accents he foretold the

[a] Clodius est inimicus
 nobis. Pompeius confirmat
 eum nihil facturum esse con-
 tra me. Mihi periculosum
 est credere: ad resistendum
 me paro. Studia spero me
 summa habiturum omnium
 ordinum. Ibid. 21.

Si diem Clodius dixerit,
 tota Italia concurret—sin au-
 tem vi agere conabitur—om-
 nes se & suos liberos, amicos,
 clientes, liberos, servos, pec-
 unias denique suas pollicen-
 tar. Ad Quint. Fr. 1. 2.

storm, which was ready to break, both upon Cicero and the Republic; and in the midst of his agencies signified it to be his onely concern in dying that his friend and his country should be deprived of his help at so critical a conjuncture [b].

A. Urb. 694.
Cic. 48.
Coff.
C. JULIUS
CÆSAR,
M. CALPURNIUS BIBULUS.

By Metellus's death a place became vacant in the College of Augurs: and though Cicero was so shy of accepting any favor from the *Triumvirate*, yet he seems inclined to have accepted this, if it had been offered to him, as he intimates in a letter to Atticus. Tell me, says he, every tittle of news that is stirring; and since Nepos is leaving Rome, who is to have his brother's Augurate: it is the onely thing with which they could tempt me. Observe my weakness! But what have I to do with such things, to which I long to bid adieu, and turn myself intirely to Philosophy? I am now in earnest to do it; and wish that I had been so from the beginning [c]. But his

[b] Cum ille—tertio die post quam in curia, quam in rostris, quam in Repub. flourisset, integerrima ætate, optimo habitu, maximis viribus, eriperetur bonis omnibus atque universæ civitati.—Cum me intuens flentem significabat interruptis atque morientibus vocibus, quanta impenderet procella urbi, quanta tempestas civitati—ut non se emori, quam spoliari suo præsidio cum patriam, tum etiam me doleret.—Ex hac igitur domo progressa illa mulier de veneni celeritate dicere audebit? Pro Cælio, 24.

[c] Et numquid novi omnino: & quoniam Nepos proficiscitur, cuinam Auguratus deferatur, quo quidem uno

ego ab istis capi possum. Vide levitatem meam! Sed quid ego hæc, quæ cupio deponere, & toto animo atque omni cura φιλοσοφῆν? Sic, inquam, in animo est; vellem ab initio. Ad Att. 2, 5.

An ingenious French writer, and an English one also, not less ingenious, have taken occasion from this passage to form a heavy charge against Cicero both in his civil and moral character. The Frenchman descants with great gravity on the foible of human nature, and the astonishing weakness of our Orator, in suffering a thought to drop from him, which must for ever ruin his credit with posterity, and destroy that high opinion of his virtue,

A. Urb. 694. his inclination to the Augurate, at this time, was
 Cic. 48. nothing else, we see, but a sudden start of an un-
 Coff. weighed thought; no sooner thrown out, than
 C. JULIUS retracted; and dropt onely to Atticus, to whom
 CÆSAR, he used *to open all his thoughts with the same free-*
 M. CALPURNIUS BIBULUS. *dom, with which they offered themselves to his own*
mind [d]: for it is certain, that he might have
had this very Augurate, if he had thought it worth
asking for; nay, in a letter to Cato, who could
not be ignorant of the fact, he says, that he had
actually slighted it; which seems indeed to have
been the case [e]: for though he was within
twenty miles of Rome, yet he never stirred from
his retreat to solicit or offer himself for it, which
he must necessarily have done, if he had any real
desire to obtain it.

CICERO'S fortunes seemed now to be in a tottering condition: his enemies were gaining ground upon him, and any addition of help from the new Magistrates might turn the scale to his ruin. Catulus used to tell him, *that he had no cause to fear*

virtue, which he labors every where to inculcate. But a proper attention to the general tenor of his conduct would easily have convinced him of the absurdity of so severe an interpretation; and the facts produced in this history abundantly shew, that the passage itself cannot admit any other sense, than what I have given to it, as it is rendered also by Mr. Mongault, the judicious Translator of the Epistles to Atticus, viz. *that the Augurate was the onely bait, that could tempt him; not to go into the measures of the Triumvirate, for that was never in*

his thoughts, but to accept any thing from them, or suffer himself to be obliged to them. See Hist. de l'Exil de Cicéron: p. 42. Considerations on the Life of Cic. p. 27.

[d] Ego tecum, tanquam mecum loquor. Ad Att. 8. 14.

[e] Sacerdotium denique, cum, quemadmodum te existimare arbitror, non difficillime consequi possem, non appetivi.—Idem post injuriam acceptam—studui quam ornatissima Senatus populique Romani de me judicia intercedere. Itaque & Augur postea fieri volui, quod antea neglexeram. Ep. fam. 15. 4.

any thing; for that one good Consul was sufficient to protect him; and Rome had never known two bad ones in office together, except in Cinna's tyranny [f]. But that day was now come; and Rome saw in this year, what it had never seen before in peaceful times since its foundation, two profligate men advanced to that high dignity.

THESE were L. Calpurnius Piso and A. Gabinius; the one, *the father-in-law of Cæsar*; the other, *the creature of Pompey*. Before their entrance into office, Cicero had conceived great hopes of them, and not without reason: for, by the marriage of his daughter, he was allied to Piso; who continued to give him all the marks of his confidence, and had employed him, in his late election, to preside over the votes of the leading Century; and when he entered into his office, on the first of January, asked his opinion the third in the Senate, or the next after Pompey and Crassus [g]: and he might flatter himself also probably, that, on account of the influence which they were under, they would not be very forward to declare themselves against him [b]. But he presently found himself

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

[f] Audieram ex sapientissimo homine—Q. Catulo, non sæpe unum Consullem improbum, duos vero nunquam post Romam conditam, excepto illo Cinnano tempore, fuisse. Quare meam causam semper fore firmissimam dicere solebat, dum vel unus in Repub. Consul esset. Post red. in Sen. 4.

[g] Consules se optime ostendunt. Ad Quint. Fr. 1; 2.

Tu misericors me affinem tuum, quem tuis comitiis prærogativæ primum custodem præfeceras; quem kalendis Januariis tertio loco sententiam rogaras, constrictum inimicis Reipub. tradidisti. Post red. in Sen. 7. In Pis. 5, 6.

[b] The Author of the *Exil of Cicero*, to aggravate the perfidy of Gabinius, tells us, that Cicero had defended him in a capital cause, and produces a fragment of the

Oration:

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

himself deceived : for Clodius had already secured them to his measures, *by a private contract to procure for them, by a grant of the people, two of the best Governments of the Empire ; for Piso, Macedonia, with Greece and Thessaly ; for Gabinius, Cilicia : and when this last was not thought good enough, and Gabinius seemed to be displeas'd with his bargain, it was exchanged soon after for Syria, with a power of making war upon the Parthians [i].* For this price they agreed to serve him in all his designs, and particularly in the oppressions of Cicero ; who, on that account, often calls them, *not Consuls, but brokers of Provinces, and sellers of their Country [k].*

THEY were, both of them, equally corrupt in their morals yet very different in their tempers. Piso had been accused the year before by P. Clodius, of plundering and oppressing the allies : when by throwing himself at the feet of his judges in the most abject manner, and in the midst of a violent rain, he is said to have moved the compassion of the bench, who thought it punishment enough for a man of his birth, to be reduced to the necessity of prostrating himself so miserably, and rising so deformed and besmeared with dirt [l].

But

Oration : but he mistakes the time of the fact ; for that defence was not made till several years after this Consulship ; as we shall see hereafter in it's proper place. Hist. de l'Exile de Cic. p. 115.

[i] Fœdus fecerunt cum Tribuno pleb. palam, ut ab eo provincias acciperent, quas vellent—id autem fœdus meo sanguine iētum sanciri posse dicebant. Pro Sex. 10.

Cui quidem cum Ciliciam dedisses, mutasti pactionem &—Gabiniō, pretio amplificato, Syriam nominatim dedisti. Pro Dom. 9.

[k] Non Consules, sed Mercatores provinciarum, ac venditores vestræ dignitatis. Post red, in Sen. 4.

[l] L. Piso, a P. Clodio acculatus, quod graves & intolerabiles injurias sociis intulisset, haud dubiæ ruinæ metum

tum

But in truth, it was Cæsar's authority that saved A. Urb. 695.
him and reconciled him at the same time to Clo- Cic. 49.
dius. In his outward carriage, he affected the Coff.
mien and garb of a Philosopher; and his aspect L. CALPURNIUS PISO,
greatly contributed to give him the credit of that A. GABINIUS,
character: *he was severe in his looks; squalid in his dress; slow in his speech; mcrose in his manners; the very picture of antiquity, and a pattern of the ancient Republic; ambitious to be thought a Patriot, and a reviver of the old discipline.* But this garb of rigid virtue covered a most lewd and vicious mind: he was surrounded always with Greeks, to imprint a notion of his learning: but while others entertained them for the improvement of their knowledge; he, for the gratification of his lusts; as his cooks, his pimps, or his drunken companions. In short, he was a dirty, sottish, stupid Epicurean; wallowing in all the low and filthy pleasures of life; till a false opinion of his wisdom, the splendor of his great family, and the smoaky images of ancestors whom he resembled in nothing but his complexion, recommended him to the Consulship; which exposed the genuin temper and talents of the man [m].

VOL. I.

Z

HIS

tum fortuito auxilio vitavit— quia jam satis graves eum pœnas focis dedisse arbitrati sunt huc deductum necessitatis, ut abjicere se tam suppliciter, aut attollere tam deformiter cogereur. Val. M. 8. 1.

[m] Quam tater incedebat? quam truculentus? quam terribilis aspectu? Aliquem te ex barbatis illis, exemplum veteris imperii, imaginem antiquitatis, columen Reipub. diceres intueri. Vestitus as-

pere, nostra hac purpura plebeia, & pene fusca. Capillo ita horrido, ut— tanta erat gravitas in oculo, tanta contractio frontis, ut illo supercilio Respub. tanquam Atlante cœlum, niti videretur.

[Pro Sext. 3.] Quia tristem semper, quia taciturnum, quia subhorridam atque incultum videbant, & quod erat eo nomine, ut ingenerata familiæ frugalitas videretur; favebant— etenim animus ejus vultu,

A. Urb. 695. His Collegue *Gabinus* was no hypocrite but a professed rake from the beginning; gay, foppish, luxurious; always curled, and perfumed; and living in a perpetual debauch of gaming, wine, and women; void of every principle of virtue, honor, and probity; and so desperate in his fortunes through the extravagance of his pleasures, that he had no other resource, or hopes of subsistence, but from the plunder of the Republic. In his Tribunate, to pay his court to Pompey, he exposed to the mob the plan of *Lucullus's* house, to shew what an expensive fabric one of the greatest subjects of Rome was building, as he would intimate, *out of the spoils of the Treasury*: yet this vain man, oppressed with debts, and scarce able to shew his head, found means, from the perquisites of his Consulship, to build a much more magnificent palace, than *Lucullus* himself had done [n]. No wonder then, that two such Consuls, ready to sacrifice the Empire itself to their lusts and pleasures, should barter away the safety and fortunes of a private Senator, whose virtue was a standing reproof to them, and whose

vultu, flagitia parietibus tegebantur—laudabat homo doctus Philosophos nescio quos—9. Jacebat in suo Græcorum fœtore & vino—Græci stipati, quini in lectulis, sæpe plures. In Pis. 10. 27.

His utitur quasi præfectis libidinum suarum: hi voluptates omnes vestigant atque odorantur: hi sunt conditores instructoresque convivii, &c. Post. red. in Sen. 6.

Obrepisti ad honores errore hominum, commendatione fumosarum imaginum, qua-

rum simile nihil habes præter colorem. In Pis. 1.

[n] Alter unguentis affluens, calamistrata coma, despiciens conscios stuprorum—sefellit neminem—hominem emersum subito ex diuturnis tenebris lustrorum ac stuprorum—vino, ganeis, lenociniis, adulteriisque confectum. Pro Sext. 9.

Cur ille gurges, heluatus tecum simul Reipub. sanguinem, ad cœlum tamen extruxit villam in Tusculano visceribus ærarii. Pro Dom. 47.

very

very presence gave some check to the free indulgence of their vices.

CLODIUS having gained the Consuls, made his next attempt upon the people, by obliging them with several new laws, contrived chiefly for their advantage, which he now promulgated. First, *that corn should be distributed gratis to the Citizens.* Secondly, *that no Magistrates should take the Auspices, or observe the heavens, when the people were actually assembled on public business.* Thirdly, *that the old Companies or Fraternities of the City, which the Senate had abolished, should be revived. and new ones instituted.* Fourthly, to please those also of higher rank, *that the Censors should not expell from the Senate, or inflict any mark of infamy on any man, who was not first openly accused and convicted of some crime by their joint sentence [o].* These laws, though generally agreeable, were highly unseasonable; tending to relax the public discipline, at a time when it wanted most to be reinforced: Cicero took them all to be levelled at himself, and contrived to pave the way to his ruin; so that he provided his friend L. Ninnius, one of the Tribuns, to put his negative upon them; especially on the law of Fraternities; which, under color of incorporating those societies, gave Clodius an opportunity of gathering an army, and enlisting into his service all the scum and dregs of the City [p]. Dion Cassius says, *that Clodius fearing, lest this opposition should retard the effect of his other projects, persuaded Cicero, in an amicable conference, to withdraw his Tribun, and give no interruption to his laws, upon a promise*

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

[o] Vid. Orat. in Pison. restituta, sed innumerabilia
4. & notas Asconii. Dio. quædam nova ex omni fæce
l. 38. p. 67. urbis ac servitio concitata.

[p] Collegia, non ea fo- In Pison. 4.
lum, quæ Senatus sustulerat,

A. Urb. 695. *and condition, that he would not make any attempt*
 Cic. 49. *against him [q]:* but we find from Cicero's account,
 Coss. that it was the advice of his friends, which in-
 L. CALPUR- duced him to be quiet against his own judge-
 NIUS PISO, ment; *because the laws themselves were popular,*
 A. GABINIUS. *and did not personally affect him:* though he blamed
 himself soon afterwards for his indolence, and
 expostulated with Atticus for advising him to it;
 when he felt to his cost the advantage which
 Clodius had gained by it [r].

FOR the true design of all these laws was, to
 introduce onely with better grace, the grand plot
 of the play; *the banishment of Cicero:* which was
 now directly attempted by a special law, import-
 ing, *that who ever had taken the life of a Citizen un-*
condemned and without a trial, should be prohibited
from fire and water [s]. Though Cicero was not
 named, yet he was marked out by the law: his
 crime was, *the putting Catiline's accomplices to death;*
 which though not done by his single authority,
 but by *a general vote of the Senate, and after a so-*
lemn hearing and debate, was alledged to be *illegal,*
and contrary to the liberties of the people. Cicero,
 finding himself thus reduced to the condition of a
 criminal, *changed his habit upon it,* as it was usual
 in the case of a public impeachment; and appeared
 about the streets *in a sordid or mourning gown,* to
 excite the compassion of his Citizens: whilst Clo-
 dius, *at the head of his mob, contrived to meet and*
insult him at every turn; reproaching him for his
cowardice and dejection, and throwing dirt and stones
at him [t]. But Cicero soon gathered friends

[q] Dio, l. 38. p. 67.

[r] Nunquam esses passus
 mihi persuaderi, utile nobis
 esse legem de Collegiis per-
 ferri. Ad Att. 3. 15.

[s] Qui civem Romanum
 indemnatum perimisset, ei
 aqua & igni interdiceretur.
 Vell. Pat. 2. 45.

[t] Plutarch. Cicero.

enough about him to secure him from such in-
 fults; “ the whole body of the Knights and the
 “ young Nobility, to the number of twenty
 “ thousand [u], with young Crassus at their head;
 “ who all changed their habit, and perpetually
 “ attended him about the City, to implore the
 “ protection and assistance of the people.”

A. Urb. 695.
 Cic. 49.
 Coff.
 L. CALPURNIUS PISO,
 A. GABINIUS.

THE City was now in great agitation, and every part of it engaged on one side or the other. The Senate met in *the Temple of Concord*; while Cicero's friends assembled in *the Capitol*; whence all the Knights and the young Nobles went in their habit of mourning to throw themselves at the feet of the Consuls, and beg their interposition in Cicero's favor. Piso kept his house that day on purpose to avoid them; but Gabinius received them with intolerable rudeness, though their petition was seconded by the intreaties and tears of the whole Senate: *he treated Cicero's character and Consulship with the utmost derision, and repulsed the whole company with threats and insults for their fruitless pains to support a sinking cause.* This raised great indignation in the assembly; where *the Tribune Ninnius*, instead of being discouraged by the violence of the Consul, made a motion, *that the Senate also should change their habit with the rest of the City; which was agreed to instantly by an unanimous vote.* Gabinius, enraged at this, flew out of the Senate into the Forum; where he declared to the people from the *Rostra*, “ that men were mistaken
 “ to imagine, that the Senate had any power in
 “ the Republic; that the Knights should pay dear
 “ for that day's work; when, in Cicero's Con-
 “ sulship, they kept guard in the Capitol with

[u] Pro me præsentē Se- millia vestem mutaverunt.
 natus, hominumque viginti Post. red. ad Quir. 3.

A. Urb. 695. “ their drawn swords : and that the hour was
 Cic. 49. “ now come, when those, who lived at that
 Coss. “ time in fear, should revenge themselves on
 L. CALPUR- “ their enemies: and to confirm the truth of
 NIUS PISO, “ what he said, he banished L. Lamia, a Ro-
 A. GABINIUS. “ man Knight, two hundred miles from the
 “ City, for his distinguished zeal and activity in
 “ Cicero’s service [x];” an act of power, which
 no Consul before him had ever presumed to ex-
 ert on any Citizen ; which was followed present-
 ly “ by an edict from both the Consuls ; for-
 “ bidding the Senate to put their late vote in
 “ execution, and injoining them to resume their
 “ ordinary dress [y]. And where is there, says
 “ Cicero, in all history, a more illustrious testi-
 “ mony to the honor of any man, than, that all
 “ the honest by private inclination, and the Se-
 “ nate by a public decree, should change their

[x] Hic subito cum incre-
 dibilis in Capitolium multi-
 tudo ex tota urbe, cunctaque
 Italia convenisset, vestem mu-
 tandam omnes, meque etiam
 omni ratione, privato consi-
 lio, quoniam publicis ducibus
 Respub. careret, defendendum
 putarunt. Erat eodem tem-
 pore Senatus in æde Concor-
 diæ,—cum flens universus or-
 do cincinnatum Consulem ora-
 bat, nam alter ille horridus
 & severus domi se consulto
 tenebat. Qua tum superbia
 cœnum illud ac labes amplif-
 simi ordinis preces & clarif-
 simorum civium lacrymas re-
 pudiavit? Me ipsum ut con-
 temsit helluo patriæ?—Vestris
 precibus a latrone isto repu-
 diatis, vir incredibili fide—

L. Ninnius ad Senatum de
 Repub. retulit. Senatusque
 frequens vestem pro mea sa-
 lute mutandam censuit—Ex-
 animatus evolat e Senatu—
 advocat concionem—errare
 homines, si etiam tum Sena-
 tum aliquid in Rep. posse ar-
 bitrarentur.—Venisse tempus
 iis, qui in timore fuissent, ul-
 ciscendi se.—L. Lamiam—in
 concione relegavit, edixitque
 ut ab urbe abesset millia pas-
 suum ducenta—[Pro Sext.
 11, 12, 13. it. post red. in
 Sen. 5.] Quod ante id tem-
 pus civi Romano contigit ne-
 mini. Epist. fam. 11. 16.

[y] Cum subito edicunt
 duo Consules, ut ad suum
 vestitum Senatores redirent.
 Ep. fam. 11. 14.

“ habit

“ habit for the sake of a single Citizen ? [z].”

A. Urb. 695.

BUT the resolution of *changing his gown* was too hasty and inconsiderate, and helped to precipitate his ruin. He was not named in the law, nor personally affected by it : the terms of it were general and seemingly just, reached onely to those, *who had taken the life of a Citizen illegally*.

Cic. 49.
Coff.

L. CALPURNIUS PISO,
A. GABINIUS.

Whether this was his case, or not, was not yet the point in issue, but to be the subject of another trial : so that by making himself a criminal before his time, he shortned the trouble of his enemies, discouraged his friends, and made his case more desperate than he needed to have done : whereas, if he had taken the part of *commending or slighting the law, as being wholly unconcerned in it* ; and when he came to be actually attacked by a second law, and brought to a trial upon it, had stood resolutely upon his defence, he might have baffled the malice of his prosecutors. He was sensible of his error, when it was too late ; and oft reproaches *Atticus, that being a stander by, and less beaten in the game than himself, he would suffer him to make such blunders [a]*.

As the other Consul, Piso, had not yet explicitly declared himself, so Cicero, accompanied by his son in-law, who was his near kinsman, took occasion to make him a visit, in hopes to move him

[z] Quid enim quisquam potest ex omni memoria sumere illustrius, quam pro uno cive & bonos omnes privato consensu, & universum Senatum publico consilio mutasse vestem ? Ibid. 12.

[a] Nam prior lex nos nihil lædebat : quam si, ut est promulgata, laudare voluissimus, aut, ut erat negligenda, negligere, nocere omnino nobis non potuisset. Hic mihi

primum meum consilium defuit ; sed etiam obfuit. Cæci, cæci, inquam, fuimus in vestitu mutando, in populo rogando. Quod, nisi nominatim mecum agi cœptum esset, perniciosum fuit.—Meos meos tradidi inimicis, inspectante & tacente te ; qui, si non plus ingenio valebas quam ego, certe timebas minus. Ad Att. 3. 15.

