

that he has taken away four hundred thousand sesterces out of Sicily contrary to the laws. We will make this so plain to you by witnesses, by private documents, and by public records, that you shall decide that, even if we had abundant space and leisure days for making a long speech without any inconvenience, still there was no need at all of a long speech in this matter.

THE FIRST BOOK OF THE SECOND PLEADING AGAINST
CAIUS VERRES.

RESPECTING HIS CONDUCT IN THE CITY PRÆTORSHIP.

THE ARGUMENT.

The following five orations were never spoken; they were published afterwards as they had been prepared and intended to be spoken if Verres had made a regular defence; for as this was the only cause in which Cicero had been engaged as accuser, he was willing to leave these orations as a specimen of his abilities that way, and as a pattern of a just and diligent impeachment of a corrupt magistrate. But Hortensius had been so confounded by the novelty of Cicero's mode of conducting the prosecution, and by the strength of the case brought against his client, that he was quite unable to make any defence, and Verres went into voluntary exile.

In the beginning of this oration Cicero imagines Verres to be present, and to be prepared to make his defence; but before he proceeds to the main subjects of the prosecution, which occupy the last four orations, he devotes this one to an examination of his previous character and conduct as a public man, as quæstor, as legatus, as prætor urbanus, and as prætor in Sicily; in order to show that his previous conduct had been such as to warrant any one in believing the charges he was now bringing against him.

I. I THINK that no one of you, O judges, is ignorant that for these many days the discourse of the populace, and the opinion of the Roman people, has been that Caius Verres would not appear a second time before the bench to reply to my charges, and would not again present himself in court. And this idea had not got about merely because he had deliberately determined and resolved not to appear, but because no one believed that any one would be so audacious, so frantic, and so impudent, as, after having been convicted of such nefarious crimes, and by so many witnesses, to venture

to present himself to the eyes of the judges, or to show his face to the Roman people. But he is the same Verres that he always was ; as he was abandoned enough to dare, so he is hardened enough to listen to anything. He is present ; he replies to us ; he makes his defence. He does not even leave himself this much of character, to be supposed, by being silent and keeping out of the way when he is so visibly convicted of the most infamous conduct, to have sought for a modest escape for his impudence. I can endure this, O judges, and I am not vexed that I am to receive the reward of my labours, and you the reward of your virtue. For if he had done what he at first determined to, that is, had not appeared, it would have been somewhat less known than is desirable for me what pains I had taken in preparing and arranging this prosecution : and your praise, O judges, would have been exceedingly slight and little heard of. For this is not what the Roman people is expecting from you, nor what it can be contented with,—namely, for a man to be condemned who refuses to appear, and for you to act with resolution in the case of a man whom nobody has dared to defend. Aye, let him appear, let him reply ; let him be defended with the utmost influence and the utmost zeal of the most powerful men ; let my diligence have to contend with the covetousness of all of them, your integrity with his riches, the consistency of the witnesses with the threats and power of his patrons. Then indeed those things will be seen to be overcome when they have come to the contest and to the struggle. But if he had been condemned in his absence, he would have appeared not so much to have consulted his own advantage as to have grudged you your credit.

II. For neither can there be any greater safety for the republic imagined at this time, than for the Roman people to understand that, if all unworthy judges are carefully rejected by the accusers, the allies, the laws, and the republic can be thoroughly defended by a bench of judges chosen from the senators ; nor can any such injury to the fortunes of all happen, as for all regard for truth, for integrity, for good faith, and for religion to be, in the opinion of the Roman people, cast aside by the senatorial body. And therefore, I seem to myself, O judges, to have undertaken to uphold an important, and very failing, and almost neglected part of the