A. Urb. 695. to espouse his cause, and support the authority of
 Cic. 49. the Senate. They went to him about eleven in
 Coff. the morning, and found him, as Cicero afterwards
 L. CALPURNIUS PISO, told the Senate, “ coming out from a little, dirty
 A. GABINIUS. “ hovel fresh from the last night’s debauch, with
 “ his slippers on, his head muffled, and his breath
 “ so strong of wine, that they could hardly bear
 “ the scent of it: he excused his dress, and smell
 “ of wine, on the account of his ill health; for
 “ which he was obliged, he said, to take some
 “ vinous medicines; but he kept them standing
 “ all the while in that filthy place, till they had
 “ finished their business. As soon as Cicero en-
 “ tered into the affair, he frankly told them, that
 “ Gabinius was so miserably poor, as not to be
 “ able to shew his head; and must be utterly
 “ ruined, if he could not procure some rich pro-
 “ vince; that he had hopes of one from Clo-
 “ dius, but despaired of any thing from the Se-
 “ nate; that for his own part, it was his business
 “ to humor him on this occasion, as Cicero had
 “ humored his Collegue in his Consulship, and
 “ that there was no reason to implore the help
 “ of the Consuls, since it was every man’s duty
 “ to look to himself [b]:” which was all that
 they could get from him.

CLODIUS, all the while, was not idle, but pushed on his law with great vigor; and calling the people into *the Flaminian Circus*, summoned thither also *the young Nobles and the Knights*, who were so busy in Cicero’s cause, to give an account

[b] Egere—Gabinium; sine provincia stare non posse: spem habere a Tribuno pleb.—a Senatu quidem desperasse: hujus te cupiditati obsequi, sicut ego fecissem in Collega meo: nihil esse quod praesidium Consulum implorarem; sibi quemque consulere oportere, &c.—In Pi-son. 6.

of their conduct to that assembly: but as soon as they appeared, he ordered his slaves and mercenaries to fall upon them with drawn swords, and volleys of stones, in so rude a manner, that Hortensius was almost killed, and Vibienus, another Senator, so desperately hurt, that he died soon after of his wounds [c].

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

Here he produced the two Consuls, to deliver their sentiments to the people on the merit of Cicero's Consulship; when Gabinius declared with great gravity that he utterly condemned the putting Citizens to death without a trial: Piso onely said, that he had always been on the merciful side, and had a great aversion to cruelty [d]. The reason of holding this assembly in the Flaminian Circus, without the gates of Rome, was to give Cæsar an opportunity of assisting at it, who, being now invested with a military command, could not appear within the walls. Cæsar therefore being called upon, after the Consuls, to deliver his mind on the same question, declared, " that the proceedings against Lentulus and " the rest were irregular and illegal; but that he " could not approve the design of punishing any " body for them: that all the world knew his " sense of the matter, and that he had given his " vote against taking away their lives; yet he did

[c] Qui adesse nobilissimos adolescentes, honestissimos Equites Romanos deprecatores meæ salutis iusserit; eosque operarum suarum gladiis & lapidibus objecerit. Pro Sext. 12.

amiserit. Pro Mil. 14.

[d] Pressa voce & temulenta, quod in cives indemnatos esset animadversum, id sibi dixit gravis auctor vehementissime displicere. Post red. in Sen. 6.

Vidi hunc ipsum Hortensium, lumen & ornamentum Reipub. præne interfici servorum manu — qua in turba C. Vibienus, Senator, vir optimus, cum hoc cum esset una, ita est mutatus, ut vitam

Cum esses interrogatus quid sentires de Consulatu meo, respondes, crudelitatem tibi non placere. In Pis. 6. Te semper misericordem fuisse. Post red. in Sen. 7.

“ not

A. Urb. 695. "not think it right to propound a law at this
Cic. 49. "time, about things that were so long past [e]."
Coff.

L. CALPURNIUS PISO, which he was then acting; for while it confirmed
A. GABINIUS. the foundation of *Clodius's law*, it carried a shew
of moderation towards Cicero; or, as an ingenious
writer expresses it, *left appearances onely to the
one, but did real service to the other [f].*

IN this same assembly, Clodius got a new law
likewise enacted, that made a great alteration in
the constitution of the Republic; viz. *the repeal
of the Ælian and Fusian laws*; by which the people
were left at liberty to transact all public business,
*even on the days called Fasti, without being liable to
be obstructed by the Magistrates on any pretence what-
soever [g].* The two laws, now repealed, had
been in force *about a hundred years [b]*; and made
it unlawfull to *act any thing with the people, while
the Augurs or Consuls were observing the heavens and
taking the auspices.* This wise constitution was the
main support of the aristocratical interest, and a
perpetual curb to the petulance of factious Tri-
buns, whose chief opportunity of doing mischief
lay in their power of obtruding dangerous laws

[e] Dio, l. 38. p. 69.

[f] Exil. de Cic. p. 133.

[g] Iisdem Consulibus sedentibus atque inspectantibus lata lex est, ne auspicia valerent, ne quis obnuociaret, ne quis legi intercederet; ut omnibus fastis diebus legem ferre liceret: ut lex Ælia, lex Fusia ne valeret. Qua una rogatione quis non intelligat, universam Rempublicam esse deletam? [Pro Sext. 15.] Suf- tulit duas leges, Æliam & Fusiam, maxime Reipub. salu-

tares. De Harusp. resp. 27.

The *Dies Fasti* were the days on which the courts of law were open, and the Prætors sat to hear causes, which were marked for that purpose in the Calendars: but before this *Clodian law* it was not allowed to transact any business upon them with the people.

[b] Centum prope annos legem Æliam & Fusiam tenueramus. In Pis. 5.

upon the City, by their credit with the populace. A. Urb. 695.
 “ Cicero therefore frequently laments the loss of Cic. 49.
 “ these two laws, as fatal to the Republic;” he Coff.
 calls them “ the most sacred and salutary laws of L. CALPUR-
 “ the State; the fences of their civil peace and NIUS PISO,
 “ quiet; the very walls and bulwarks of the A. GABINIUS.
 “ public; which had held out against the fierce-
 “ nefs of the Gracchi; the audaciousness of Satur-
 “ ninus; the mobs of Drusus; the bloodshed of
 “ Cinna; the arms of Sylla [i].” to be abolished
 at last by the violence of this worthless Tribun.

POMPEY, who had hitherto been giving Cicero the strongest assurances of his friendship, and been frequent and open in his visits to him, began now, as the plot ripened towards a crisis, to grow cool and reserved; while *the Clodian faction*, fearing lest he might be induced at last to protect him, were employing all their arts “ to infuse jealousies and “ suspicions into him of a design against him from “ Cicero. They posted some of their confidants “ at Cicero’s house, to watch his coming thither, “ and to admonish him by whispers and billets put “ into his hands, to be cautious of venturing him- “ self there, and to take better care of his life; “ which was inculcated to him likewise so strongly “ at home by perpetual letters and messages from “ pretended friends, that he thought fit to with- “ draw himself from the City, to his house on the “ Alban hill [k].” It cannot be imagined, that he

[i] Deinde sanctissimas leges, Æliam & Fufiam, quæ in Gracchorum ferocitate, & in audacia Saturnini, & in colluvione Drusi, & in cruore Cinnano, etiam inter Syllana arma vixerunt, solus conculgaris ac pro nihilo putaris,

In Vatin. 9. Propugnacula murique tranquillitatis & otii. In Pison. 4.

[k] Cum iidem illum, ut me metueret, me caveret, monuerunt; iidem me, mihi illum uni esse inimicissimum, dicerent,—Pr. Dom. XI.

A. Urb. 697. he could entertain any real apprehension of Cicero; Cic. 49. both Cicero's character and his own make that incredible: but if he had conceived any, it was not, Cofi. as Cicero says, *against him, but against the common* L. CALPURNIUS PISO, *enemies of them both, lest they might possibly attempt somewhat in Cicero's name*; and, by the opportunity of charging it upon Cicero, hope to get rid of them both at the same time. But the most probable conjecture is, that being obliged, by his engagements with Cæsar, *to desert Cicero*, and suffer him to be driven out of the City, he was willing to humor these insinuations, as giving the most plausible pretext of excusing his perfidy.

BUT Cicero had still with him not onely all the best, but much the greatest part of the City; *determined to run all hazards, and expose their lives for his safety* [1]; and was more than a match for all the strength of *Clodius and the Consuls*, if the Triumvirate onely would stand neuter. Before things came therefore to extremity, he thought it adviseable to press Pompey in such a manner, as to know for certain, what he had to expect from him: some of his chief friends undertook this task; Lucullus, Torquatus, Lentulus, &c. who, with a numerous attendance of Citizens, went to find him at his *Alban Villa*, and to intercede with him, *not to desert the fortunes of his old friend*. He received them civilly, though coldly; re-

Quem—domi meæ certi homines ad eam rem compositi monuerunt, ut esset cautior: ejusque vitæ a me infidias apud me domi positas esse dixerunt: atque hanc ei suspicionem alii litteris mittendis, alii nunciis, alii coram ipsi excitaverunt, ut ille, cum a me certe nihil timeret, ab

illis, ne quid meo nomine molirentur, cavendum putaret. Pro Sext. 18.

[1] Si ego in causa tam bona, tanto studio Senatus, consensu tam incredibili bonorum omnium, tam parato, tota denique Italia ad omnem contentionem expedita. lb. 16.

ferring them wholly to the Consuls, and declaring, "that he, being onely a private man, could not pretend to take the field against an armed Tribun, without a public authority; but if the Consuls, by a decree of the Senate, would enter into the affair, he would presently arm himself in their defence [*m*]." With this answer they addressed themselves again to the Consuls: but with no better success than before: Gabinius treated them rudely; but Piso calmly told them, *that he was not so stout a Consul, as Torquatus and Cicero had been; that there was no need of arms, or fighting; that Cicero might save the Republic a second time, if he pleased, by withdrawing himself; for if he staid, it would cost an infinite quantity of civil blood; and in short, that neither he nor his colleague, nor his son-in-law, Caesar, would relinquish the party of the Tribun [n].*

AFTER this repulse, Cicero resolved to make his last effort on Pompey, by throwing himself in person at his feet. Plutarch tells us, *that Pompey slept out at a back door, and would not see him: but it is certain from Cicero's account, that he was admitted to an audience; "and when he began "to press and even supplicate him, in a manner "the most affecting, that Pompey flatly refused*

[*m*] Nonne ad te L. Lentulus, L. Torquatus, M. Lucullus venit? Qui omnes ad eum, multique mortales oratum in Albanum obsecratumque venerant, ne meas fortunas desereret, cum Reipub. fortunis conjunctas.—Se contra armatum Tribunum pleb. sine consilio publico decertare nolle: Consulibus ex Senatus consulto Reipub. defendentibus, se arma sumpturum.

In Pison. 31.

[*n*] Quid, infelix, responderis?—Te non esse tam fortem, quam ipse Torquatus in consulatu fuisset, aut ego; nihil opus esse armis, nihil contentione: me posse iterum Reipub. servare, si cessissem; infinitam cædem fore, si restitsem. Deinde ad extremum, neque se, neque generum, neque collegam suum Tribunum pleb. defuturum. Ibid.

" to

A. Urb. 695. "to help him; alledging in excuse to himself,
 Cic. 49. "the necessity, which he was under, of acting
 Coff. "nothing against the will of Cæsar [o]." This
 L. CALPURNIUS PISO, experiment convinced Cicero, that he had a much
 A. GABINIUS. greater power to contend with, than what had
 yet appeared in sight: he called therefore a
 council of his friends, with intent to take his
 final resolution, agreeably to their advice. The
 question was, *Whether it was best to stay, and de-
 fend himself by force; or to save the effusion of
 blood, by retreating, till the storm should blow over:*
*Lucullus advised the first; but Cato, and above
 all Hortensius, warmly urged the last, which con-
 curring also with Atticus's advice, as well as the
 fears and entreaties of all his own family, made
 him resolve to quit the field to his enemies, and
 submit to a voluntary exil [p].*

A LITTLE before his retreat he took a *small
 statue of Minerva*, which had long been revered
 in his family, as a kind of Tutelar Deity, *and
 carrying it to the Capitol, placed it in the Temple of
 Jupiter under the title of Minerva, the guardian
 of the City [q].* His view might possibly be to
 signify, that after he had done all, which hu-
 man prudence could contrive, for the defence of
 the Republic, he was now forced to give it up
 to the protection of the Gods; since nothing less
 than the interposition of some Deity could pre-
 serve it from ruin; or rather, as he himself

[o] Is, qui nos sibi quon-
 dam ad pedes stratos ne sub-
 levabat quidem, qui se nihil
 contra hujus voluntatem fa-
 cere posse aiebat. Ad Att.
 10. 4.

[p] Lacrymæ meorum me
 ad mortem ire prohibuerunt.

Ibid. 4. Plutar in Cic.

[q] Nos, qui illam custo-
 dem urbis omnibus ereptis
 nostris rebus ac perditis, vio-
 lari ab impiis passi non fumus,
 eamque ex nostra domo in
 ipsius patris domum detuli-
 mus. De Leg. 2. 17.

seems

seems to intimate, in the uncertain issue of his flight, and the plunder of his goods, which was likely to ensue, he had a mind *to preserve this sacred image*, in the most conspicuous part of the City, as a monument of his services, which would naturally excite an affectionate remembrance of him in the people, by letting them see, that his heart was still there, where he had deposited his Gods. After this act he withdrew himself in the night, escorted by a numerous guard of friends, who, after a day's journey or two, left him, with great expressions of tenderness, to pursue his way towards Sicily; which he proposed for the place of his residence, and where, for his eminent services to the island, he assured himself of a kind reception and safe retreat.

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

S E C T. V.

A. Urb. 695.
Cic. 49.
Coff.
L. CALPUR-
NIUS PISO,
A. GABINIUS.

THE wretched alternative to which Cicero was reduced, of losing either his country or his life, is sufficient to confute all the cavils of those, who, from a hint or two in his writings, are so forward to charge him with the levity of temporizing, or selling himself for any bribe, which could feed his vanity: for nothing is more evident, than that he might not onely have avoided this storm, but obtained whatever honors he pleased, by entering into the measures of *the Triumvirate*, and lending his authority to the support of their power; and that the onely thing, which provoked Cæsar to bring this calamity upon him was, *to see all his offers slighted, and his friendship utterly rejected by him* [a]. This he expressly declares to the Senate, who were conscious of the truth of it; That Cæsar had tried all means to
 “ induce him to take part in the acts of his Con-
 “ sulship; had offered him Commissions and
 “ Lieutenancies of what kind, and with what
 “ privileges he should desire; to make him even
 “ a fourth in the alliance of the Three, and to
 “ hold him in the same rank of friendship with
 “ Pompey himself.—All which I refused, says
 “ he, not out of slight to Cæsar, but constancy
 “ to my principles; and because I thought the
 “ acceptance of them unbecoming the character,
 “ which I sustained; how wisely, I will not dis-
 “ pute; but I am sure, that it was firmly and
 bravely

[a] Hoc sibi contraxisse videbatur Cicero, quod inter xx. viros dividendo agro

Campano esse noluisse. Vell. Paterc. 2. 45. ad Att. 9. 2.

“ bravely ; when instead of baffling the malice
 “ of my enemies, as I could easily have done
 “ by that help, I chose to suffer any violence,
 “ rather than to desert your interest, and de-
 “ scend from my own rank [b].”

A. Urb. 695
 Cic. 49.
 Coff.
 L. CALPUL-
 NIUS PISO,
 A. GABINIUS.

CÆSAR continued at Rome, till he saw Cicero driven out of it; but had no sooner laid down his Consulship, than he began to be attacked and affronted himself, by two of the new Prætors, L. Domitius and C. Memmius; who called in question the validity of his acts, and made several efforts in the Senate to get them annulled by public authority. But the Senate had no stomach to meddle with an affair so delicate: so that the whole ended in some fruitless debates and altercations; and Cæsar, to prevent all attempts of that kind in his absence, took care always, by force of bribes, to secure the leading Magistrates to his interests; and so went off to his province of Gaul [c]. But as this unexpected opposition gave some little ruffle to the *Triumvirate*, so it served them as an additional excuse for their behaviour towards Cicero; alledging, that their

[b] Consul egit eas res, quarum me participem esse voluit.—Me ille ut Quinquviratum acciperem rogavit: me in tribus sibi conjunctissimis Consulariis esse voluit; mihi legationem, quam vellem, quanto cum honore vellem, detulit. Quæ ego non ingrato animo, sed obstinatione quadam sententiæ repudiavi, &c. De Prov. Conf. 17.

[c] Punctus Consulatu, C. Memmio, L. Domitio Prætoribus, de superioris anni

actis referentibus, cognitionem Senatui detulit: nec illo suscipiente, triduoque per irritas altercationes absumpto, in provinciam abiit.—ad securitatem igitur posteritatis in magno negotio habuit obligare temper annuos magistratus, & e petitoribus non alios adjuvare, aut ad honorem pati pervenire, quam qui sibi recepissent propugnaturus absentiam suam.—Sueton. J. Cæs. 23.

A. Urb. 695. *own dangers were nearer to them, than other peo-*
 Cic. 49. *ples's; and that they were obliged, for their own*
 Coss. *security, not to irritate so popular a Tribun as Clo-*
 L. CALPUL- *dus [d].*
 NIUS PISO,

A. GABINIUS. AS soon as it was known that Cicero was gone, Clodius filled the Forum with his band of slaves and incendiaries, and published a second law, *to the Roman people, as he called them, though there was not one honest Citizen, or man of credit amongst them [e].* The law, as we may gather from the scattered passages of it, was conceived in the following terms.

Whereas M. T. Cicero has put Roman Citizens to death unheard and uncondemned; and for that end forged the authority and decree of the Senate: may it please you to ordain, that he be interdicted from fire and water: that no body presume to harbour or receive him on pain of death: and that whoever shall move, speak, vote, or take any step towards recalling him, he should be treated as a public enemy; unless those should first be recalled to life, whom Cicero unlawfully put to death [f].

THE law was drawn by *Sext. Clodius*, the kinsman and prime minister of the Tribun; though *Vatinius* also laid some claim to it, *and was the only one of Senatorian rank who openly approved it [g].* It was essentially null and invalid,

[d] Illi autem aliquo tum timore perterriti, quod acta illa, atque omnes res anni superioris labefactari a Prætoribus, infirmari a Senatu, atque principibus civitatis putabant, Tribunum popularem a se alienare nolabant, suæque sibi propiora pericula esse, quam mea, loquebantur. Pro Sext. 18.

[e] Non denique suffragium latorem in ista tua proscriptione quenquam, nisi furem ac sicarium reperire potuisti. Pro Dom. 18.

[f] Vid. Pro Dom. 18, 19, 20. Post red. in Sen. 2, x.

[g] Hanc tibi legem S. Clodius scripsit—homini egentissimo ac facinorosissimo S. Clodio,

valid, both for the matter and the form: for in the first place, it was not properly a law but what they called a privilege; or an act, to inflict penalties on a particular Citizen by name, without any previous trial; which was expressly prohibited by the most sacred and fundamental constitutions of the Republic [b]. Secondly, the terms of it were so absurd, that they annulled themselves; for it enacted, not that Cicero may or should be, but that he be interdicted; which was impossible; since no power on earth, says Cicero, can make a thing to be done, before it be done [i]. Thirdly, the penal clause being grounded on a suggestion notoriously false, that Cicero had forged the decrees of the Senate; it could not possibly stand, for want of a foundation [k]. Lastly, though it provided that no body should harbour him, yet it had not ordered him to be expelled, or injoined him to quit the

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

S. Clodio, focio tui sanguinis.—Hoc tu scriptore, hoc consiliario, hoc ministro—Rempub. perdidisti. Pro Dom. 2. x. 18. Ille unus ordinis nostri discessu meo—palam exultavit.—Pro Sext. 64.

[b] Vetant leges sacratæ, vetant XII. tabulæ, leges privatis hominibus irrogari. Id est enim Privilegium. Pro Dom. 17.

[i] Non tulit ut interdicator sed ut interdictum fit—Sexte noster, bona venia, quoniam jam dialecticus es—quod factum non est, ut fit factum, ferri ad populum, aut verbis ullis sanciri, aut suffragiis confirmari potest? ib. 18. Quid si iis verbis

scripta est ista proscriptio, ut se ipsa dissolvat? ib. 19.

N. B. The distinction here intimated between *interdictatur*, and *interdictum fit*, deserves the attention of all Grammarians. They are commonly used indifferently, as terms wholly equivalent; yet according to Cicero's criticism, the one, we see, makes the sense absurd, where the other is just and proper.

[k] Est enim, quod M. Tullius falsum Senatus consultum retulerit, si igitur retulit falsum Senatus consultum, tum est rogatio: si non retulit, nulla est. Pro Dom. 19.

A. Urb. 695. City [l]. It was the custom, in all laws made by the Tribes, to insert *the name of the Tribe, which was first called to vote; and of the man, who first voted in it for the law*; that he might be transmitted down with the law itself, as the principal espouser and promotor of it [m]. This honor was given to one Sedulius, a mean, obscure fellow, without any settled habitation, who yet afterwards declared, *that he was not in Rome at the time, and knew nothing at all of the matter*: which gave Cicero occasion to observe, when he was reproaching Clodius with this act, *that Sedulius might easily be the first voter, who for want of a lodging, used to lie all night in the Forum; but it was strange, that when he was driven to the necessity of forging a leader, he should not be able to find a more reputable one* [n].

WITH this law against Cicero, there was another published at the same time, which according to the stipulation already mentioned, was to be the pay and price for it; *to grant to the two Consuls the provinces above specified, with a provision of whatever troops and money they thought*

[l] Tulisti de me ne reciperer, non ut exirem—pœna est, qui receperit: quam omnes neglexerunt; ejection nulla est. Ib. 20.

[m] Tribus Sergia principium fuit: pro Tribu, Sextus L. F. Varro primus scivit. This was the form, as appears from fragments of the old laws. Vid. Frontin. de Aquæd. — Fragment. Legis Thoræ. apud rei agrar. Scriptores. Liv. 9. 38.

[n] Sedulio principe, qui se illo die confirmat Romæ non fuisse. Quod si non fuit, quid te audacius, qui in ejus nomen incideris? Quid desperatus, qui ne ementiendo quidem potueris auctorem adumbrare meliorem? Sin autem is primus scivit, quod facile potuit, propter inopiam tecti in foro pernoctans. Pro Dom. 30. Quam Sedulius se negat scivisse. Ib. 31.

fit [o]. Both the laws passed without opposition; and Clodius lost no time in putting the first of them in execution; but fell to work immediately in plundering, burning and demolishing Cicero's houses, both in the City and the country. The best part of his goods was divided between the two Consuls; the marble columns of his Palatin house were carried publicly to Piso's father-in-law; and the rich furniture of his Tusculan Villa to his neighbour Gabinius; who removed even the trees of his plantations into his own grounds [p]: and to make the loss of his house in Rome irretrievable, Clodius consecrated the Area, on which it stood, to the perpetual service of religion, and built a temple upon it to the Goddess Liberty [q].

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

WHILE Cicero's house was in flames, the two Consuls, with all their seditious crew round them, were publicly feasting and congratulating each other for their victory, and for having revenged the death of their old friends on the head of Cicero: where, in the gaiety of their hearts, Gabinius openly bragged, that he had always been the favourite of Catiline; and Piso, that he was cousin to Ce-

[o] Ut provincias acciperent, quas ipsi vellent: exercitum & pecuniam quantam vellent. Pro Sex. x. in Pison. 16. Illo ipso die — mihi Reique pub. pernicies, Gabinius & Pisoni provincia rogata est. Pro Sext. 24.

[p] Uno eodemque tempore domus mea diripiebatur, ardebat: bona ad vicinum Consulem de Palatio; de Tusculano ad item alterum vicinum Consulem deferebantur. Post red. in Sen. 7.

Cum domus in Palatio,

villa in Tusculano, altera ad alterum Consulem transferebatur, columnæ marmoreæ ex ædibus meis, inspectante populo Romano, ad focerum Consulibus portabantur: in fundum autem vicini Consulibus non instrumentum, aut ornamenta villæ, sed etiam arbores transferebantur. Pro Dom. 24.

[q] Cum suis dicat se manibus domum civis optimi evertisse, & eam iisdem manibus consecrasse.—Ib. 40.

A. Urb. 695. *thegus* [r]. Clodius in the mean while, not content with exerting his vengeance onely on Cicero's houses, pursued his wife and children with the same fury: and made several attempts to get *young Cicero, the son, into his hands, then about six years old, with an intent to kill him* [s]: but the child was carefully guarded by the friends of the family and removed from the reach of his malice. Terentia had taken sanctuary in the temple of *Vesta, but was dragged out of it forcibly, by his orders, to the public Office or Tribunal, where he was sitting, to be examined, about the concealment of her husband's effects: but being a woman of singular spirit and resolution, she bore all his insults with a masculine courage* [t].

BUT while Clodius seemed to aim at nothing in this affair, but the gratification of his revenge, he was carrying on a private interest at the same time, which he had much at heart. The house, in which he himself lived, was contiguous to a part of Cicero's ground; which, being now laid open, made that side of *the Palatin hill* the most airy and desirable situation in Rome: his intention therefore was, by the purchase of another house which stood next to him, *to make the*

[r] Domus ardebat in Palatio—Consoles epulabantur, & in conseratorium gratulatione versabantur; cum alter se Catilinæ delicias, alter Cethegi contubernium fuisse diceret.—Pro Dom. 24. in Pistor. XI. Pro Sext. 24.

[s] Vexabant uxores meae liberi ad necem querebantur. Pro Sext. 24.

Quid vos uxor mea misera violaret? Quam vexavistis, raptavistis—quid mea filia?

— Quid parvus filius? — Quid fecerat, quod eum toties per insidias interficere vobis visis? — Pro Dom. 23.

[t] A te quidem omnia fieri fortissime, atque amantissime video: nec miror;—nam ad me P. Valerius—scripsit id quod ego maximo cum fletu legi, quemadmodum a Vestæ ad tabulam Valeriam ducta esses. Ep. Fam. 14. 2.

whole Area his own, with the benefit of the fine A. Urb. 695.
Portico and Temple annexed: so that he had no Cic. 49.
 sooner demolished Cicero's house, than he began *to* Coff.
 to treat with the owner of the next, Q. Seius *Postumus, a Roman Knight, who absolutely refused* L. CALPURNIUS PISO,
 to sell it, and declared, *that Clodius, of all men,* A. GABINIUS.
should never have it, while he lived: Clodius threat-
ened to obstruct his windows; but finding that
neither his threats, nor offers availed any thing,
he contrived, to get the Knight poisoned; and so
bought the house, after his death, at the sale of his
effects, by outbidding all who offered for it. His
 next step was, to secure the remaining part of
 Cicero's area, which was not included in the con-
 secration, and was now also exposed by his direc-
 tion to a public auction; but as it was not easy
 to find any Citizen who would bid for it; and he
 did not care to buy it in his own name, he was
 forced to provide an obscure needy fellow, called
 Scato, to purchase it for him, and by that means
 became master of the most spacious habitation in
 all the City [u].

A a 4

THIS

[u] Ipse cum loci illius, cum ædium cupiditate flagra-
 ret.—Pro Dom. 11.

Monumentum iste, nunquam aut religionem ullam excogitavit: habitare laxè & magnifice voluit: duasque & magnas & nobiles domos conjungere. Eodem puncto temporis quo meus discessus illi causam cædis eripuit, a Q. Seio contendit, ut domum sibi venderet. Cum ille id negaret, primo se luminibus ejus esse obstructurum minabatur. Affirmabat Postumus, se vivo, domum suam illius

nunquam futuram. Acutus adolescens ex illius sermone intellexit, quid fieri oporteret. Hominem veneno apertissime sustulit. Eruit domum, licitatoribus defatigatis—in Palatio pulcherrimo prospectu porticum cum conclavibus pavimentatam trecentum pedum concupierat; amplissimum peristylum, facile ut omnium domos & laxitate & dignitate superaret: & homo religiosus, cum ædes meas idem emeret & venderet, tamen illis tantis tenebris, non ausus est suum nomen emptioni ascribere.

A. Urb. 695. THIS desolation of Cicero's fortunes at home, and the misery, which he suffered abroad, in being deprived of every thing that was dear to him, soon made him repent of the resolution of his flight; which he ascribes to the envy and treachery of his counsellors, who taking the advantage of his fears, and the perplexity, which he was under, pushed him to an act both ruinous and inglorious. This he chiefly charges on Hortensius; and though he forbears to name him to Atticus, on account of the strict friendship between them, yet he accuses him very freely to his brother Quintus, of coming every day insidiously to his house, and with the greatest professions of zeal and affection, perpetually insinuating to his hopes and fears, that by giving way to the present rage, he could not fail of being recalled with glory in three days time [x]. Hortensius was particularly intimate at this time with Pompey; and might possibly be employed to urge Cicero to this step, in order to save Pompey the disgrace of being forced to act against him with a high hand. But let that be as it will, it was Pompey's conduct, which shocked Cicero the most: not for it's being contrary to his oaths, which the ambitious can easily dispense with, but to his interest, which they never neglect, but through weakness. The consideration of what

ascribere. Posuit scilicet Scaronem illum, Pro Dom. 44.

At in iis ætibus, quas tu Q. Seio Equite Romano— per te apertissime interfecto, tenes. De Harusp. respon.

14.

[x] Me summa simulatione amoris, summaque assiduitate quotidiana sceleratiffi-

sime, insidiosisque trahevit, adjuncto etiam Arrio, quorum ego consiliis, promissis, præceptis destitutus, in hanc calamitatem incidi. Ad Quint. Frat. 1. 3.

Sæpe triduo summa cum gloria dicebar esse rediturus. Ib. 4.

was *useful to Pompey*, made him depend on his assistance [y]: he could have guarded against his treachery, but could not suspect him of the folly, of giving himself intirely up to Cæsar, who was the principal mover and director of the whole affair.

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

IN this ruffled and querulous state of his mind, stung with the recollection of his own mistakes, and the perfidy of his friends, he frequently laments, *that he had not tried the fate of arms, and resolved either to conquer bravely, or fall honorably*: which he dwells so much upon in his letters, as to seem persuaded, that it would have been his wisest course. But this is a problem, not easy to be solved: it is certain, that his enemies were using all arts, to urge him to the resolution of retreating; as if they apprehended the consequences of his stay: and that the real aim of *the Triumvirate* was, not to destroy, but to humble him: yet it is no less certain, that all resistance must have been vain, if they had found it necessary to exert their strength against him; and that they had already proceeded too far, to suffer him to remain in the City, in defiance of them: and if their power had been actually employed to drive him away, his return must have been the more desperate, and they the more interested to keep him out; so that it seems to have been his most prudent part, and the most

[y] Sed si quisquam fuisset, qui me Pompeii minus liberali responso perterritum, a turpissimo consilio revocaret.—Ad Att. 3. 15.

Multa, quæ mentem exturbarent meam: subita defectio Pompeii. Ad Quin.

Frat. 1. 4:

Nullum est meum peccatum, nisi quod iis credidi, a quibus nefas putaram esse me decipi, aut etiam quibus ne id expedire quidem arbitrabar.—Ibid.—

agreeable

A. Urb. 695. agreeable to his character, to yield, as he did,
Cic. 49. to the necessity of the times.

Coff.

L. CALPUR- BUT we have a full account of the motives of
NIUS PISG, his retreat, in the speeches, which he made after
A. GABINIUS. his return, both to the Senate and the people.

“ When I saw the Senate, *says he*, deprived of
“ it’s leaders: myself partly pushed, and partly
“ betrayed by the Magistrates; the slaves en-
“ rolled by name, under the color of fraterni-
“ ties; the remains of Catiline’s forces brought
“ again into the field, under their old Chiefs;
“ the Knights terrified with Proscriptions; the
“ Corporate Towns with military execution;
“ and all with death and destruction; I could
“ still have defended my self by arms; and was
“ advised to it by many brave friends, nor did
“ I want that same courage, which you had all
“ seen me exert on other occasions; but when
“ I saw, at the same time, that, if I conquered
“ my present enemy, there were many more
“ behind, whom I had still to conquer; that
“ if I happened to be conquered, many honest
“ men would fall both with me and after me;
“ that there were people enough ready to re-
“ venge the Tribun’s blood, while the punish-
“ ment of mine would be left to the forms of a
“ trial and to posterity; I resolved not to em-
“ ploy force in defending my private safety,
“ after I had defended that of the public with-
“ out it; and was willing, that honest men
“ should rather lament the ruin of my fortunes,
“ than make their own desperate by adhering to
“ me: and if after all I had fallen alone, that
“ would have been dishonorable to my self: if
“ amidst the slaughter of my Citizens, fatal to
“ the Republic [z].”

[z] Post red. in Sen. 13, 14.

IN another speech; " If in so good a cause, A. Urb. 695.
 " *says he*, supported with such zeal by the Se- Cic. 49.
 " nate; by the concurrence of all honest men; Coſt.
 " by the ready help of all Italy; I had given L. CALPURNIUS PISO,
 " way to the rage of a despicable Tribune, or A. GABINIUS.
 " feared the levity of two contemptible Con-
 " suls, I must own myself to have been a cow-
 " ard, without heart or head—but there were
 " other things which moved me. That fury
 " Clodius was perpetually proclaiming in his
 " harangues, that what he did against me, was
 " done by the authority of Pompey, Crassus,
 " and Cæsar—that these Three were his coun-
 " sellors in the cabinet, his leaders in the field;
 " one of whom had an army already in Italy, and
 " the other Two could raise — whenever they
 " pleased——What then? Was it my part to
 " regard the vain brags of an enemy, falsely
 " thrown out against those eminent men? No;
 " it was not his talking, but their silence, which
 " shocked me; and, though they had other
 " reasons for holding their tongues, yet to one
 " in my circumstances, their saying nothing was
 " a declaration; their silence a confession: they
 " had cause indeed to be alarmed on their own
 " account, lest their acts of the year before
 " should be annulled by the Pretors and the
 " Senate——many people also were instilling
 " jealousies of me into Pompey, and perpetu-
 " ally admonishing him to beware of me——
 " and as for Cæsar, whom some imagined to be
 " angry with me, he was at the gates of the
 " City with an army; the command of which
 " he had given to Appius, my enemy's bro-
 " ther—When I saw all this, which was open
 " and manifest to every body; what could I
 " do?—When Clodius declared in a public
 " speech,

A. Urb. 695. “ speech, that I must either conquer twice, or
 Cic. 49. “ perish—so that neither my victory, nor my
 Coff. “ fall would have restored the peace of the Re-
 L. CALPUR- “ public [a].”
 NIUS PISO,
 A. GABINIUS.

CLODIUS, having fatiated his revenge upon Cicero, proposed another law, not less violent and unjust, against Ptolemy, King of Cyprus; to deprive him of his kingdom, and reduce it to a Roman province, and confiscate his whole estate. This Prince was brother to the King of Ægypt, and reigning by the same right of hereditary succession; in full peace and amity with Rome; accused of no practices, nor suspected of any designs against the Republic; whose onely crime was to be rich and covetous; so that the law was an unparalleled act of injustice, and what Cicero, in a public speech, did not scruple to call a mere robbery [b]. But Clodius had an old grudge to the King, for refusing to ransom him, when he was taken by the Pirates; and sending him onely the contemptible sum of two talents [c]: and what, says Cicero, must other Kings think of their security, to see their crowns and fortunes at the disposal of a Tribune, and six hundred mercenaries [d]? The law passed however without any opposition;

[a] Pr. Sextio. 16,—18, 19.

[b] Qui cum lege nefaria Ptolemæum, Regem Cypri, fratrem Regis Alexandrini, eodem jure regnantem, causa incognita, publicasset, populumque Romanum scelere obligasset: cum in ejus regnum, bona, fortunas, latrocinium hujus imperii immisisset, cujus cum patre, avo, majoribus, societas nobis &

amicitia fuisset.—Pro Dom. 8.

Rex amicus, nulla injuria commemorata, nulla repetitis rebus, cum bonis omnibus publicaretur. Pro Sext. 26. De quo nulla unquam suspicio durior. Ib. 27.

[c] Dio. 38. p. 78. Apian. l. 2. 441.

[d] En! cur cæteri Reges stabilem esse fortunam suam arbitrentur, cum—videant, per

opposition; and to sanctify it, as it were, and give it the better face and color of justice, *Cato was charged with the execution of it*: which gave Clodius a double pleasure, by imposing so shameful a task upon the gravest man in Rome. It was a part likewise of the same law, as well as of Cato's commission, *to restore certain exiles of Byzantium, whom their City had driven out for crimes against the public peace* [e]. The engaging Cato in such dirty work was a master-piece, and served many purposes of great use to Clodius: first, *to get rid of a troublesome adversary for the remainder of his magistracy*: secondly, *to fix a blot on Cato himself*, and shew, that the most rigid pretenders to virtue might be caught by a proper bait: thirdly, *to stop his mouth for the future, as he openly bragged, from clamoring against extraordinary commissions*: fourthly, *to oblige him, above all, to acknowledge the Validity of his acts, by his submitting to bear a part in them* [f]. The Tribun had the satisfaction to

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

per Tribunum aliquem & sexcentas operas se fortunis spoliari, & regno omni posse nudari? Pro Sext. 27.

[e] Hujus pecuniæ deponendæ, & si quis suum jus defenderet, bello gerendo Catonem præfecisti, — Pro Dom. 8.

At etiam eo negotio M. Catonis splendorem maculare voluerunt. Pro Sext. 28.

Tu una lege tulisti, ut Cyprius Rex — cum bonis omnibus sub præcone subjiceretur, & exules Byzantium reducerentur. Eidem, inquit, utraque de re negotium dedi. Pro Dom. 20.

[f] Sub honorificentissimo ministerii titulo M. Catonem a rep. relegavit. [Vel. P. 2. 45.] Non illi orandum M. Catonem, sed relegandum putaverunt: qui in concione palam dixerint, linguam se evellisse Catoni, quæ semper contra extraordinarias potestates libera fuisset. — Quod si ille repudiasset, dubitatis quin ei vis esset allata, cum omnia acta illius anni per illum unum labefactari viderentur? — Pro Sext. 28, 29.

Gratulari tibi, quod idem in posterum M. Catonem, tribunatu tuo removisses. Pro Dom. 9.

A. Urb. 695. see Cato taken in his trap; and received a congratulatory letter upon it from Cæsar, addressed to him in the familiar stile, of Cæsar to Clodius; which he read publicly to the people, as a proof of the singular intimacy between them [g]. King Ptolemy, in the mean while, as soon as he heard of the law, and of Cato's approach towards Cyprus, put an end to his life by poyson, unable to bear the disgrace, of losing at once both his crown and his wealth. Cato executed his commission with great fidelity; and returned the year following, in a kind of triumph to Rome, with all the King's effects reduced into money, amounting to about a million and a half sterling; which he delivered with great Pomp into the public treasury [h].

THIS proceeding was severely condemned by Cicero; though he touches it in his public speeches with some tenderness for the sake of Cato; whom he labors to clear from any share of the iniquity: "The Commission, says he, was contrived, not to adorn, but to banish Cato; not offered, but imposed upon him.—Why did he then obey it? Just as he has sworn to obey other laws which he knew to be unjust, that he might not expose himself to the fury of his enemies, and without doing any good, deprive the Republic of such a Citizen.—If he had not submitted to the law, he could not have hindered it; the stain of it would still have stuck upon the Republic, and he himself suffered violence for rejecting it; since it would have been a precedent for invalidating

[g] Litteras in concione signum, cum nominibus tantum recitasti, quas tibi a C. Cæfare missas esse diceres. Cæsar Pulchro. Cum etiam es argumentatus, amoris esse hoc

[h] Plutarch—Cato. Flor. 3. 9.

“ all the other acts of that year : he considered
 “ therefore, that since the scandal of it could
 “ not be avoided, he was the person the best
 “ qualified to draw good out of evil, and to
 “ serve his country well, though in a bad
 “ cause [i].” But howsoever this may color, it
 cannot justify Cato’s conduct; who valued him-
 self highly upon *his Cyprian transactions*; and for
 the sake of that commission was drawn in, as
 Clodius expected, to support the authority, from
 which it flowed, and to maintain *the legality of
 Clodius’s Tribuneate, in some warm debates even with
 Cicero himself* [k].

A. Urb. 695.
 Cic. 49.
 Coff.
 L. CALPUR-
 NIUS PISO,
 A. GABINIUS.

AMONG the other laws made by Clodius,
 there was one likewise, *to give relief to the pri-
 vate members of Corporate Towns, against the pub-
 lic injuries of their communities.* The purpose of
 it was specious, but the real design, to screen a
 creature of his own, one Merula, of Anagnia,
 who had been punished or driven from his City
 for some notorious villainies, and who, in return
 for this service, erected a statue to his patron,
 on part of the area of Cicero’s house, and in-
 scribed it to Clodius, *the author of so excellent a
 law.* But as Cicero told him afterwards in one
 of his speeches, *the place itself where the statue
 stood, the scene of so memorable an injury, confuted
 both the excellency of the law and the inscrip-
 tion* [l].

[i] Pro Sext. 28, 29.

[k] Plut. in Cato. Dio,
 l. 39. 100.

[l] Legem de injuriis pub-
 licis tulisti, Anagnino nescio
 cui Merulæ per gratiam, qui
 tibi ob eam legem statuam
 in meis ædibus posuit; ut

locus ipse in tua tanta in-
 juria legem & inscriptionem
 Statuæ refelleret. Quæ res
 Anagninis multo majori do-
 lori fuit, quam quæ idem il-
 le gladiator scelera Anagninæ
 fecerat. Pro Dom. 30.

BUT

A. Urb. 695. BUT it is time for us to look after Cicero in his
 Cic. 49. flight; who left Rome about the end of March;
 Coff. for *on the eighth of April* we find him at *Vibo*; a
 L. CALPUR- Town in the most southern part of *Italy*; where
 NIUS PISO, he spent several days with a friend, named *Sica*:
 A. GABINIUS. here he received the copy of the law made a-
 gainst him; which after some alteration and cor-
 rection fixed the limits of his exile *to the distance*
of four hundred miles from Italy [m]. His
 thoughts had hitherto been wholly bent on Sicily;
 but when he was arrived within sight of it *the*
Prætor C. Virgilius sent him word, that he must
not set his foot in it. This was a cruel shock to
 him; and the first tast of the misery of dis-
 grace; *that an old friend, who had been highly*
obliged to him [n], of the same party and prin-
 ciples, should refuse him shelter in a calamity,
 which he had drawn upon himself by his services
 to the Republic; speaking of it afterwards,
 when it was not his business to treat it severely,
 “ See, *says he*, the horror of these times; when
 “ all Sicily was coming out to meet me, the Præ-
 “ tor who had often felt the rage of the same Tri-
 “ bun, and in the same cause, would not suffer
 “ me to come into the island. What shall I say?
 “ That Virgilius, such a Citizen, and such a man,
 “ had lost all benevolence, all remembrance of
 “ our common sufferings, all his piety, huma-
 “ nity and faith towards me? No such thing:
 “ he was afraid, how he should singly sustain

[m] Allata est nobis ro-
 gatio de pernicie mea, in
 qua quod correctum est, au-
 dieramus esse ejusmodi, ut
 mihi ultra quadringenta mil-

lia liceret esse—statim iter
 Brundisium versus contuli—
 ne & Sica, apud quem eram,
 periret.—Ad Att. 3. 4.