republic, and by so doing to be acting not more for the benefit of my own reputation than of yours. For I have come forward to diminish the unpopularity of the courts of justice, and to remove the reproaches which are levelled at them; in order that, when this cause has been decided according to the wish of the Roman people, the authority of the courts of justice may appear to have been re-established in some degree by my diligence; and in order that this matter may be so decided that an end may be put at length to the controversy about the tribunals; and, indeed, beyond all question, O judges, that matter depends on your decision in this cause. For the criminal is most guilty. And if he be condemned, men will cease to say that money is all powerful with the present tribunal; but if he be acquitted we shall cease to be able to make any objection to transferring the tribunal to another body. Although that fellow has not in reality any hope, nor the Roman people any fear of his acquittal, there are some men who do marvel at his singular impudence in being present, in replying to the accusations brought against him; but to me even this does not appear marvellous in comparison with his other actions of audacity and madness. For he has done many impious and nefarious actions both against gods and men; by the punishment for which crimes he is now disquieted and driven out of his mind and out of his senses.

III. The punishments of Roman citizens are driving him mad, some of whom he has delivered to the executioner, others he has put to death in prison, others he has crucified while demanding their rights as freemen and as Roman citizens. The gods of his fathers are hurrying him away to punishment, because he alone has been found to lead to execution sons torn from the embraces of their fathers, and to demand of parents payment for leave to bury their sons. The reverence due to, and the holy ceremonies practised in, every shrine and every temple—but all violated by him; and the images of the gods, which have not only been taken away from their temples, but which are even lying in darkness, having been cast aside and thrown away by him—do not allow his mind to rest free from frenzy and madness. Nor does he appear to me merely to offer himself to condemnation, nor to be content with the common punishment of avarice, when he has involved himself

in so many atrocities; his savage and monstrous nature wishes for some extraordinary punishment. It is not alone demanded that, by his condemnation, their property may be restored to those from whom it has been taken away; but the insults offered to the religion of the immortal gods must be expiated, and the tortures of Roman citizens, and the blood of many innocent men, must be atoned for by that man's punishment. For we have brought before your tribunal not only a thief, but a wholesale robber; not only an adulterer, but a ravisher of chastity; not only a sacrilegious man, but an open enemy to all sacred things and all religion; not only an assassin, but a most barbarous murderer of both citizens and allies; so that I think him the only criminal in the memory of man so atrocious, that it is even for his own good to be condemned.

IV. For who is there who does not see this, that though he be acquitted, against the will of gods and men, yet that he cannot possibly be taken out of the hands of the Roman people? Who does not see that it would be an excellent thing for us in that case, if the Roman people were content with the punishment of that one criminal alone, and did not decide that he had not committed any greater wickedness against them when he plundered temples, when he murdered so many innocent men, when he destroyed Roman citizens by execution, by torture, by the cross,—when he released leaders of banditti for bribes,—than they, who, when on their oaths, acquitted a man covered with so many, with such enormous, with such unspeakable wickednesses? There is, there is, O judges, no room for any one to err in respect of this man. He is not such a criminal, this is not such a time, this is not such a tribunal, (I fear to seem to say anything too arrogant before such men,) even the advocate is not such a man, that a criminal so guilty, so abandoned, so plainly convicted, can be either stealthily or openly snatched out of his hands with impunity. When such men as these are judges, shall I not be able to prove that Caius Verres has taken bribes contrary to the laws? Will such men venture to assert that they have not believed so many senators, so many Roman knights, so many cities, so many men of the highest honour from so illustrious a province, so many letters of whole nations and of private individuals? that they have resisted so general a wish of the Roman people? Let them venture. We will find, if we are

able to bring that fellow alive before another tribunal, men to whom we can prove that he in his quæstorship embezzled the public money which was given to Cnæus Carbo the consul; men whom we can persuade that he got money under false pretences from the quæstors of the city, as you have learnt in my former pleadings. There will be some men, too, who will blame his boldness in having released some of the contractors from supplying the corn due to the public, when they could make it for his own interest. There will even, perhaps, be some men who will think that robbery of his most especially to be punished, when he did not hesitate to carry off out of the most holy temples and out of the cities of our allies and friends, the monuments of Marcus Marcellus and of Publius Africanus, which in name indeed belonged to them, but in reality both belonged and were always considered to belong to the Roman people.