[n] Plutarch. in Cicero.

“ the

“ the weight of that storm, which had over-
 “ powered our joint forces [o].”

A. Urb. 695.
 Cic. 49.
 Coff.
 L. CALPUR-
 NIUS PISO,
 A. GABINIUS.

THIS unexpected repulse from Sicily obliged him to change his rout, and turn back again towards Brundisium, in order to pass into Greece: he left Vibo therefore, that he might not expose his Host Sica to any danger, for entertaining him; expecting to find no quiet, till he could remove himself beyond the bounds, prescribed by the law. But in this he found himself mistaken; for all the Towns on his road received him with the most public marks of respect: inviting him to take up his quarters with them; and guarding him, as he passed through their territories, with all imaginable honor and safety to his person. He avoided however as much as possible all public places; and when he came to *Brundisium*, would not enter into the City though it expressed the warmest zeal for his service, and offered to run all hazards in his defence [p].

In this interval, he was pressing Atticus in every letter, and in the most moving terms, to come to him; and when he removed from Vibo,

[o] Siciliam petivi animo, quæ & ipsa erat mihi, sicut domus una, conjuncta; & obtinebatur a Virgilio: quocum me uno vel maxime tum vetusta amicitia, tum mei fratris collegia, tum Respub. fociarat. Vide nunc caliginem temporum illorum. Cum ipsa pæne insula mihi sese obviam ferre vellet, Prætor ille ejusdem Tribuni pleb. concionibus propter eandem Reipub. causam sæpe vexatus, nihil amplius dico, nisi me in

Siciliam venire noluit, &c.—
 Pro Cn. Planc. 40.

[p] Cum omnia illa Municipia, quæ sunt a Vibone Brundisium, in fide mea essent, iter mihi tutum, multis minitantibus, magno cum suo metu præstiterunt. Brundisium veni, vel potius ad mœnia accessi. Urbem unam mihi amicissimam declinavi, quæ se vel potius excindi, quam e suo complexu ut eriperer facile pateretur. Ib. 41.

A. Urb. 695. gave him dayly intelligence of all his stages,
 Cic. 49. that he might know still where to find him;
 Coff. taking it for granted, *that he would not fail to*
 L. CALPURNIUS PISO, *follow him [q].* But Atticus seems to have given
 A. GABINIUS. him no answer on this head, nor to have had
 any thoughts of stirring from Rome: he was
 persuaded perhaps, that his company abroad
 could be of no other use to him, than to give
 some little relief to his present chagrin; whereas
 his continuance in the City might be of the great-
 est; not onely in relieving, but removing his
 calamity, and procuring his restoration: or we
 may imagin, what his character seems to sug-
 gest, that though he had a greater love for Ci-
 cero, than for any man, yet it was always with
 an exception, of not involving himself in the
 distress of his friend, or disturbing the tranquil-
 lity of his life by taking any share of another's
 misery; and that he was following onely the
 dictates of his temper and principles, in sparing
 himself a trouble, which would have made him
 suffer more, than his Philosophy could easily
 bear. But whatever was the cause, it gave a
 fresh mortification to Cicero; who in a letter
 upon it says, *I made no doubt, but that I should*
see you at Tarentum or Brundisium: it would have
been convenient for many reasons; and above all,
for my design of spending some time with you in Epi-
rus, and regulating all my measures by your advice:
but since it has not happened, as I wished, I shall

[q] Sed te oro, ut ad me
 Vibonem statim venias.—Si
 id non feceris mirabor, sed
 confido te esse facturum. Ad
 Att. 3. 1.

Nunc, ut ad te antea scripsi,
 si ad nos veneris, consilium
 totius rei capiemus. Ib. 2.

Iter Brundisium versus con-
 tuli—nunc tu propera, ut
 nos consequare, si modo re-
 cipiemur. Adhuc invitamur
 benigne. Ib. 3.

Nihil mihi optatius cadere
 posse, quam ut tu me quam
 primum consequare. Ib. 4.

add this also, to the great number of my other afflictions [r]. He was now lodged in the Villa of M. Lenius Flaccus, not far from the walls of Brundisium; where he arrived on the seventeenth of April, and on the last of the same Month embarked for Dyrrhachium. In his account of himself to his wife, *I spent thirteen days*, says he, *with Flaccus, who for my sake slighted the risk of his fortunes and life; nor was deterred by the penalty of the law from performing towards me all the rights of friendship and hospitality: I wish, that it may ever be in my power to make him a proper return; I am sure, that I shall always think myself obliged to do it [s].*

DURING his stay with Flaccus, he was in no small perplexity about the choice of a convenient place for his residence abroad: Atticus offered him his house in Epirus; which was a Castle of some strength, and likely to afford him a secure retreat. But since Atticus could not attend him thither in person, he dropt all thoughts of that, and was inclined to go to Athens; till he was informed, that it would be dangerous for him to

[r] Non fuerat mihi dubium, quin te Tarenti aut Brundisii visurus essem: idque ad multa pertinuit; in eis, & ut in Epiro confisteremus, & de reliquis rebus tuo consilio ueremur. Quoniam id non contigit, erit hæc quoque in magno numero nostrorum maiorum.—lb. 6.

[s] In hortos M. Lenii Flacci me contuli: cui cum omnis metus, publicatio bonorum, exilium, mors proponeretur, hæc perpeti, si acciderent, maluit, quam custo-

diam mei capitis dimittere. —Pro Plancio. 41.

Nos Brundisii apud M. Lenium Flaccum dies XIII. fuimus, virum optimum: qui periculum fortunarum & capitis sui præ mea salute neglexit: neque legis improbitatæ pœna deductus est, quo minus hospitii & amicitiatæ jus, officiumque præstaret. Huic utinam gratiam aliquando referre possimus; habebimus quidem semper.—Ep. Fam. 14. 4.

A. Urb. 695. travel into that part of Greece; where all those, who had been banished for Catiline's conspiracy, and especially Autronius, then resided; who would have had some comfort, in their exile, to revenge themselves on the author of their misery, if they could have caught him [1].

Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

PLUTARCH tells us, that in sailing out of Brundisium, the wind, which was fair, changed of a sudden, and drove him back again; and when he passed over to Dyrrhachium in the second attempt, that there happened an Earthquake and a great storm immediately after his landing; from which the Soothsayers foretold, that his stay abroad would not be long. But it is strange, that a writer, so fond of prodigies, which no body else takes notice of, should omit the story of Cicero's dream, which was more to his purpose, and is related by Cicero himself; " That in one of the stages of his flight, being lodged in the Villa of a friend, after he had lain restless and wakefull a great part of the night, he fell into a sound sleep near break of day, and when he awaked about eight in the morning, told his dream to those round him: That as he seemed to be wandering disconsolate in a lonely place, C. Marius, with his Fasces wreathed with laurel, accosted him, and demanded, why he was so melancholy: and when he answered, that he was driven out of his country by

[1] Quod me rogas & hortaris, ut apud te in Epiro sim; voluntas tua mihi valde grata est.—Sed itineris causa ut diverterem, primum est devium; deinde ab Autronio & ceteris quatruidi; deinde sine te. Nam castellum mu-

nitum habitanti mihi prodesset, transeunti non est necessarium. Quod si auderem, Athenas peterem: sana ita, cadebat ut vellem. Nunc & nostri hostes ibi sunt, & te non habemus.—Ad Att. 3, 7.

“ violence; Marius took him by the hand, A. Urb. 695.
 “ and bidding him be of courage, ordered the Cic. 49.
 “ next Licitor to conduct him into his monu- Coll.
 “ ment; telling him, that there he should find L. CALPUR-
 “ safety: upon this, the company presently NIUS PISO,
 “ cried out, that he would have a quick and A. GABINIUS.
 “ glorious return [*u*].” All which was exactly
 fulfilled; for his restoration was decreed in a
certain Temple built by Marius, and, for that
 reason, called *Marius’s Monument*; where the
 Senate happened to be assembled on that occa-
 sion [*x*].

THIS dream was much talked of in the fami-
 ly, and Cicero himself, in that season of his de-
 jection, seemed to be pleased with it: and on
 the first news, of the decree’s passing in *Marius’s*
Monument, declared, that nothing could be more
divine: yet in disputing afterwards on the nature
 of dreams, he asserts them all to be *vain and*
fantastical, and nothing else, but the imperfect
traces, and confused impressions, which our waking
thoughts leave upon the mind; that, in his flight
therefore, as it was natural for him to think much
upon his countryman Marius, who had suffered the
same calamity; so that was the cause of his dream-
ing of him; and that no old woman could be so silly,
as to give any credit to dreams, if in the infinite
number and variety of them, they did not sometimes
*happen to hit right [*y*]*

B b 3

WHEN

[*u*] De Divin. 1. 28. Val.
 Max. 1. 7.

[*x*] Valerius Maximus calls
 this Monument of Marius,
the Temple of Jupiter; but it
 appears from Cicero’s ac-
 count to have been the Tem-
 ple of *Honor and Virtue*.

[*y*] Maximeque reliquæ
 earum rerum moventur in
 animis, & agitantur, de qui-
 bus vigilantes aut cogitavi-
 mus aut egimus. Ut mihi
 temporibus illis multum in
 animo Marius versabatur, re-
 cordanti, quam ille gravem
 suam

A. Urb. 695. WHEN he came to Dyrrhachium, he found confirmed, what he had heard before in Italy, *that Achaia and the neighbouring parts of Greece were possessed by those Rebels, who had been driven from Rome on Catiline's account.* This determined him to go into Macedonia, before they could be informed of his arrival, where his friend, Cn. Plancius, was then Quæstor: who no sooner heard of his landing, than he came to find him at Dyrrhachium; where, out of regard to his present circumstances, and the privacy, which he affected, dismissing his officers, and laying aside all the pomp of Magistracy, he conducted him with the observance of a private companion, to his head quarters at Thessalonica, about the twenty first of May. L. Appuleius was the Prætor or chief Governor of the Province: but though he was an honest man and Cicero's friend, yet he durst not venture to grant him his protection, or shew him any public civility, but contented himself with conniving onely at what his Quæstor Plancius did [z].

suum casum magno animo, quam constanti tulisset. Hanc credo causam de illo somnandi fuisse. De Divin. 2. 67.

An tu censes ullam Anum tam deliram futuram fuisse, ut somniis crederet, nisi ista casu nonnunquam fortè temere concurrerent? lb. 68.

[z] Quo cum venissem cognovi, id quod audieram, referam esse Græciam sceleratissimorum hominum ac nefariorum.—Qui antequam de meo adventu audire potuissent, in Macedoniam ad

Planciumque perrexi — nam simulac me Dyrrhachium attingisse audivit, statim ad me licitoribus dimissis, insignibus abjectis, veste mutata profectus est. — Thessalonicam me in Quæstoriumque perduxit. Pro Plancio. 41. Post red. in Sen. 14.

Hic ego nunc de Prætoræ Macedoniæ nihil dicam amplius, nisi cum & civem optimum semper & mihi amicum fuisse, sed eadem timuisse quæ cæteros. Pro Plan. ib.

WHILE Cicero staid at Dyrrhachium, he received two expresses from his Brother Quintus, who was now coming home from Asia, to inform him of his intended route, and to settle the place of their meeting: Quintus's design was, to pass from Ephesus to Athens, and thence by land through Macedonia; and to have an interview with his Brother at Thessalonica: but the news, which he met with at Athens, obliged him to hasten his journey towards Rome, where the faction were preparing to receive him *with an impeachment, for the male administration of his Province*: nor had Cicero at last resolution enough to see him; *being unable to bear the tenderness of such a meeting, and much more, the misery of parting, and he was apprehensive besides, that if they once met, they should not be able to part at all, whilst Quintus's presence at home was necessary to their common interests: so that to avoid one affliction, he was forced, he says, to endure another most cruel one, that of shunning the embraces of a Brother* [a].

L. TUBERO, however, his Kinsman, and one of his Brother's Lieutenants, paid him a visit on his return towards Italy, and acquainted him, with what he had learnt in passing through Greece, *that the banished Conspirators, who resided there,*

[a] Quintus Frater cum ex Asia venisset ante Kalend. Mai. & Athenas venisset idib. valde fuit ei properandum, ne quid absens acciperet calamitatis, si quis forte fuisset, qui contentus nostris malis non esset. Itaque eum malui properare Romam, quam ad me venire: & simul, dicam enim quod verum est,——

animum inducere non potui, ut aut illum amantissimum mei, mollissimo animo tanto in mœrore aspicerem—atque etiam illud timebam, quod profecto accidisset, ne a me digredi non posset.—Hujus acerbitatis eventum altera acerbitate non videndi fratris vitavi. Ad Att. 3. 9. Ad Quin. Fra. 1. 3

A. Urb. 695.
Cic. 49.
Coff.
L. CALPUL-
NIUS PISO,
A. GABINIUS.

A. Urb. 695. were actually forming a plot to seize and murder
 Cic. 49. him; for which reason, he advised him to go into
 Coss. Asia; where the zeal and affection of the Province
 L. CALPURNIUS PISO, would afford him the safest retreat, both on his own
 A. GÆINIUS. and his Brother's account [b]. Cicero was disposed to follow this advice, and leave Macedonia; for the *Prætor* Appuleius, though a friend, gave him no encouragement to stay; and the *Consul* Piso, his enemy, was coming to the command of it the next winter: but all his friends at Rome dissuaded his removal to any place more distant from them; and Plancius treated him so affectionately, and contrived to make all things so easy to him, that he dropt the thoughts of changing his quarters. Plancius was in hopes, that Cicero would be recalled with the expiration of his *Quæstorship*, and that he should have the honor of returning with him to Rome, to reap the fruit of his fidelity, not onely from Cicero's gratitude, but the favor of the Senate and People [c]. The onely inconvenience, that Cicero found in his present situation, was the number of soldiers and concourse of people, who frequented the place on account of business with the *Quæstor*. For he was so shocked and dejected by his misfortune, that, though the

[b] Cum ad me L. Tubero, meus necessarius, qui Fratri meo legatus fuisset, decedens ex Asia venisset, easque insidias, quas mihi paratas ab exulibus conjuratis audierat, animo amicissimo detulisset. In Asiam me ire, propter ejus provinciæ mecum & cum fratre meo necessitudinem.—Pro Planc. 41.

[c] Plancius, homo officiosissimus, me cupit esse se-

cum & adhuc retinet—sperat posse fieri, ut mecum in Italiam decedat.—Ep. Fam. 14. 1.

Longius, quam ita vobis placet, non discedam.—lb. 2.

Me adhuc Plancius liberalitate sua retinet.—spes homini est injecta, non eadem quæ mihi, posse nos una decedere: quam rem sibi magno honori sperat fore. Ad Att. 3. 22.

Cities of Greece were offering their services and compliments, and striving to do him all imaginable honors [d], yet he refused to see all company, and was so shy of the public, that he could hardly endure the light [e].

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

FOR it cannot be denied, that, in this calamity of his exile, he did not behave himself with that firmness, which might reasonably be expected from one, who had born so glorious a part in the Republic; conscious of his integrity, and suffering in the cause of his country: for his letters are generally filled with such lamentable expressions of grief and despair, that his best friends, and even *his wife* was forced to admonish him sometimes, *to rouse his courage [f], and remember his former character.* Atticus was constantly putting him in mind of it; and sent him word of a report, that was brought to Rome by one of Crassus's freedmen, *that his affliction had disordered his senses,* to which he answered; *that his mind was still sound, and wished only, that it had been always so, when he placed his confidence on those, who perfidiously abused it to his ruin [g].*

BUT these remonstrances did not please him; he thought them unkind and unseasonable, as he intimates in several of his letters, where he expresses himself very movingly on this subject.

[d] Plut. in Cicer.

[e] Odi enim celebritatem, fugio homines, lucem aspiciere vix possum. Ad Att. 3. 7.

[f] Tu quod me hortaris, ut animo sim magno, &c. Ep. Fam. 14. 4.

[g] Nam quod scribis te audire, me etiam mentis errore ex dolore affici: mihi vero mens integra est, atque utinam

tam in periculo fuisset, cum ego iis, quibus salutem meam carissimam esse arbitrabar, inimicissimis, crudelissimisque usus sum. Ad Att. 3. 13.

Accepi quatuor epistolas a te missas; unam, qua me objurgas, ut sim firmior; alteram, qua Crassi libertum ais tibi de mea sollicitudine macieque narraisset. Ib. 15.

“ A;

A. Urb. 695. " As to your chiding me, *says he*, so often and
 Cic. 49. " so severely, for being too much dejected;
 Coss. " what misery is there, I pray you, so grievous,
 L. CALPUR- " which I do not feel in my present calamity?
 NIUS PISO, " Did any man ever fall from such a height of
 A. GABINIUS. " dignity, in so good a cause, with the advan-
 " tage of such talents, experience, interest; such
 " support of all honest men? Is it possible for me
 " to forget what I was? or not to feel what I
 " am? From what honor, what glory I am
 " driven? From what children? What for-
 " tunes? What a Brother? Whom though I
 " love and have ever loved better than myself,
 " yet, (that you may perceive, what a new sort
 " of affliction I suffer) I refused to see; that I
 " might neither augment my own grief by the
 " sight of his, nor offer myself to him thus
 " ruined, whom he had left so flourishing: I o-
 " mit many other things intolerable to me: for
 " I am hindred by my tears, tell me then, whe-
 " ther I am still to be reproached for grieving;
 " or for suffering myself rather to be deprived
 " of what I ought never to have parted with,
 " but with my life; which I might easily have
 " prevented, if some perfidious friends had not
 " urged me to my ruin within my own walls,
 " &c. [*b*]." In another letter; " Continue,
 " *says he*, to assist me, as you do, with your en-
 " deavours, your advice, and your interest; but
 " spare yourself the pains of comforting, and
 " much more of chiding me: for when you do
 " this I cannot help charging it to your want of
 " love and concern for me; whom I imagine to
 " be so afflicted with my misfortune, as to be
 " inconsolable even yourself [*i*]." HE

[*b*] Ad Att. 3. 10.

ra, consilio, gratia juva: con-

[*i*] Tu me, ut facis, ope- solari jam desine: objurgare
 vero

HE was now indeed attacked in his weakest part; the onely place, in which he was vulnerable: to have been as great in affliction, as he was in prosperity, would have been a perfection, not given to man: yet this very weakness flowed from a source, which rendered him the more amiable in all the other parts of life; and the same tenderness of disposition, which made him love his friends, his children, his country more passionately than other men, made him feel the loss of them more sensibly: “ I have twice, *says he*, saved the Republic; once, with glory; a second time with misery: for I will never deny myself to be a man; or brag of bearing the loss of a Brother, children, wife, country, without sorrow.—For what thanks had been due to me for quitting what I did not value [*k*]?” In another speech; “ I own my grief to have been extremely great; nor do I pretend to that wisdom, which those expected from me, who gave out, that I was too much broken by my affliction: for such a hardness of mind, as of body, which does not feel pain, is a stupidity, rather than a virtue.—I am not one of those, to whom all things are indifferent; but love myself and my friends, as our common humanity requires; and he, who, for the public good, parts with

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

vero noli: quod cum facis, ego tuum amorem & dolorem desidero; quem ita affectum mea ærumna esse arbitror, ut te ipsum nemo consolari potest. Ib. XI.

[*k*] Unus bis Rempub. servavi, semel gloria, iterum ærumna mea. Neque enim in hoc me hominem esse in-

ficiabor unquam; ut me optimo fratre, carissimis liberis, fidelissima conjuge, vestro conspectu, patria, hoc honoris gradu sine dolore caruisse glorier. Quod si fecissem, quod a me beneficium haberetis, cum pro vobis ea, quæ mihi essent vilia, reliquissem. Pro Sext. 22.

“ what

A. Urb. 695. " what he holds the dearest, gives the highest
Cic. 49. " proof of love to his country [L]."
Coff.

L. CALPURNIUS PISO, A. GABINIUS
THERE WAS another consideration, which added no small sting to his affliction; to reflect, as he often does, not onely on what he had lost. but how he had lost it, *by his own fault*; in suffering himself to be imposed upon and deluded *by false and envious friends*. This he frequently touches upon in a strain, which shews, that it galled him very severely: " Though my grief, says he. is
" incredible, yet I am not disturbed so much by
" the misery of what I feel, as the recollection of
" my fault—Wherefore when you hear, how
" much I am afflicted, imagine that I am suffer-
" ing the punishment of my folly, not of the
" event; for having trusted too much to one,
" whom I did not take to be a scascal [m]." It must needs be cruelly mortifying to one of his temper; nicely tender of his reputation, and passionately fond of glory; to impute his calamity to his own blunders, and fancy himself the dupe of men not so wise as himself: yet after all, it may reasonably be questioned, whether his inque-

[L] Accepi magnum atque incredibilem dolorem: non nego: neque istam mihi affisco sapientiam, quam nonnulli in me requirebant, qui me animo nimis fracto & afflicto esse loquebantur—eamque animi duritiem, sicut corporis, quod cum uritur non sentit, stuporem potius, quam virtutem putarem—non tam sapiens quam ii, qui nihil curant, sed tam amans tuorum ac tui, quam communis humanitas postulat—qui autem ea relinquit Reipub. causa, a

quibus summo cum dolore divellitur, ei patria cara est. Pro Dom. 36, 37.

[m] Etsi incredibili calamitate afflictus sum, tamen non tam est ex miseria, quam ex culpæ nostræ recordatione—quare cum me afflictum & confectum luctu audies, existimato me stultitiæ meæ pœnam ferre gravius, quam e-venti; quod ei crediderim, quem nefarium esse non putarim—Ad Att. 3. 8. vid. 9, 14, 15, 19, &c.

tude of this sort, was not owing rather to the jealous and querulous nature of affliction itself, than to any real foundation of truth: for Atticus would never allow *his suspicions to be just*, not even against Hortensius, where they seem to lie the heaviest [n]. This is the substance of what Cicero himself says, *to excuse the excess of his grief*; and the onely excuse indeed, which can be made for him; that he did not pretend to be a *Stoic*, nor aspire to the character of a *Hero*: yet we see some writers laboring to defend him even against himself; and endeavoring to persuade us, *that all this air of dejection and despair was wholly feigned and assumed*, for the sake of moving compassion, and engaging his friends to exert themselves the more warmly, in soliciting his restoration; lest his affliction should destroy him, before they could effect it [o].

WHEN he had been gone a little more than *two Months*, his friend Ninnius, *the Tribun*, made a *motion in the Senate to recall him, and repeal the law of Clodius*: to which the whole house readily agreed, with *eight of the Tribuns*, till one of the other two, Ælius Ligus, *interposed his negative*: they proceeded however to a resolution, *that no other business should be transacted, till the Consuls had actually prepared a new law for that purpose* [p].

About

[n] Nam quod purgas eos, quos ego mihi scripsi invidisse, & in eis Catonem: ego vero tantum illum puto a scelere isto avertisse, ut maxime doleam plus apud me simulationem aliorum, quam istius fidem valuisse. Cæteri quos purgas, debent mihi purgati esse, tibi si sunt.—Ib. 15.

[o] Absens potius se dolere simulavit, ut suos, quod dixi-

mus, magis commoveret: & præsens item se doluisse simulavit, ut vir prudentissimus, scenæ, quod aiunt, serviret—Corradi Questura. p. 291.

[p] Decrevit Senatus frequens de meo reditu Kal. Jun. dissentiente nullo, referente L. Ninnio—intercessit Ligus iste nescio qui, additamentum inimicorum meorum.—Omnia Senatus rejiciebat, nisi de

me

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

A. Urb. 695. About the same time, Quintus Cicero, who left
 Cic. 49. Asia on the first of May, arrived at Rome; and
 Coss. was received with great demonstrations of respect,
 L. CALPURNIUS PISO, by persons of all ranks, who flocked out to meet
 A. GABINIUS. him [q]. Cicero suffered an additional anxiety on
 his account, lest the Clodian Cabal, by means of
 the impeachment, which they threatned, should
 be able to expell him too: especially, since Clodius's
 Brother, Appius, was the Prætor, whose lot
 it was to sit on those trials [r]. But Clodius was
 now losing ground apace; being grown so insolent,
 on his late success, that even his friends could
 not bear him any longer: for having banished
 Cicero, and sent Cato out of his way, he began
 to fancy himself a match for Pompey; by whose
 help, or connivance at least, he had acquired all
 his power; and, in open defiance of him, seized
 by stratagem into his hands the son of King Tigranes,
 whom Pompey had brought with him from the east,
 and kept a prisoner at Rome, in the custody of
 Flavius the Prætor; and instead of delivering
 him up, when Pompey demanded him, undertook,
 for a large sum of money, to give him his liberty
 and send him home. This however did not pass
 without a sharp engagement between him and
 Flavius, " who marched out of Rome, with a body
 of men well armed, to recover Tigranes by force:
 but Clodius proved too strong for him; and killed
 a great part of his com-

me primum Consules retulissent. Pro Sext. 31.

Non multo post discessum meum me universi revocavistis referente L. Ninnio. Post red. in Sen. 2.

[q] Huic ad urbem venienti tota obviam civitas cum lacrymis, gemituque proces-

serat. Pro Sext. 31.

[r] Mihi etiam unum de malis in metu est, fratris mihi negotium.—Ad Att. 3. 8.

De Quinto Fratре nuncii nobis tristes—sane sum in meo infinito mœrore sollicitus, & eo magis, quod Appii quæstio est.—lb. 17.

" pany,

“pany, and among them Papirius, a Roman Knight of Pompey’s intimate acquaintance, while Flavius also himself had some difficulty to escape with life [s].”

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

THIS affront roused Pompey, to think of *re-calling Cicero*; as well to correct the arrogance of Clodius, as to retrieve his credit, and ingratiate himself with the Senate and People: he dropt some hints of his inclination to *Cicero’s friends*, and particularly to Atticus, who presently gave him part of the agreeable news: upon which Cicero, though he had no opinion of *Pompey’s sincerity*, was encouraged to write to him; and sent a copy of his letter to Atticus, telling him at the same time, that if Pompey could digest the affront, which he had received in the case of Tigranes, he should despair of his being moved by any thing [t]. Varro likewise,

[s] Me expulso, Catone amandato, in eum ipsum se convertit, quo auctore, quo adjutore, in concionibus ea, quæ gerebat, omnia, quæque gesserat, se fecisse & facere dicebat. Cn. Pompeium—diutius fur ori suo veniam daturum non arbitrabatur. Qui ex ejus custodia per insidias Regis amici filium, hostem captivum furrupisset; & ea injuria virum fortissimum lacerasset. Speravit iisdem se copiis cum illo posse confingere, quibuscum ego noluissem bonorum periculo dimicare.—Pro Dom. 25.

Ad quartum ab urbe lapidem pugna facta est: in qua multi ex utraque parte ceciderant; plures tamen ex Flavii, inter quos M. Papirius, Eques Romanus, publicanus,

familiaris Pompeio. Flavius sine comite Romam vix per fugit. Ascon. in Milon. 14.

[t] Sermonem tuum & Pompeii cognovi ex tuis literis. Motum in Repub. non tantum impendere video, quantum tu aut vides, aut ad me consolandum affers.—Tigrane enim neglecto sublata sunt omnia.—literarum exemplum, quas ad Pompeium scripsi, misi tibi.—Ad Att. 3. 8.

Pompeium etiam simulatorem puto. Ad Quint. Fra. 1. 3.

Ex literis tuis plenus sum expectatione de Pompeio, quid nam de nobis velit, aut ostendar.—Si tibi stultus esse videor, qui sperem, facio tuo jussu. Ad Att. 3. 14.

who

A. Urb. 695. who had a particular intimacy with Pompey, *des*
 Cic. 49. *fired Atticus to let Cicero know, that Pompey would*
 Coff. *certainly enter into his cause, as soon as he heard*
 L. CALPUR- *from Cæsar, which he expected to do every day. This*
 NIUS PISO, *intelligence, from so good an author, raised Ci-*
 A. GABINIUS. *cero's hopes, till finding no effects of it for a con-*
siderable time, he began to apprehend, that there
was either nothing at all in it, or that Cæsar's an-
swer was averse, and had put an end to it [u]. The
fact however shews, what an extraordinary de-
ference Pompey paid to Cæsar, that he would
not take a step in this affair at Rome, without
sending first to Gaul, to consult him about it.

THE City was alarmed at the same time, by the
 rumor of a second plot against Pompey's life, said to
 be contrived by Clodius; one of whose slaves was
 seized at the door of the Senate, with a dagger,
 which his master had given him, as he confessed, to
 stab Pompey: which, being accompanied with
 many daring attacks on Pompey's person by Clo-
 dius's mob, made him resolve, to retire from the
 Senate and the Forum, till Clodius was out of his Tri-
 bunate, and shut himself up in his own house, whither
 he was still pursued and actually besieged by one of
 Clodius's freedmen, Damio. An outrage so auda-
 cious could not be overlooked by the Magistrates,
 who came out with all their forces, to seize or drive
 away Damio; upon which a general engagement
 ensued, where Gabinius, as Cicero says, " was
 " forced to break his league with Clodius, and
 " fight for Pompey; at first faintly and unwill-

[u] Expectationem nobis
 non parvam attuleras, cum
 scripseras Varronem tibi pro
 amicitia confirmasse, causam
 nostram Pompeium certe suf-
 cepturum; & simul a Cæsare

literæ, quas expectaret, re-
 missæ essent, auctorem etiam
 daturum. Utrum id nihil
 fuit, an adversatæ sunt Cæsa-
 ris literæ? Ib. 18.

" ingly,

“ingly, but at last heartily; while Piso, more
 “religious, stood firm to his contract, and fought
 “on Clodius’s side, till his Fasces were broken,
 “and he himself wounded, and forced to run
 “away [x].”

A. Urb. 695.
 Cic. 49.
 Coff.
 L. CALPURNIUS PISO,
 A. GABINIUS.

WHETHER any design was really formed *against Pompey’s life*, or the story was contrived to serve his present views, it seems probable at least, that his fears were feigned, and the danger too contemptible, to give him any just apprehension; but the shutting himself up at home made an impression upon the vulgar, and furnished a better pretence for turning so quick upon Clodius, and quelling that insolence, which he himself had raised: for this was the constant tenor of his politics, to give a free course to the public disorders, for the sake of displaying his own importance to more advantage; that when the storm was at the height, he might appear at last in the Scene, like a Deity of the Theater, and reduce all again to order; expecting still, that the people, tired and harassed by these perpetual tumults, would be forced to create him *Dictator*, for settling the quiet of the City.

THE Consuls elect were P. Cornelius Lentulus, and Q. Metellus Nepos: the first was *Cicero’s*

[x] Cum hæc non possent diutius jam sustinere, inquitur consilium de interitu Cn. Pompeii: quo patefacto, ferroque deprehensio, ille inclusus domi tamdiu fuit, quamdiu inimicus meus in Tribunatu. Pro Sext. 32.

Deprehensus denique cum ferro ad Senatum is, quem ad Cn. Pompeium interimendum collocatum fuisse constabat.—In Pilen. 12.

Cum tamen—Gabinus collegit ipse se vix: & contra suum Clodium, primum simulat; deinde non libenter; ad extremum tamen pro Cn. Pompeio vere, vehementerque pugnavit.—Tu tamen homo religiosus & sanctus, fœdus frangere noluisti—itaque in illo tumultu fracti fasces, ictus ipse, quotidie tela, lapides, fugæ.—Ibid.

A. Urb. 695.
Cic. 49.
Coff.
L. CALPUR-
NIUS PISO,
A. GABINIUS.

warm friend, the second his old enemy; the same, who put that affront upon him on laying down his Consulship: his promotion therefore was a great discouragement to Cicero, who took it for granted, that he would employ all his power to obstruct his return; and reflected, as he tells us, "that, though it was a great thing to drive him out, yet, as there were many who hated, and more, who envied him, it would not be difficult to keep him out [y]." But Metellus, perceiving which way Pompey's inclination, and Cæsar's also was turning, found reason to change his mind, or at least to dissemble it; and promised, not onely to give his consent, but his assistance to Cicero's restoration. His Collegue, Lentulus, in the mean while, was no sooner elected, than he revived the late motion of Ninnius, and proposed a vote, to recall Cicero; and when Clodius interrupted him and recited that part of his law, which made it criminal, to move any thing about it, Lentulus declared it to be no law, but a mere proscription, and act of violence [z]. This alarmed Clodius, and obliged him to exert all his arts, to support the validity of the law; he threatened ruin and destruction to all, who should dare to oppose it; and to imprint the greater terror, fixed up on the doors of the Senate-house, that clause which prohibited all men to speak or act in any manner for Cicero's return, on pain of being treated as enemies. This gave a farther disquiet to Cicero, lest it should dishearten his active friends, and furnish an excuse to the in-

[y] Inimici sunt multi, invidi pene omnes. Ejicere nos magnum fuit, excludere facile est. Ep. fam. 14. 3.

[z] Cum a Tribuno pleb. vocaretur, cum proclaram ca-

put recitaretur, ne quis ad vos referret—totam illam, ut ante dixi, proscriptionem, non legem putavit.—Post red. in Sen. 4.

dolent, for doing nothing: he insinuates therefore to Atticus, what might be said to obviate it; “ that all such clauses were onely bugbears, without any real force; or otherwise, no law could ever be abrogated; and whatever effect this was intended to have, that it must needs fall of course with the law itself [a].”

A. Urb. 695.
Cic 49.
Coll.
L. CALPURNIUS PISO,
A. GABINIUS.

IN this anxious state of his mind, jealous of every thing that could hurt, and catching at every thing that could help him, another little incident happened, which gave him a fresh cause of uneasiness: for some of his enemies had published an *investive Oration*, drawn up by him for the entertainment onely of his intimate friends, against some eminent Senator, not named, but generally supposed to be Curio, *the Father*, who was now disposed and engaged to serve him: he was surprized and concerned, that the oration was made public; and his instructions upon it to Atticus are somewhat curious; and shew how much he was struck with the apprehension, of losing so powerfull a friend. “ You have stunned me, says he, with the news of the Oration’s being published: heal the wound, as you promise, if you possibly can: I wrote it long ago in anger, after he had first written against me; but had suppressed it so carefully, that I never dreamt of its getting abroad, nor can imagine how it slipt out: but since, as fortune would have it, I never had a word with him in person, and it is written more neg-

[a] Tute scripsisti, quoddam caput legis Clodium in Curiae poste fixisse, ne referri, neve dici liceret—Ad Att.

3. 15.

Sed vides nunquam esse observatas sanctiones earum le-

gum, quæ abrogarentur. Nam si id esset, nulla fere abrogari posset:—sed cum lex abrogatur, illud ipsum abrogatur, quo non eam abrogari oporteat.—lb. 23.

A. Urb. 695. “ ligently, than my other orations usually are; I
 Cic. 49. “ cannot but think that you may disown it, and
 Coff. “ prove it not to be mine: pray take care of this,
 L. CALPUR- “ if you see any hopes for me; if not, there is
 NIUS PISO, “ the less reason to trouble myself about it [b].”
 A. GABINIUS.

His principal Agents and Sollicitors at Rome were his *Brother Quintus*, his *Wife Terentia*, his *Son in-law Piso*, *Atticus*, and *Sextius*. But the Brother and the Wife, being both of them naturally peevish, seem to have given him some additional disquiet, by their mutual complaints against each other; which obliged him to admonish them gently in his letters, *that since their friends were so few, they ought to live more amicably among themselves* [c].

TERENTIA however bore a very considerable part of the whole affair; and instead of being daunted by the depression of the family, and the ruin of their fortunes, seems to have been animated rather the more to withstand the violences of their enemies, and procure her husband's restoration. But one of Cicero's Letters to her in these unhappy circumstances will give the clearest view of her character, and the spirit, with which she acted.

“ Cicero to Terentia.

“ Do not imagine, that I write longer Letters
 “ to any one than to you, unless it be when I

[b] Percussisti autem me de Oratione prolata: cui valneri, ut scribis, medere, si quid potes. Scripsi equidem olim iratus, quod ille prior scripserat: sed ita compresseram, ut nunquam manaturam putarem. Quo modo exciderit nescio. Sed quia nunquam accidit, ut cum eo verbo uno concertarem; & quia scripta

mihî videtur negligentius, quam cæteræ, puto posse probari non esse meam. Id, si putas me posse sanari, cures velim: sin plane perii, minus laboro. Ad Att. 3. XII.

[c] De Quinto fratre nihil ego te accusavi, sed vos, cum præsertim tam pauci estis, volui esse quam conjunctissimos, Ep. Fam. 14. 1.

“ receive

“ receive a long one from somebody else, which
 “ I find myself obliged to answer. For I have
 “ nothing either to write, nor in my present situa-
 “ tion employ myself on any thing that is more
 “ troublesome to me; and when it is to you and
 “ our dear Tulliola, I cannot write without a flood
 “ of tears. For I see you the most wretched of
 “ women, whom I wished always to see the hap-
 “ piest, and ought to have made so; as I should
 “ have done, if I had not been so great a Cow-
 “ ard. I am extremely sensible of Piso’s services
 “ to us; have exhorted him, as well as I could,
 “ and thanked him as I ought. Your hopes, I
 “ perceive, are in the new Tribuns: that will be
 “ effectual, if Pompey concur with them: but I
 “ am afraid still of Crassus. You do every thing
 “ for me, I see, with the utmost courage and af-
 “ fection: nor do I wonder at it; but lament our
 “ unhappy fate, that my miseries can onely be
 “ relieved by your suffering still greater: for our
 “ good friend, P. Valerius wrote me word, what
 “ I could not read without bursting into tears,
 “ how you were dragged from the Temple of
 “ Vesta to the *Valerian Bank*. Alas my light,
 “ my darling, to whom all the world used to sue
 “ for help! that you, my dear Terentia, should
 “ be thus insulted; thus oppressed with grief and
 “ distress! and that I should be the cause of it;
 “ I, who have preserved so many others, that
 “ we ourselves should be undone! As to what you
 “ write about the house, that is, about the area;
 “ I shall then take myself to be restored, when
 “ that shall be restored to us. But those things
 “ are not in our power. What affects me more
 “ nearly is, that when so great an expence is ne-
 “ cessary, it should all lie upon you, who are so
 “ miserably stript and plundered already. If we

A. Urb. 695.
 Cic. 49.
 Coff.
 L. CALPUR-
 NIUS PISO,
 A. GABINIUS.

A. Urb. 695. “ live to see an end of these troubles, we shall
 Cic. 49. “ repair all the rest. But if the same fortune must
 Coff. “ ever depress us, will you throw away the poor
 L. CALPURNIUS PISG, “ remains, that are left for your subsistence? For
 A. GABINIUS. “ God’s sake, my dear life, let others supply the
 “ money, who are able, if they are willing: and
 “ if you love me, do nothing that can hurt your
 “ health, which is already so impaired. For you
 “ are perpetually in my thoughts both day and
 “ night I see that you decline no sort of trou-
 “ ble; but am afraid, how you will sustain it.
 “ Yet the whole affair depends on you. Pay the
 “ first regard therefore to your health, that we
 “ may attain the end of all your wishes, and your
 “ labors. I know not whom to write to, except
 “ to those, who write to me, or of whom you
 “ send me some good account. I will not remove
 “ to a greater distance, since you are against it;
 “ but would have you write to me as often as
 “ possible, especially if you have any hopes, that
 “ are well grounded. Adieu, my dear love,
 “ adieu. The 5th of October from Thessa-
 “ lonica.”

TERENTIA had a particular estate of her own, not obnoxious to Clodius’s law, which she was now offering to sale, for a supply of their present necessities: this is what Cicero refers to, where he entreats her, not to throw away the small remains of her fortunes; which he presses still more warmly in another Letter, putting her in mind, “ that if
 “ their friends did not fail in their duty, she could
 “ not want money; and if they did, that her own
 “ would do but little towards making them easy:
 “ he implores her therefore not to ruin the boy;
 “ who, if there was any thing left to keep him from
 “ want, would, with a moderate share of virtue
 “ and

“ and good fortune, easily recover the rest [d].” A. Urb. 695,
 The son-in-law, Piso, was extremely affectionate Cic. 49.
 and dutifull in performing all good offices both to Coff.
 his banished Father and the Family; and resigned L. CALPUR-
 the *Quæstorship of Pontus and Bithynia*, on purpose NIUS PISO,
 to serve them the more effectually by his presence A. GABINIUS.
 in Rome: Cicero makes frequent acknowledgment
 of his kindness and generosity; “ Piso’s huma-
 nity, virtue and love for us all is so great, says
 he, that nothing can exceed it; the Gods grant,
 that it may one day be a pleasure, I am sure,
 it will always be an honor to him [e].”

Atticus likewise supplied them liberally with
 money: he had already furnished Cicero, for the
 exigences of his flight, with *above 2000 pounds*;
 and upon succeeding to the great estate of *his uncle*
Cæcilius, whose name he now assumed, made him a
fresh offer of his purse [f]: yet his conduct did not

C c 4

wholly

[d] Tantum scribo, si erunt
 in officio amici, pecunia non
 deerit, si non erunt, tu efficere
 tua pecunia non poteris. Per
 fortunas miseras nostras, vide
 ne puerum perditum perda-
 mus: cui si aliquid erit, ne
 egeat, mediocri virtute opus
 est, & mediocri fortuna, ut
 cætera consequatur. Ibid.

[e] Qui Pontum & Bithy-
 niam Quæstor pro mea salute
 neglexit.—Post red. in Sen.
 15.

Pisonis humanitas, virtus,
 amor in nos omnes tantus est,
 ut nihil supra esse possit. Uti-
 nam ea res ei voluptati sit,
 gloriæ quidem video fore. Ep.
 fam. 14. 1.

[f] Ciceroni, ex patria
 fugienti H. S. ducenta & quin-

quaginta millia donavit,
 Corn. Nep. Vit. Att. 4.

Quod te in tanta hereditate
 ab omni occupatione expe-
 disti, valde mihi gratum est.
 Quod facultates tuas ad meam
 salutem polliceris, ut omnibus
 rebus a te præter cæteros juvet,
 id quantum sit præsidium vi-
 deo—Ad Att. 3. 20.

This Cæcilius, Atticus’s un-
 cle, was a famous churl and
 usurer, sometimes mentioned
 in Cicero’s letters, who a-
 dopted Atticus by his will,
 and left him three fourths of
 his estate, which amounted to
 above 8000l. sterling. He
 had raised this great fortune
 by the favor chiefly of Lucul-
 lus, whom he flattered to the
 last with a promise of making
 him

A. Urb. 695. wholly satisfy Cicero; who thought him *too cold*
 Cic. 49. *and remiss in his service; and fancied, that it flowed*
 Coff. *from some secret resentment, for having never received*
 L. CALPURNIUS PISO, *from him, in his flourishing condition, any beneficial*
 A. GABINIUS. *proofs of his friendship:* in order therefore to rouse
 his zeal, he took occasion to promise him, in one
 of his letters, that whatever reason he had to com-
 plain on that score, it should all be made up to
 him, if he lived to return: "If fortune, says he,
 " ever restore me to my country; it shall be my
 " special care, that you, above all my friends,
 " have cause to rejoice at it: and though hitherto,
 " I confess, you have reaped but little benefit
 " from my kindness; I will manage so for the
 " future, that whenever I am restored, you shall
 " find yourself as dear to me as my Brother and
 " my Children: If I have been wanting therefore
 " in my duty to you, or rather, since I have been
 " wanting, pray pardon me; for I have been
 " much more wanting to myself [g]." But Atticus
 begged of him to lay aside all such fancies, and

him his heir, yet left the bulk
 of his estate to Atticus, who
 had been very observant of
 his humor: for which fraud,
 added to his notorious avarice
 and extortion, the mob seized
 his dead body, and dragged
 it infamously about the streets.
 —Val. Max. 7. 8. Cicero,
 congratulating Atticus upon
 his adoption, addresses his
 letter to Q. Cæcilius, Q. F.
 Pomponianus Atticus. For
 in assuming the name of the
 Adopter, it was usual to add
 also their own family name,
 though changed in its ter-
 mination from Pomponius to
 Pomponianus, to preserve the

memory of their real extrac-
 tion: to which some added
 also the surname, as Cicero
 does in the present case. Ad
 Att. 3. 20.

[g] Ego, si me aliquando
 vestri & patriæ compotem for-
 tuna fecerit, certe efficiam, ut
 maxime latere unus ex omni-
 bus amicis: meaque officia ac
 studia, quæ parum antea lux-
 erunt (fatendum est enim) sic
 exequar, ut me æque tibi ac
 fratri & liberis nostris restitu-
 tum putes. Si quid in te pec-
 cavi, ac potius quoniam pec-
 cavi, ignosce: in me enim
 ipsum peccavi vehementius.
 Ad Att. 3. 15.

assured

assured him, *that there was not the least ground for them; and that he had never been disgusted by any thing, which he had either done, or neglected to do for him*; entreating him to be perfectly easy on that head, and to depend always on his best services, without giving himself the trouble, *even of reminding him* [b]. Yet after all, the suspicion itself, as it comes from one, who knew Atticus so perfectly, seems to leave some little blot upon his character: but whatever cause there might be for it, it is certain, that Cicero at least was as good as his word, and by the care, which he took after his return, to celebrate *Atticus's name* in all his writings, has left the most illustrious testimony to posterity of his sincere esteem and affection for him.

SEXTIUS was one of the Tribuns elect; and being intirely devoted to Cicero, took the trouble of a journey into Gaul, to solicit *Cæsar's consent to his restoration*; which though he obtained, as well by his own intercession, as by Pompey's letters, yet it seems to have been with certain limitations, not agreeable to Cicero: for on Sextius's return to Rome, when he drew up *the copy of a law*, which he intended to propose, upon his entrance into office; conformable, as we may imagine, to the conditions stipulated with Cæsar; "Cicero greatly disliked it; as being too general, and without the mention even of his name, nor providing sufficiently either for his dignity, or the restitution of his estate; so that he desires Atticus to take care to get it amended by Sextius [i]."

[b] Quod me vetas quicquam suspicari accidisse ad animum tuum, quod secus a me erga te commissum, aut prætermisum videretur, geram tibi morem & liberabor

ista cura. Tibi tamen eo plus debeo, quo tua in me humanitas fuerit excelsior, quam in te mea. Ib. 20.

[i] Hoc interim tempore, P. Sextius, designatus iter ad C. Cæsarem

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

A. Urb. 695.
Cic. 49.
Coff.

L. CALPUR-
NIUS PISO,
A. GABINIUS.

THE old Tribuns, in the mean while, *eight of whom were Cicero's friends*, resolved to make one effort more to obtain a law in his favor, which they jointly offered to the people *on the twenty eighth of October*: but Cicero was much more displeas'd with this, than with Sextius's: it consisted of three articles; the first of which *restored him onely to his former rank, but not to his estate*: the second was onely matter of form, *to indemnify the proposers of it*: the third enacted, "that if there
" was any thing in it, which was prohibited to be
" promulgated by any former law, particularly by
" that of Clodius, or which involved the author
" of such promulgation in any fine or penalty,
" that in such case it should have no effect. Cicero
" was surprized, that his friends could be induced
" to propose such an act, which seem'd to be
" against him, and to confirm that clause of the
" Clodian law, which made it penal to move any
" thing for him:" whereas no clauses of that kind had ever been regarded, or thought to have any special force, but fell of course, when the laws themselves were repealed: he observes, "that
" it was an ugly precedent for the succeeding Tribuns, if they should happen to have any scruples; and that Clodius had already taken the
" advantage of it, when in a speech to the people,
" on the third of November, he declared, that
" this act of the Tribuns was a proper lesson to
" their successors, to let them see how far their
" power extended. He desires Atticus therefore
" to find out, who was the contriver of it, and

C. Cæsarem pro mea salute suscepit. Quid egerit, quantum profecerit, nihil ad causam. Pro Sext. 32.

Rogatio Sextii neque dig-

nitatis satis habet nec cautionis. Nam & nominatim ferre oportet, & de bonis diligentius scribi: & id animadvertas velim. Ad Att. 3. 20.

" how

“ how Ninnius and the rest came to be so much
 “ overseen, as not to be aware of the consequences
 “ of it [k].”

A. Urb. 695.
 Cic. 49.
 Coss.
 L. CALPUL-
 NIUS PISO,
 A. GABINIUS.

THE most probable solution of it is, that these Tribuns hoped to carry their point with less difficulty, by paying this deference to *Clodius's law*, the validity of which *was acknowledged by Cato, and several others of the principal Citizens* [l]; and they were induced to make this push for it, before they quitted their office, from a persuasion, that if Cicero was once restored, on any terms, or with what restrictions soever, the rest would follow of course; and that the recovery of his dignity would necessarily draw after it every thing else, that was wanted: Cicero seems to have been sensible of it himself on second thoughts, as he intimates, in the conclusion of his letter; “ I should be sorry,
 “ says he, to have the new Tribuns insert such a
 “ clause in their law; yet let them insert what
 “ they please, if it will but pass and call me home,
 “ I shall be content with it [m].” But the onely project of a law which he approved, was drawn by *his Cousin C. Visellius Aculeo*, an eminent lawyer of that age, for another of the new Tribuns, T. Fadius, who had been his *Quæstor*, when he was *Consul*: he advised his friends therefore, *if*

[k] Quo major est suspicio malitiæ alicujus, cum id, quod ad ipsos nihil pertinebat, erat autem contra me, scripserunt. Ut novi Tribuni Pleb. si essent timidiore, multo magis sibi eo capite utendum putarent. Neque id a Clodio prætermissum est, dixit enim in concione ad diem III. Non. Novemb. hoc capite designatis Tribunis pleb. præscriptum esse quid liceret. Ut Ninni-

um & cæteros fugerit investiges velim, & quis attulerit, &c. Ib. 23.

[l] Video enim quosdam clarissimos viros, aliquot locis judicasse, te cum plebe jure agere potuisse. Pro Dom. 16.

[m] Id caput sane nolim novos Tribunos pleb. ferre: sed perferant modo quidlibet: uno capite quo revocabor, modo res conficiatur, ero contentus. Ad Att. 3. 23.

there

A. Urb. 695. *there was any prospect of success, to push forwards that law, which intirely pleased him [n].*

Cic. 49. Coff.
 L. CALPUR-
 NIUS PISO,
 A. GABINIUS.
 IN this suspense of his affairs at Rome, the troops, which Piso had provided for his government of Macedonia, began to arrive in great numbers at Theffalonica [o]: This greatly alarmed him, and *made him resolve to quit the place without delay*: and as it was not advisable to move farther from Italy, he ventured to come still nearer, and turned back again to Dyrrhachium: for though this was within the distance forbidden to him by law, yet he had no reason to apprehend any danger, in a Town particularly devoted to him, and which had always been under *his special patronage and protection*. He came thither on *the twenty fifth of November*, and gave notice of his removal to his friends at Rome, by letters of the same date, *begun at Theffalonica and finished at Dyrrhachium [p]*: which shews the great hast, which he thought necessary, in making this sudden change of his quarters. Here he received another piece of news, which displeased him; “ that with the consent “ and assistance of his managers at Rome, the “ Provinces of the Consuls elect had been furnish- “ ed with money and troops by a decree of the “ Senate:” but in what manner it affected him,

[n] Sed si est aliquid in spe, vide legem, quam T. Fadio scripsit Visellius: ea mihi perplacet.—Ibid.

[o] Me adhuc Plancius retinet.—Sed jam cum adventare milites dicerentur, faciendum nobis erit, ut ab eo discedamus. Ib. 22.

[p] Dyrrhachium veni quod & libera civitas est, & in

me officiosa. Ep. Fam. 14. 1.

Nam ego eo nomine sum Dyrrhachii, ut quam celerime quid agatur, audiam, & sum tuto. Civitas enim hæc semper a me defensa est. Ib. 3.

Quod mei studiosos habeo Dyrrhachinos, ad eos perrexi, cum illa superiora Theffalonica scripsissem. Ad Att. 3. 22. Fam. 14. 1.

and

and what reason he had to be uneasy at it, will be explained by his own Letter upon it to Atticus.

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS:

“ WHEN you first sent me word, *says he*, that the Consular Provinces had been settled and provided for by your consent; though I was afraid, lest it might be attended with some ill consequence, yet I hoped, that you had some special reason for it, which I could not penetrate: but having since been informed, both by friends and letters, that your conduct is universally condemned, I am extremely disturbed at it; because the little hopes, that were left, seem now to be destroyed: for should the new Tribuns quarrel with us upon it, what farther hopes can there be? and they have reason to do so; since they were not consulted in it, though they had undertaken my cause, and have lost by our concession all that influence, which they would otherwise have had over it; especially when they declare, that it was for my sake onely, that they desired the power of furnishing out the Consuls; not with design to hinder them, but to secure them to my interest; whereas if the Consuls have a mind to be perverse, they may now be so without any risk; yet let them be never so well disposed, *they* can do nothing without the consent of the Tribuns. As to what you say, that if you had not agreed to it, the Consuls would have carried their point with the people; that could never have been done against the will of the Tribuns: I am afraid therefore, that we have lost by it the affection of the Tribuns; or if that still remains, have lost at least our hold on the Consuls. There is another inconvenience still, not less considerable; for that important declaration, as it was represented to me, *that*
“ *the*

A. Urb. 695. “ *the Senate would enter into nothing, till my affair*
 Cic. 49 “ *was settled*, is now at an end; and in a case
 Coff. “ not onely unnecessary, but new and unprece-
 L. CALPUR- “ dented; for I do not believe, that the Provinces
 NIUS PISO, “ of the Consuls had ever before been provided
 A. GABINIUS. “ for untill their entrance into office: but having
 “ now broken through that resolution, which they
 “ had taken in my cause, they are at liberty to
 “ procede to any other business, as they please. It
 “ is not however to be wondered at, that my
 “ friends, who were applied to, should consent to
 “ it; for it was hard for any one, to declare
 “ openly against a motion, so beneficial to the
 “ Two Consuls; it was hard, I say, to refuse any
 “ thing to Lentulus, who has always been my
 “ true friend; or to Metellus, who has given up
 “ his resentments with so much humanity; yet I
 “ am apprehensive, that we have alienated the
 “ Tribuns, and cannot hold the Consuls: write
 “ me word, I desire you, what turn this has
 “ taken, and how the whole affair stands; and
 “ write with your usual frankness; for I love to
 “ know the truth, though it should happen to be
 “ disagreeable.” The tenth of December [q].

BUT Atticus, instead of answering this letter, or rather indeed before he received it, having occasion to visit his estate in Epirus, took his way thither through Dyrrhachium, on purpose to see Cicero, and explain to him in person the motives of their conduct. Their interview was but short; and after they parted, Cicero, upon some new intelligence, which gave him fresh uneasiness, sent another letter after him into Epirus, to call him back again: “ After you left me, says he, I re-
 “ ceived letters from Rome, from which I per-

“ ceive, that I must end my days in this cala- A. Urb. 695.
 “ mity ; and to speak the truth, (which you will Cic. 49.
 “ take in good part) if there had been any hopes Coff.
 “ of my return, you, who love me so well, would L. CALPURNIUS PISO,
 “ never have left the City at such a conjuncture : A. GABINIUS.
 “ but I say no more ; lest I be thought either un-
 “ gratefull, or desirous to involve my friends too
 “ in my ruin : one thing I beg ; that you would
 “ not fail, as you have given your word, to come
 “ to me, wherever I shall happen to be, before
 “ the first of January [r].”

WHILE he was thus perplexing himself with perpetual fears and suspicions, his cause was proceeding very prosperously at Rome, and seemed to be in such a train, that it could not be obstructed much longer : for the new Magistrates, who were coming on with the new year, were all, except *the Prætor Appius*, supposed to be his friends ; while his enemy Clodius was soon to resign his office, on which the greatest part of his power depended : Clodius himself was sensible of the daily decay of his credit, through the superior influence of Pompey ; who had drawn Cæsar away from him, and forced even Gabinius to desert him : so that, out of rage and despair, and the desire of revenging himself on these new and more powerfull enemies, he would willingly have dropt the pursuit of Cicero ; or consented even to recall him, if he could have persuaded Cicero’s friends and the Senate to join their forces with him against the Triumvirate. For this end, “ he produced
 “ Bibulus and the other Augurs in an Assembly
 “ of the people, and demanded of them, whether
 “ it was not unlawfull to transact any public busi-
 “ ness, when any of them were taking the Au-

[r] Ad Att. 3. 25.

“ spices?”

A. Urb. 695. “spices?” To which they all answered in the affirmative. “Then he asked Bibulus, whether Cic. 49. “he was not actually observing the heavens, as Coff. “he was not actually observing the heavens, as L. CALPURNIUS PISO, “oft as any of Cæsar’s laws were proposed to the A. GABINIUS. “people? To which he answered in the affirmative: but being produced a second time by the “Prætor Appius, he added, that he took the “Auspices also, in the same manner, at the “time when Clodius’s act of adoption was confirmed by the people:” but Clodius, while he gratified his present revenge, little regarded how much it turned against himself; but insisted, “that all Cæsar’s acts ought to be annulled by the “Senate, as being contrary to the Auspices; and “on that condition, declared publicly, that he “himself would bring back Cicero, the guardian “of the City, on his own shoulders [s].”

IN the same fit of revenge, he fell upon the Consul Gabinius; and in an assembly of the people, which he called for that purpose, *with his head veiled and a little altar and fire before him, consecrated his whole estate.* This had been sometimes done against traitorous Citizens; and when legally performed, had the effect of a confiscation, by making the place and effects ever after *sacred and public*: but in the present case, it was considered onely as an act of madness; and *the Tribun Ninnius*, in ridicule of it, consecrated *Clodius’s estate in the same form and manner, that whatever efficacy*

[s] Tu tuo præcipitante jam & debilitato Tribunatu, auspicioꝝ patronus subito extitisti. Tu M. Bibulum in concione, tu Augures produxisti. Te interrogante Augures responderunt, cum de cælo servatum sit, tum populo agi non posse—tua denique

omnis actio posterioribus mensibus fuit, omnia, quæ C. Cæsar egisset, quæ contra auspicia essent acta, per senatum rescindi oportere. Quod si fieret, dicebas, te tuis humeris me, custodem urbis, in urbem relaturum. Pro Dom. 15.

was ascribed to the one, the other might justly challenge the same [t].

BUT the expected hour was now come, which put an end to his detestable Tribunate: it had been uniform and of a piece from the first to the last; the most infamous and corrupt that Rome had ever seen: there was scarce an office bestowed at home, or any favor granted to a Prince, State, or City abroad, but what he openly sold to the best bidder: "The Poets, says Cicero, could not feign a Charybdis, so voracious as his rapine: he conferred the title of King on those who had it not, and took it away from those who had [u];" and sold the rich Priesthoods of Asia, as the Turks are said to sell the Grecian Bishopricks, without regarding whether they were full or vacant; of which Cicero gives us a remarkable instance. "There was a celebrated Temple of Cybele, at Pessinuns in Phrygia, where that Goddess was worshipped with singular devotion, not onely by all Asia, but Europe too; and where the Roman Generals themselves often used to pay their vows and make their offerings." Her priest was in quiet possession, without any rival Pretender, or any complaint against him; yet Clodius, by a law of the people, granted this Priesthood to one Brogitarus, a petty Sovereign in those parts, to whom

A. Urb. 695.
Cic. 49.
Coff.
L. CALPURNIUS PISO,
A. GABINIUS.

[t] Tu, tu, inquam, capite veiato, concione advocata, foculo posito bona tui Gabinii consecrasti in—quid? exemplo tuo bona tua nonne L. Ninnius—consecravit? quod si, quia ad te pertinet, ratum esse negas oportere; ea jura constituisti in præclaro tribunatu tuo, quibus in te conversis, reculares, alios ever-

teres.—Pro Dom. 47, 48.

[u] Reges qui erant, vendidit; qui non erant, appellavit—quam denique tam immanem Charybdi poetæ fingendo exprimere potuerunt, quæ tantos exhaustire gurgites possit, quantas iste prædas—exorbuit? De Haruf. resp. 27.

A. Urb. 695. he had before given *the title of King*: and I shall
 Cic. 49. *think him a King indeed*, says Cicero, *if ever he be*
 Coff. *able to pay the purchase money*: but the spoils of the
 L. CALPUR- Temple were destined to that use; and would
 NIUS PISO, soon have been applied to it; if Deiotarus, *King*
 A. GABINIUS. *of Galatia*, a Prince of noble character, and a true
 friend to Rome, had not defeated the impious
 bargain, by taking the Temple into his protection,
 and maintaining the lawfull Priest against the
 intruder; not suffering Brogitarus, *though his son-*
in law, to pollute or touch any thing belonging to it [x].

ALL the *ten new Tribuns* had solemnly promised to serve Cicero; yet Clodius found means to corrupt two of them, S. Atilius Serranus, and Numerius Quinctius Gracchus; by whose help he was enabled still to make head against Cicero's party, and retard his restoration some time longer: but PISO and Gabinius, perceiving the scene to be opening apace in his favor, and his return to be unavoidable, thought it time to get out of his way, and retire to their several governments, to

[x] Qui accepta pecunia Pessinuntem ipsum, sedem domiciliumque Matris Deorum vastâris, & Brogitaro, Gallogræco, impuro homini ac nefario--totum illum locum fanumque vendideris. Sacerdotem ab ipsis aris, pulvinaribusque detraxeris.—Quæ Reges omnes, qui Asiam Europamque tenuerunt, semper summa religione coluerunt—Quæ Majores nostri tam sancta duxerunt, ut—nostri Imperatores maximis & periculosissimis bellis huic Deæ vota facerent. eaque in ipso Pessinunte ad illam ipsam

principem aram & in illo loco Fanoque persolverent.—Putabo regem, si habuerit unde tibi solvat.—Nam cum multa regia sunt in Deiotaro, tum illa maxime, quod tibi nummum nullum dedit.—Quod Pessinuntem per scelus a te violatum, & sacerdote, sacrique ipoliatum recuperavit—Quod cæremonias ab omni vetustate acceptas a Brogitaro pollui non sinit, mavultque generum suum munere tuo, quam illud Fanum antiquitate religionis carere.—Ibid. 15. Pro Sext. 26.

enjoy

enjoy the reward of their perfidy: so that they both left Rome, with the expiration of this year, and Piso set out for Macedonia, Gabinius for Syria.

ON *the first of January* the new Consul Lentulus, after the ceremony of his inauguration, and his first duty paid, as usual, to religion, entered directly into Cicero's affair, and moved the Senate for his restoration [y]; while his Collegue Metellus declared, with much seeming candor, "that though Cicero and he had been enemies, on account of their different sentiments in politics, yet he would give up his resentments to the authority of the Fathers, and the interests of the Republic [z]." Upon which L. Cotta, a person of *Consular* and *Censorian* rank, being asked his opinion the first, said, "that nothing had been done against Cicero agreeably to right or law, or the custom of their ancestors: that no Citizen could be driven out of the City without a trial; and that the people would not condemn, nor even try a man capitally, but in an assembly of their Centuries: that the whole was the effect of violence, turbulent times, and an oppressed Republic: that in so strange a revolution and confusion of all things, Cicero had onely stept aside, to provide for his future tranquillity, by declining the impending storm; and since he had freed the Republic from no

A. Urb. 696.
Cic. 50.
Coff.
P. CORNELIUS
LENTULUS
SPINTHER,
Q. CÆCILIUS
METELLUS
NEPOS.

[y] Kalendis Januariis.— P. Lentulus Consul — simul ac de solempni religione retulit, nihil humanarum rerum sibi prius, quam de me agendum judicavit. Post red. ad Quir. 5.

ejus moderatio de me? Qui cum inimicitias sibi mecum ex Reipub. dissensione susceptas esse dixisset, eas se Patribus conscriptis dixit & temporibus Reipub. permiffurum —pro Sext. 32.

[z] Quæ etiam Collegæ

A. Urb. 696. “ less danger by his absence, than he had done
Cic. 50. “ before by his presence, that he ought not onely
Coff. “ to be restored, but to be adorned with new ho-
P. CORNELIUS “ nours: that what his mad enemy had published
LENTULUS “ against him, was drawn so absurdly both in
SPINTHER, “ words and sentiments, that, if it had been
Q. CÆCILIUS “ enacted in proper form, it could never obtain
METELLUS “ the force of a law: that since Cicero therefore
NEPOS. “ was expelled by no law, he could not want a
“ law to restore him, but ought to be recalled
“ by a vote of the Senate.” — Pompey, who spoke
next, having highly applauded what Cotta said,
added, “ that for the sake of Cicero’s future quiet,
“ and to prevent all farther trouble from the same
“ quarter, it was his opinion that the people
“ should have a share in conferring that grace,
“ and their consent be joined also to the authority
“ of the Senate.” After many others had spoken
likewise with great warmth in the defence and
praise of Cicero, they all came unanimously into
Pompey’s opinion, and were proceeding to make
a decree upon it, when Serranus, the Tribun, rose
up and put a stop to it; not flatly interposing his
negative, for he had not the assurance to do that,
against such a spirit and unanimity of the Senate,
but desiring onely a night’s time to consider of it.
This unexpected interruption incensed the whole
assembly; some reproached, others entreated him;
and his Father in law, Oppius, threw himself at
his feet, to move him to desist: but all that they
could get from him was a promise to give way to
the decree the next morning; upon which they
broke up. “ But the Tribun, says Cicero, em-
“ ployed the night, not as people fancied he
“ would, in giving back the money, which he
“ had taken, but in making a better bargain, and
“ doubling his price; for the next morning, being
“ grown

“grown more hardy, he absolutely prohibited
 “the Senate from proceeding to any act [a].”
 This conduct of Serranus surprized Cicero’s
 friends, being not onely perfidious and contrary
 to his engagements, but highly ungratefull to Ci-
 cero; who, in his Consulship, had been his special
Encourager and Benefactor [b].

A. Urb. 696
 Cic. 50.
 Coff.
 P. CORNELIUS
 LENTULUS
 SPINTHER,
 Q. CÆCILIUS
 METELLUS
 NEPOS.

THE Senate however, though hindered at present from passing their decree, were too well united, and too strongly supported, to be baffled much longer by the artifices of a faction: they resolved therefore, without farther delay, to propound a law to the people for Cicero’s restoration; and the twenty second of the month was appointed for the promulgation of it. When the day came, Fabricius, one of Cicero’s Tribuns, marched out with a strong guard, before it was light, to get possession of the Rostra: but Clodius was too early for him:

[a] Tum princeps rogatus sententiam L. Cottæ, dixit—Nihil de me actum esse jure, nihil more majorum, nihil legibus, &c. Quare me, qui nulla lege abessem, non resistui lege, sed Senatus auctoritate oportere.—

Post eum rogatus sententiam Cn. Pompeius, approbata, laudataque Cottæ sententia, dixit, sese otii mei causa, ut omni populari concertatione defungerer, censere; ut ad Senatus auctoritatem populi quoque Romani beneficium adjungeretur. Cum omnes certatim, aliusque alio gravius de mea salute dixisset, fieretque sine ulla varietate discessio: surrexit Atilius; nec ausus est, cum esset

emptus, intercedere; noctem sibi ad deliberandum postulavit. Clamor Senatus, querelæ, preces, Socer ad pedes abjectus. Ille, se affirmare postero die moram nullam esse facturum. Creditum est: discessum est: illi interea deliberatori merces, interposita nocte, duplicata est.—Pro Sext. 34.

Deliberatio non in reddenda, quemadmodum nonnulli arbitrabantur, sed, ut patefactum est, in augenda mercede consumpta est. Post red. ad Quir. 5.

[b] Is Tribunus pleb, quem ego maximis beneficiis Quæstorem Consul ornaveram. Ibid.

A. Urb. 696. and having seized all the posts and avenues of
 Cic. 50. the Forum, was prepared to give him a warm re-
 Coff. ception: he had purchased *Gladiators, for the*
 P. CORNELIUS *shows of his Ædileship,* to which he was now pre-
 LENTULUS *tending; and borrowed another band of his Brother*
 SPINTHER, *Appius;* and with these well armed, at the head
 Q. CÆCILIUS *of his slaves and dependents, he attacked Fabri-*
 METELLUS *cius, killed several of his followers, wounded many*
 NEPOS. *more, and drove him quite out of the place; and*
happening to fall in at the same time with Cispus,
another Tribun, who was coming to the aid of his
Colleague, he repulsed him also with a great slaughter.
 The Gladiators, heated with this taste of blood,
 “ opened their way on all sides with their swords,
 “ in quest of Quintus Cicero; whom they met
 “ with at last, and would certainly have mur-
 “ thered, if by the advantage of the confusion
 “ and darkness, he had not hid himself under the
 “ bodies of his slaves and freedmen, who were
 “ killed around him; where he lay concealed,
 “ till the fray was over.” The Tribun Sextius
 was treated still more roughly, “ for being par-
 “ ticularly pursued and marked out with destructi-
 “ on, he was so desperately wounded, as to be
 “ left for dead upon the spot; and escaped death,
 “ onely by feigning it:” but while he lay in that
 condition, supposed to be killed, Clodius, reflect-
 ing, that the murder of a Tribun, whose person
 was sacred, would raise such a storm, as might
 occasion his ruin, “ took a sudden resolution to
 “ kill one of his own Tribuns, in order to charge
 “ it upon his adversaries, and so balance the ac-
 “ count by making both sides equally obnoxious:”
 the victim doomed to this sacrifice was, Numerius
 Quinctius, an obscure fellow, raised to this dig-
 nity by the caprice of the multitude, who, to make
 himself the more popular, had assumed the sur-
 name

name of Gracchus : “ but the crafty clown, says
 “ Cicero, having got some hint of the design, and
 “ finding, that his blood was to wipe off the envy
 “ of Sextius’s, disguised himself presently in the
 “ habit of a Muleteer, the same in which he first
 “ came to Rome, and with a basket upon his
 “ head, while some were calling out for Nume-
 “ rius, others for Quinctius, passed undiscovered
 “ by the confusion of the two names : but he
 “ continued in this danger, till Sextius was known
 “ to be alive ; and if that discovery had not been
 “ made sooner than one would have wished,
 “ though they could not have fixed the odium of
 “ killing their mercenary where they designed it ;
 “ yet they would have lessened the infamy of one
 “ villainy, by committing another, which all
 “ people would have been pleased with.” Accord-
 ing to the account of this day’s Tragedy, “ the
 “ Tiber and all the common sewers were filled
 “ with dead bodies, and the blood wiped up with
 “ sponges in the Forum, where such heaps of
 “ slain had never before been seen, but in the
 “ civil dissensions of Cinna and Octavius [c].”

D d 4

CLODIUS,

[c] Princeps rogationis, vir mihi amicissimus, Q. Fabricius templum aliquanto ante lucem occupavit. — Cum Forum, Comitium, Curiam multa de nocte armatis hominibus, ac servis occupavissent, impetum faciunt in Fabricium, manus afferunt, occidunt nonnullos, vulnerant multos: venientem in Forum, virum optimum M. Cispium — vi depellant; cædem in Foro maximam faciunt. Univerſi districtis gladiis in omnibus

Fori partibus fratrem meum oculis quærebant, voce poscebant.—Pulsus e Rostris in Comitio jacuit, seque servorum & libertorum corporibus obtexit.—

Multis vulneribus acceptis ac debilitato corpore contrucidato, Sextus, se abjecit exanimatus; neque ulla alia re ab se mortem, nisi mortis opinione, depulit.—At vero illi ipsi parricidæ — Adeovim facinoris sui perhorruerant, ut si paullo longior opinio mortis Sextii fuisset, Gracchum

A. Urb. 696.
 Cic. 50.
 Coss.
 P. CORNELIUS
 LENTULUS
 SPINTHER,
 Q. CÆCILIUS
 METELLUS
 NEPOS.

A. Urb. 695.

Cic. 50.

Coff.

P. CORNELIUS

LENTULUS

SPINTHER,

Q. CÆCILIUS

METELLUS

NEPOS.

CLODIUS, flushed with this victory, “set fire with his own hands to the Temple of the Nymphs; where the books of the Censors and the public registers of the City were kept, which were all consumed with the Fabric itself [d].” He then attacked the houses of *Milo the Tribun*, and *Cæcilius the Prætor*, with fire and sword; but was repulsed in both attempts with loss: Milo took several of Appius’s Gladiators prisoners, who, being brought before the Senate, made a confession of what they knew, and were sent to jail; but were presently released by Serranus [e].” Upon these outrages *Milo impeached Clodius in form*, for the violation of the public peace: but *the Consul Metellus*, who had not yet abandoned him, with *the Prætor Appius*, and *the Tribun Serranus*, resolved to prevent any process upon it; “and by their edicts prohibited, either the criminal himself to appear, or any

chum illum suum transfere-
rendi in nos criminis causa,
occidere cogitarint. — Sensit
Kusticulus, non incautus; —
mulionicam penulam arripuit,
cum qua primum Romanam
ad comitia venerit: memoria
se corbe contexit: cum quaerent
alii Numerium, alii Quinctium,
gemini nominis errore servatus
est, atque hoc scitis omnes; usque
adeo hominem in periculo fuisse,
quoad scitum sit, Sextium
vivere. Quod nisi esset passum
factum paullo citius, quam
vellem, &c. Meminitis tum,
Judices, corporibus civium
Tiberim compleri, cloacas
referciri, e foro spongiis effregi
sanguinem. — Lapidat

tiones persæpe vidimus; non
ita sæpe, sed nimium tamen
sæpe gladios; cædem vero
tantam, tantos acervos corporum
exstructos, nisi forte illo
Cinnano atque Octaviano die,
quis unquam in Foro vidit? —
Pro Sext. 35, 36, 37, 38.

[d] Eum qui Ædem Nympharum
incendit, ut memoriam publicam
recensionis, tabulis publicis
impressam, extingueret. —
Pro Mil. 27. Parad. 4. de Harusp. resp.
27.

[e] Gladiatores — comprehensi,
in Senatum introducti, confessi,
in vincula coniecti a Milone,
emissi a Serrano — Pro Sext. 39.

“ one

“ one to cite him [f].” Their pretence was, A. Urb. 696.
 “ that the Quæstors were not yet chosen, whose Cic. 50.
 “ office it was to make the allotment of the Coff.
 “ Judges; while they themselves kept back the P. CORNELIUS
 “ election,” and were pushing Clodius at the same LENTULUS
 time into the *Ædileship*; which would skreen him SPINTHER,
 of course for one year from any prosecution. Q. CÆCILIUS
 Milo therefore, finding it impracticable to bring METELLUS
 him to justice in the legal method, resolved to NEPOS.
 deal with him in his own way, by opposing force
 to force; and for this end purchased a band of
 Gladiators, with which he had daily skirmishes
 with him in the streets; and acquired a great re-
 putation of courage and generosity *for being the*
first of all the Romans, who had ever bought Gladia-
tors, for the defence of the Republic [g].

THIS obstruction given to Cicero's return by an
 obstinate and desperate faction, made the Senate
 onely the more resolute to effect it: they passed
a second vote therefore, that no other business should
be done, till it was carried; and to prevent all far-
ther tumults, and insults upon the Magistrates, or-
dered the Consuls, to summon all the people of Italy,
who wished well to the state, to come to the assistance
and defence of Cicero [h]. This gave new spirits to

[f] Ecce tibi Consul, Prætor, Tribunus pleb. nova novi generis edicta proponunt: ne reus adfit, ne citetur.—Pro Sext. 41.

[g] Sed honori summo Miloni nostro nuper fuit, quod Gladiatoribus emptis Reipub. causa, quæ salute nostra continebatur omnes P. Clodii conatus furoresque compressit. De Offic. 2. 17.

[h] Itaque postea nihil vos civibus, nihil sociis, nihil Re-

gibus respondistis. Post red. in Sen. 3.

Quid mihi præclarius accidere potuit, quam quod illo referente vos decrevistis, ut cuncti ex omni Italia, qui Remp. salvam vellent, ad me unum—restituendum, & defendendum venirent? Ib. 9.

In una mea causa factum est, ut literis consularibus ex S. C. cuncta ex Italia, omnes, qui Remp. salvam vellent, convocarentur. Pro Sext. 60.

the

A. Urb. 696. the honest Citizens, and drew a vast concourse to
 Cic. 50. Rome from all parts of Italy, where there was
 Coss. not a corporate Town of any note, which did not
 P. CORNELIUS LENTULUS testify its respect to Cicero by some public act or
 SEXTHER. monument. “Pompey was at Capua, acting as
 Q. CÆCILIUS “chief Magistrate of his new Colony; where he
 METELLUS “presided in person at their making a decree to
 NEPOS. “Cicero’s honor, and took the trouble likewise
 “of visiting all the other Colonies and chief
 “Towns in those parts,” to appoint them a day
 of general rendezvous at Rome, to assist at the
 promulgation of the law [i].

LENTULUS, at the same time was entertain-
 ing the City *with shews and stage plays*, in order to
 keep the people in good humor, whom he had
 called from their private affairs in the country, to
 attend the public business. The shews were ex-
 hibited in *Pompey’s Theater*, while the Senate, for
 the convenience of being near them, was held in
 the adjoining *Temple of Honor and Virtue*, built by
Marius out of the Cimbric spoils, and called for that
 reason, *Marius’s Monument*: here, according to
Cicero’s dream, a decree now passed in proper form
 for his restoration; when under the joint influence
 of those Deities, *Honor*, he says, *was done to Vir-*
tue; and the Monument of Marius, the preserver
of the Empire, gave safety to his Countryman, the
defender of it [k].

[i] Qui in colonia nuper
 constituta, cum ipsa gereret
 Magistratum, vim & crudeli-
 tatem privilegii auctoritate
 honestissimorum hominum, &
 publicis literis consignavit:
 princepsque Italiæ totius præ-
 fidium ad meam salutem im-
 plorandam putavit. Post red.
 in Sen. 11.

Hic municipia, coloniaf-

que audiit: hic Italiæ totius
 auxilium imploravit. Pro
 dom. 12.

[k] Cum in Templo Ho-
 noris & Virtutis, honos habi-
 tus esset virtuti; Caiique Ma-
 rii, conservatoris hujus impe-
 rii, monumentum, municipi
 ejus & Reipub. defensori sedem
 ad salutem præbuisset. Pro
 Sect. 54. it. 56.

THE news of this decree no sooner reached the neighbouring Theater, than the whole assembly expressed their satisfaction by claps and applauses, which they renewed upon the entrance of every Senator; but when *the Consul Lentulus* took his place, *they all rose up, and with acclamations, stretched out hands, and tears of joy, publicly testified their thanks to him.* But when Clodius ventured to shew himself, they were hardly restrained from doing him violence; throwing out reproaches, threats and curses upon him: so that *in the shew of Gladiators*, which he could not bear to be deprived of, he durst not go to his seat in the common and open manner, but used to start up into it at once, from some obscure passage under the benches, which on that account was jocosely called, *the Appian way*; where he was no sooner espied, than so “ general a hiss ensued, that it disturbed
 “ the Gladiators, and frightened their very horses.
 “ From these significations, says Cicero, he might
 “ learn the difference between the genuin Citizens of Rome, and those packed assemblies of
 “ the people, where he used to domineer; and
 “ that the men, who lord it in such assemblies,
 “ are the real aversion of the City; while those
 “ who dare not shew their heads in them, are
 “ received with all demonstration of honor by
 “ the whole people [1].”

A. Urb. 696.
 Cic. 50.
 Coss.
 P. CORNELIUS
 LENTULUS
 SPINTHER,
 Q. CÆCILIUS
 METELLUS
 NEPOS.

WHEN

[1] Audito S. C. ore ipsi, atque absenti senatui plausus est ab universis datus: deinde, cum Senatoribus singulis spectatum e Senatu redeuntibus: cum vero ipse, qui ludos faciebat, Consul asedit: stantes, & manibus passis gratias agentes, & lacrymantes gaudio,

suam erga me benevolentiam ac misericordiam declararunt, at cum ille furibundus venisset, vix se populus Romanus tenuit.—Pro Sext. 55. Is, cum quotidie Gladiatores spectaret, nunquam est conspectus, cum veniret: emergebat subito, cum sub tabulas subrep-

A. Urb. 696.

Cic. 50.

Coff.

P. CORNELIUS

LENTULUS

SPINTHER,

Q. CÆCILIUS

METELLUS

NEPOS.

WHEN the decree passed, the famed *Tragedian*, *Æsopus*, who acted, as Cicero says, *the same good part in the Republic, that he did upon the stage*, was performing the part of *Telamon*, banished from his country, in one of *Accius's* plays; where by the emphasis of his voice, and the change of a word or two in some of the lines, he contrived to turn the thoughts of the audience on Cicero. “What he! who always stood up for the Republic! who in doubtful times spared neither life nor fortunes—the greatest friend in the greatest danger—of such parts and talents—O Father—I saw his houses and rich furniture all in flames—O ungrateful Greeks, inconstant people; forgetful of services!—to see such a man banished; driven from his country; and suffer him to continue so?”—At each of which sentences there was no end of clapping—In another Tragedy of the same Poet, called *Brutus*, when instead of *Brutus* he pronounced *Tullius who established the liberty of his Citizens*; the people were so affected, that they called for it again a thousand times. This was the constant practice through the whole time of his exile, there was not a passage in any play, which could possibly be applied to his case, but the whole audience presently caught it up, and by their claps and applauses loudly signified their zeal and good wishes for him [m].

THOUGH

subreperat—itaque illa via latebrosa, qua ille spectatum veniebat, Appia jam vocabatur, qui tamen quo tempore conspectus erat, non modo Gladiatores, sed equi ipsi Gladiatorum repentinis sibilis extimescebant. Videtisne igitur, quantum inter populum Romanum, & concio-

nem interit? Dominos concionum omni odio populi notari? Quibus autem consistere in operarum concionibus non liceat, eos omni populi Romani significatione decorari?—Ib. 59.

[m] Recenti nuncio de illo S. C. ad ludos, scenamque perlato, summus Artifex, & me-

THOUGH a decree was regularly obtained for Cicero's return, Clodius had the courage and address still to hinder its passing into a law: he took all occasions of haranguing the people against it; and when he had filled the Forum with his mercenaries, "used to demand of them aloud, contrary to the custom of Rome, whether they would have Cicero restored or not; upon which his emissaries raising a sort of a dead cry in the negative, he laid hold of it, as the voice of the Roman people, and declared the proposal to be rejected [n]. But the Senate, ashamed to see their authority thus insulted, when the whole city was on their side, resolved to take such measures in the support of their decrees, that it should not be possible to defeat them. Lentulus therefore summoned them *into the Capitol, on the twenty-fifth of May*; where Pompey began the debate, and renewed the motion for recalling Cicero; and in a grave and elaborate speech which he had prepared in writing, and delivered from his notes,

A. Urb. 696.
Cic. 50.
Coff.
P. CORNELIUS
LENTULUS
SPINTHER,
Q. CÆCILIUS
METELLUS
NEPOS.

mehercule semper partium in Repub. tamquam in scena, optimatium, flens & recenti lætitia & misto dolore ac desiderio mei — summi enim poetæ ingenium non solum arte sua sed etiam dolore exprimebat. *Quid enim? qui Romp. certo animo adjuverit, statuerit, steterit cum Achivis—re dubia nec dubitarit vitam offerre, nec capiti pepercerit, — summum amicum summo in bello—summo ingenio præditum — O Pater — hæc omnia vidi inflammari—O ingrati Argivi, inanes Graii, immemores benefici! — exulare suntis, sistis pelli, pulsus pa-*

timini—quæ significatio fuerit omnium, quæ declaratio voluntatis ab Universo populo Romano?

Nominatim sum appellatus in *Bruto, Tullius, qui libertatem civibus stabiliverat*. Milles revocatum est. Pro Sext. 56, 7, 8.

[n] Ille Tribunus pleb. qui de me—non majorum suorum, sed Græculorum instituto, concionem interrogare solebat, velletne me redire: & cum erat reclamatum semivivis mercenariorum vocibus; populum Romanum negare dicebat. lb. 59.

A. Urb. 696. gave him the honor of *having saved his country* [o].
 Cic. 50. All the leading men of the Senate spoke after him
 Coff. to the same effect; but *the Consul Metellus*, not-
 P. CORNELIUS withstanding his promises, had been acting hitherto
 LENTULUS a double part; and was all along the chief encour-
 SPINTHER, rager and supporter of Clodius: when Servilius
 Q. CÆCILIUS therefore rose up, a person of the first dignity,
 METELLUS who had been honored with a triumph and the
 NEPOS. Censorship, he addressed himself to his kinsman,
 Metellus; and “calling up from the dead all the
 “family of the Metelli, laid before him the glo-
 “rious acts of his ancestors, with the conduct and
 “unhappy fate of his Brother, in a manner so
 “moving, that Metellus could not hold out any
 “longer, against the force of the speech, nor
 “the authority of the Speaker, but with tears in
 “his eyes, gave himself up to Servilius, and pro-
 “fessed all future services to Cicero:” in which
 he proved very sincere, and from this moment
 assisted his colleague in promoting *Cicero’s restoration*:
 so that in a very full house, of four hun-
 “dred and seventeen Senators; when all the Ma-
 “gistrates were present, the decree passed with-
 “out one dissenting voice, but Clodius’s [p]:”
 which

[o] Idem ille Consul cum illa incredibilis multitudo Romam, & pæne Italia ipsa venisset, vos frequentissimos in Capitolium convocavit. [Post red. in Sen. 10.] Cum vir is, qui tripartias Orbis terrarum oras atque regiones tribus triumphis huic imperio adjunctas notavit, de scripto sententia dicta, mihi uni testimonium patriæ conservatæ dedit — Pro Sext. 61.

[p] Qu. Metellus, & ini-

micus & frater inimici specta vestra voluntate, omnia privata odia deposuit: quem P. Servilius — & auctoritatis & orationis suæ divina quadam gravitate ad sui generis, communisque sanguinis facta, virtutesque revocavit, ut haberet in consilio & fratrem ab inferis — & omnes Metellos, præstantissimos cives — itaque extitit non modo salutis defensor, — verum etiam adscriptor dignitatis meæ-
 Quo

which gave occasion to Cicero to write a *particular letter of thanks to Metellus*, as he had done once before, upon his first declaration for him [q].

A. Urb. 696.
Cic. 50.
Coff.
P. CORNELIUS
LENIULUS
SPINTHER,
Q. CÆCILIUS
METELLUS
NEPOS.

SOME may be apt to wonder, why *the two Tribuns*, who were Cicero's enemies still as much as ever, did not persevere to inhibit the decree; since the Negative of a single Tribun had an indisputable force to stop proceedings; but when that negative was wholly arbitrary and factious; contrary to the apparent interest, and general inclination of the Citizens; if the Tribun could not be prevailed with by gentle means to recall it, the Senate used to enter into a debate upon the merit of it, and proceed to some extraordinary resolution, of declaring the author of such an opposition, *an enemy to his country; and answerable for all the mischief, that was likely to ensue; or of ordering the Consuls to take care that the Republic received no detriment*; which votes were thought to justify any methods, how violent soever, of removing either the obstruction or the author of it; who seldom cared to expose himself to the rage of an inflamed City, headed by the Consuls and the Senate, and to assert his prerogative at the peril of his life.

THIS in effect was the case at present; when the Consul Lentulus assembled the Senate again the next day, to concert some effectual method for preventing all farther opposition, and getting the decree enacted into a law: but before they met, he called the people likewise *to the Rostra*; where

Quo quidem die, cum vos
417. ex Senatu essetis, Magi-
stratus autem hi omnes ad-
essent, dissensit unus — Post
red. in Sen. 10.

Collacrymavit vir egregius
ac vere Metellus, totumque se

P. Servilio dicenti eitam tum
tradidit. Nec illam divinam
gravitatem, plenam antiqui-
tatis, diutius potuit sustine-
re. Pro Sext. 62.

[q] Epist. fam. 5. 5.

A. Urb. 696. he, and all the principal Senators, in their turns
 Cic. 50. repeated to them the substance of what they had
 Coff. said before in the Senate, in order to prepare them
 P. CORNELIUS for the reception of the law: Pompey particularly
 LENTULUS exerted himself, *in extolling the praises of Ci-*
 SPINTHER, *cero*; declaring, “ that the Republic owed it’s
 Q. CÆCILIUS “ preservation to him; and that their common
 METELLUS “ safety was involved in his; exhorting them to
 NEPOS. “ defend and support the decree of the Senate,
 “ the quiet of the City, and the fortunes of a man,
 “ who had deserved so well of them: that this
 “ was the general voice of the Senate; of the
 “ Knights; of all Italy; and lastly, that it was
 “ his own earnest, and special request to them,
 “ which he not onely desired, but implored them
 “ to grant [*r*].” When the Senate afterwards
 met, they proceeded to several new and vigorous
 votes, to facilitate the success of the law: first,
 “ that no Magistrate should presume to take the
 “ Auspices, so as to disturb the assembly of the
 “ people, when Cicero’s cause was to come before
 “ them: and that if any one attempted it, he
 “ should be treated as a public enemy.

Secondly, “ That, if through any violence or
 “ obstruction, the law was not suffered to pass,
 “ within the five next legal days of assembly,
 “ Cicero should then be at liberty to return, with-
 “ out any farther authority.

[*r*] Quorum princeps ad
 rogandos & ad cohortandos
 vos fuit Cn. Pompeius—pri-
 mum vos docuit, meis consi-
 liis Rempub. esse servatam,
 causamque meam cum com-
 muni salute conjunxit; hor-
 tatusque est, ut auctoritatem
 Senatus, statum civitatis, for-

tunas civis bene meriti defen-
 deretis: tum in perorando
 posuit, vos rogari a Senatu,
 rogari ab Equitibus, rogari
 ab Italia cuncta: denique
 ipse ab extremum pro mea
 vos salute non rogavit solum,
 verum etiam obsecravit.—
 Post red. ad Quir. 7.

Thirdly,

Thirdly, “ That public thanks should be given
 “ to all the people of Italy, who came to Rome
 “ for Cicero’s defence ; and that they should be
 “ desired to come again, on the day when the
 “ suffrages of the people were to be taken.

A. Urb. 696.
 Cic. 50.
 Coff.
 P. CORNELIUS
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Fourthly, “ That thanks should be given like-
 “ wise to all the States and Cities, which had re-
 “ ceived and entertained Cicero ; and that the
 “ care of his person should be recommended to
 “ all foreign nations in alliance with them ; and
 “ that the Roman Generals, and all who had
 “ command abroad, should be ordered to protect
 “ his life and safety [s].”

ONE cannot help pausing a while, to reflect on the great idea, which these facts imprint of the character and dignity of Cicero ; to see so vast an Empire in such a ferment on his account, *as to postpone all their concerns and interests, for many months successively, to the safety of a single Senator [t]* ; who had no other means of exciting the zeal, or engaging the affections of his Citizens, but the

[s] Quod est postredie decretum in curia—ne quis de cœlo servaret ; ne quis moram ullam afferret ; si quis aliter fecisset, eum plane everforem Reipub. fore.—

Addidit, si diebus quinque quibus agi de me potuisset, non esset actum, redirem in patriam omni auctoritate recuperata.

Ut iis, qui ex tota Italia salutis meæ causa conveniant, agerentur gratiæ : atque iidem ad res redeuntes, ut venirent, rogaentur.

Quem enim unquam Senatus civem, nisi me, nationibus exteris commendavit ?

cujus unquam propter salutem nisi meam, Senatus publice Sociis populi Romani gratias egit ? De me uno P. C. decreverunt, ut qui provincias cum imperio obtinerent, qui Quæstores Legatique essent, salutem & vitam meam custodirent. Pro Sext. 60, 61.

[t] Nihil vos civibus, nihil fociis, nihil Regibus respondistis. Nihil Judices sententiis, nihil populus suffragiis, nihil hic Ordo auctoritate declaravit : mutum Forum, elinguem curiam, tacitam & fractam civitatem videbatis.— Post red in Sen. 3.

A. Urb. 696. genuin force of his personal virtues, and the merit
 Cic. 50. of his eminent services: as if the Republic itself
 Coss. could not stand without him, but must fall into
 P. CORNELIUS LENTULUS ruins, if he, the main pillar of it, was removed;
 SPINThER, whilst the greatest Monarchs on earth, who had
 Q. CÆCILIUS any affairs with the people of Rome, were look-
 METELLUS ing on, to expect the event, *unable to procure any*
 NEPOS. *answer or regard to what they were soliciting, till*
this affair was decided: Ptolemy, the King of Egypt,
 was particularly affected by it; who, being driven
 out of his Kingdom, came to Rome about this
 time, to beg help and protection against his rebel-
 lious subjects; but though he was lodged in *Pom-*
pey's house, it was not possible for him to get an
 audience till Cicero's cause was at an end.

THE law, now prepared for his restoration, was
 to be offered to *the Suffrage of the Centuries*: this
 was the most solemn and honorable way of trans-
 acting any public business, where the best and
 gravest part of the City had the chief influence;
 and where *a decree of the Senate* was previously ne-
 cessary to make the act valid: but in the present
 case, there seem to have been *four or five several*
decrees, provided at different times, which had all
 been frustrated by the intrigues of Clodius and his
 friends, till these last votes proved decisive and
 effectual [u]. Cicero's resolution upon them was
 "to wait till the law should be proposed to the
 " people; and, if by the artifices of his enemies,
 " it should then be obstructed, to come away di-
 " rectly upon the authority of the Senate; and
 " rather hazard his life, than bear the loss of his
 " country any longer [x]." But the vigor of the

[u] Vid. Pro Sext. 60. & Notas Manutii ad 61.

[x] Mihi in animo est legum lationem expectare, &

si obtinebitur, utar auctoritate Senatus, & potius vitam quam patria carebo. Ad Att. 3. 26.

late debates had so discouraged the chiefs of the A. Urb. 696.
 faction, that they left Clodius single in the oppo- Cic. 50.
 sition : Metellus dropt him, and his brother Ap- Coſt.
 pius was deſirous to be quiet [y]; yet it was above P. CORNELIUS
 two months ſtill from the laſt decree, before LENTULUS
 Cicero's friends could bring the affair to a general SPINTHER,
 vote; which they effected at laſt on the fourth of Q. CÆCILIUS
Auguſt. METELLUS
 NEPOS.

THERE had never been known ſo numerous and ſolemn an aſſembly of the Roman people as this: all Italy was drawn together on the occaſion: *it was reckoned a kind of ſin to be abſent; and neither age nor infirmity was thought a ſufficient excuſe for not lending a helping hand to the reſtoration of Cicero:* all the Magiſtrates exerted themſelves in recommending the law, excepting *Appius and the two Tribuns*, who durſt not venture however to oppoſe it: the meeting was held in *the field of Mars*, for the more convenient reception of ſo great a multitude; where *the Senators divided among themſelves the taſk of preſiding in the ſeveral Centuries, and ſeeing the poll fairly taken:* the reſult was, *that Cicero was recalled from exile, by the unanimous ſuffrage of all the Centuries;* and to the infinite joy of the whole City [z].

[y] Redii cum maxima dignitate, fratre tuo altero Conſule reducente, altero Prætoꝛe petente. Pro dom. 33.

[z] Quo die quis civis fuit, qui non nefas eſſe putaret, quacunꝛue aut ætate aut validudine eſſet, non ſe de ſalute mea ſententiam ferre? Poſt red. in Sen. xi.

Nemo ſibi nec validudinis excuſationem nec ſenectutis ſatis juſtam putavit. Pro

Sext. 52.

De me cum omnes Magiſtratus promulgaffent, præter unum Prætoꝛem, a quo non erat poſtulandum, fratrem inimici mei, præterque duos de lapide emptos Tribunos plebis——nullis comitiis unquam multitudinem hominum tantam, neque ſplendidorem fuiſſe.——vos rogatoꝛes, vos diſtributores, vos cuſtodes fuiſſe tabularum.—In Piſon. 15.

A. Urb. 696.

Cic. 50.
Coff.

P. CORNELIUS

LENTULUS

SPINTHER,

Q. CILIVS

METELLUS

NEPOS.

CLODIUS however had the hardiness, not only to appear, *but to speak in this assembly against the law; but no body regarded or heard a word that he said*: he now found the difference mentioned above, between a free convention of the Roman people, and those mercenary assemblies, where a few desperate Citizens, headed by slaves and gladiators used to carry all before them: *where now, says Cicero, were those Tyrants of the Forum, those haranguers of the mob, those disposers of kingdoms?*— This was one of the last genuin Acts of *free Rome*; one of the last efforts of public liberty, exerting itself to do honor to its patron and defender: for the union of the Triumvirate had already given it a dangerous wound; and their dissension, which not long after ensued, entirely destroyed it.

BUT it gave some damp to the joy of this glorious day, that *Cicero's Son in law Piso* happened to die not long before it, to the extreme grief of the family; without reaping the fruits of his Piety, and sharing the pleasure and benefit of Cicero's return. His praises however will be as immortal as Cicero's writings, from whose repeated character of him we learn, “that for parts, probity, virtue, modesty: and for every accomplishment of a fine Gentleman and fine speaker, he scarce left his equal behind him, among all the young Nobles of that age [a].”

CICERO

[a] *Piso ille gener meus, cui pietatis suæ fructum, neque ex me, neque a populo Romano ferre licuit. Pro Sext. 31.*

Studio autem neminem nec industria majore cognovi; quanquam ne ingenio quidem qui præfiterit, facile dixerim, C. Pisoni, genero meo. Nulum illi tempus vacabat, aut a forensi dictione, aut a com-

mentatione domestica, aut a scribendo aut a cogitando. Itaque tantos processus faciebat, ut evolare non excurrere videbatur, &c.—alia de illo majora dici possunt. Nam nec continentia, nec pietate, nec ullo genere virtutis, quenquam ejusdem ætatis cum illo conferendum puto. Brut. p. 297, 398.

CICERO had resolved to come home, in virtue of the *Senate's decree*, whether the law had passed or not; but perceiving from the accounts of all his friends, that it could not be defeated any longer, he embarked for Italy *on the fourth of August*; the very day on which it was enacted; and landed the next at Brundisium, where he found *his daughter Tullia already arrived to receive him*. The day happened to be *the annual Festival of the Foundation of the Town; as well as of the Dedication of the Temple of Safety at Rome; and the birth-day likewise of Tullia*; as if Providence had thrown all these circumstances together to enhance the joy and solemnity of his landing; which was celebrated by the people with the most profuse expressions of mirth and gayety. Cicero took up his quarters again with his old host Lenius Flaccus, who had entertained him so honorably in his distress, a person of great learning as well as generosity; here he received the wellcome news *in four days from Rome, that the law was actually ratified by the people with an incredible zeal and unanimity of all the Centuries [b.]* This obliged him to pursue his journey in all haste and take leave of the Brundisians; who by all the offices of private duty, as

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[b] Pridie Non. Sextil. Dyrrhachio sum profectus, illo ipso die lex est lata de nobis. Brundisium veni Nonis: ibi mihi Tulliola mea præsto fuit, natali suo ipso die, qui casu idem natalis erat Brundisinae coloniae: & tuæ vicinæ salutis. Quæ res animadversa a multitudine, summa Brundisiorum gratulatione celebrata est. Ante diem sextum. Id. Sext. cognovi—litteris Quinti fra-

tris, mirifico studio omnium ætatum atque ordinum, incredibili concursu Italiae, legem comitiis centuriatis esse perlatum. Ad Att. 4. 1.

Cumque me domus eadem Optimorum & doctissimorum virorum, Lenii Flacci, & Patris & Fratris ejus lætissima accepisset, quæ proximo anno mœrens receperat, & suo periculo præsidioque defenderat. Pro Sext. 63.

A. Urb. 696. well as public decrees, endeavoured to testify their
 Cic. 50. sincere respect for him. The fame of his landing
 Coss. and progress towards the City, drew infinite mul-
 P. CORNELIUS LENTULUS titudes from all parts, to see him as he passed, and
 SPINTHER, congratulate him on his return: " so that the
 Q. CÆCILIUS " whole road was but one continued street from
 METELLUS " Brundisium to Rome, lined on both sides with
 NEPOS. " crowds of men, women, and children; nor was
 " there a præfecture, Town, or Colony through
 " Italy, which did not decree him statues or pub-
 " lic honors, and send a deputation of their prin-
 " cipal members to pay him their compliments:
 " that it was rather less than the truth, as Plu-
 " tarch says, what Cicero himself tells us, that all
 " Italy brought him back upon its shoulders [c].
 " But that one day, says he, was worth an im-
 " mortality; when, on my approach towards the
 " City, the Senate came out to receive me, fol-
 " lowed by the whole body of the Citizens; as if
 " Rome itself had left its foundations, and
 " marched forward to embrace its Preserver [d].
 As soon as he entered the gates he saw " the
 " steps of all the Temples, Porticos, and even
 " the tops of houses covered with people, who

[c] Meus quidem reditus is fuit ut a Brundisio usque Romam agmen perpetuum totius Italiae viderem. Neque enim regio fuit ulia, neque præfectura, neque municipium aut colonia, ex qua non publice ad me venerint gratiatum. Quid dicam adventus meos? Quid effusiones hominum ex oppidis? Quid concursum ex agris Patrum-familias cum conjugibus ac liberis? &c. in Pison. 22.

Italia cuncta pane suis humeris reportavit. Post red. in

Sen. 15.

Itinere toto Urbes Italiae festos dies agere adventus mei videbantur. Viæ multitudine legatorum undique missorum celebrabantur.—Pro Sext. 63.

[d] Unus ille dies mihi quidem instar immortalitatis fuit—cum Senatum egressum vidi, populumque Romanum universum; cum mihi ipsa Roma, prope convulsa sedibus suis, ad complectendum conservatorem suum procedere visa est. In Pison. 22.

“ saluted.

“ saluted him with an universal acclamation, as
 “ he marched forward towards the Capitol,
 “ where fresh multitudes were expecting his ar-
 “ rival : yet in the midst of all this Joy he could
 “ not help grieving, he says, within himself, to
 “ reflect that a City so grateful to the defender of
 “ its liberty, had been so miserably enslaved and
 “ oppressed [e].” The Capitol was the proper
 seat or throne, as it were, of the Majesty of the
 Empire; where stood the most magnificent Fabric
 of Rome, *the Temple of Jupiter*, or of that God
 whom they stiled *the Greatest and the Best* [f];
 to whose shrine all, who entered the City in pomp
 or triumph, used always to make their first visit.
 Cicero therefore, before he had saluted his wife
 and family, was obliged to discharge himself here
 of his vows and thanks for his safe return; where,
 in compliance with the popular superstition, he
 paid his devotion also *to that tutelary Minerva*,
 whom, at his quitting Rome, he had placed in
 the Temple of her Father. From this office of
 religion he was conducted by the same company,
 and with the same acclamations, to his Brother’s
 house, where this great procession ended : which,
 from one end of it to the other, was so splendid
 and triumphant, *that he had reason*, he says, *to*
fear, lest people should imagine that he himself had
contrived his late flight, for the sake of so glorious a
restoration [g].

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[e] Iter a porta, in Capito-
 lium ascensus, domum redi-
 tus erat ejusmodi, ut summa
 in lætitia illud dolerem, civi-
 tatem tam gratam, tam mi-
 seram atque oppressam fuisse.
 —Pro Sext. 63.

[f] Quocirca Te, Capito-
 line, quem propter beneficia

Populus Romanus Optimum,
 propter vim, Maximum, no-
 minavit. Pro dom. 57.

[g] Ut tua mihi consele-
 rata illa vis non modo non
 propulsanda, sed etiam emen-
 da fuisse videatur. Pro dom.
 28.

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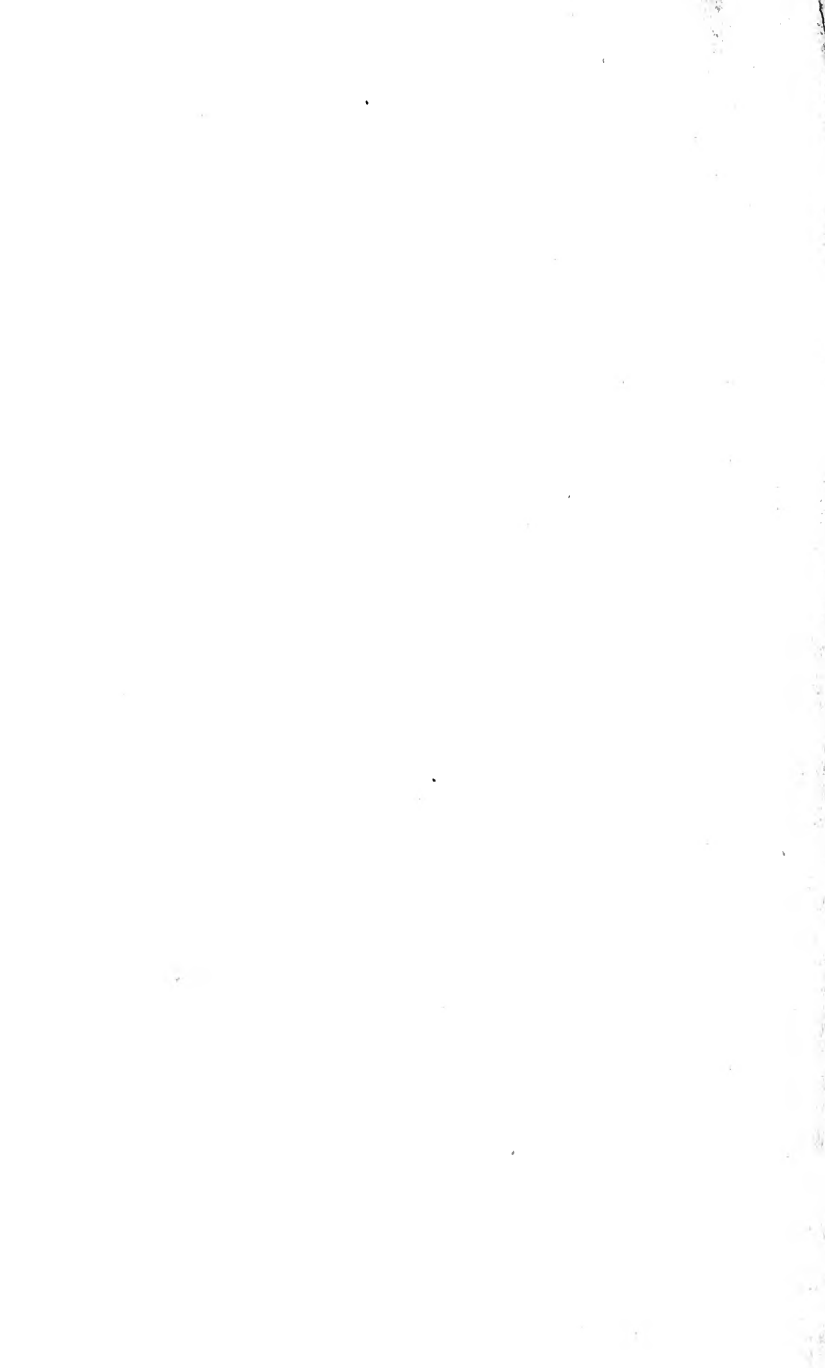
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