V. Suppose he has escaped from the court about speculation. Let him think of the generals of the enemy, for whose release he has accepted bribes; let him consider what answer he can make about those men whom he has left in his own house to substitute in their places;¹ let him consider not only how he can get over our accusation, but also how he can remedy his own confession. Let him recollect that, in the former pleadings, being excited by the adverse and hostile shouts of the Roman people, he confessed that he had not caused the leaders of the pirates to be executed; and that he was afraid even then that it would be imputed to him that he had released them for money. Let him confess that, which cannot be denied, that he, as a private individual, kept the leaders of the pirates alive and unhurt in his own house, after he had returned to Rome, as long as he could do so for me. If in the case of such a prosecution for treason it was lawful for him to do so, I will admit that it was proper. Suppose he escapes from this accusation also; I will proceed to that

¹ This refers to the following act of Verres:—A single pirate ship had been taken by his lieutenant; the captain bribed Verres to save his life, but the people were impatient for the execution of him and his chief officers. Verres, who had in his dungeons many Roman citizens who had offended him, muffled up their faces, so that they could not speak and could not be recognised, and produced them on the scaffold, and put them to death as the pirates for whose execution the people were clamouring.

point to which the Roman people has long been inviting me. For it thinks that the decision concerning the rights to freedom and to citizenship belong to itself; and it thinks rightly. Let that fellow, forsooth, break down with his evidence the intentions of the senators—let him force his way through the questions of all men—let him make his escape from your severity; believe me, he will be held by much tighter chains in the hands of the Roman people. The Roman people will give credit to those Roman knights who, when they were produced as witnesses before you originally, said that a Roman citizen, one who was offering honourable men as his bail, was crucified by him in their sight. The whole of the thirty-five tribes will believe a most honourable and accomplished man, Marcus Annius, who said, that when he was present, a Roman citizen perished by the hand of the executioner. That most admirable man Lucius Flavius, a Roman knight, will be listened to by the Roman people, who gave in evidence that his intimate friend Herennius, a merchant from Africa, though more than a hundred Roman citizens at Syracuse knew him, and defended him in tears, was put to death by the executioner. Lucius Suetius, a man endowed with every accomplishment, speaks to them with an honesty and authority and conscientious veracity which they must trust; and he said on his oath before you that many Roman citizens had been most cruelly put to death, with every circumstance of violence, in his stone-quarries. When I am conducting this cause for the sake of the Roman people from this rostrum, I have no fear that either any violence can be able to save him from the votes of the Roman people, or that any labour undertaken by me in my ædileship can be considered more honourable or more acceptable by the Roman people.

VI. Let, therefore, every one at this trial attempt everything. There is no mistake now which any one can make in this cause, O judges, which will not be made at your risk. My own line of conduct, as it is already known to you in what is past, is also provided for, and resolved on, in what is to come. I displayed my zeal for the republic at that time, when, after a long interval, I reintroduced the old custom, and at the request of the allies and friends of the Roman people, who were, however, my own most intimate connexions, prosecuted a most audacious man. And this action of mine

most virtuous and accomplished men (in which number many of you were) approved of to such a degree, that they refused the man who had been his quæstor, and who, having been offended by him, wished to prosecute his own quarrel against him, leave not only to prosecute the man himself, but even back the accusation against him, when he himself begged to do so. I went into Sicily for the sake of inquiring into the business, in which occupation the celerity of my return showed my industry; the multitude of documents and witnesses which I brought with me declared my diligence; and I further showed my moderation and scrupulousness, in that when I had arrived as a senator among the allies of the Roman people, having been quæstor in that province, I, though the defender of the common cause of them all, lodged rather with my own hereditary friends and connexions, than those who had sought that assistance from me. My arrival was no trouble nor expense to any one, either publicly or privately. I used in the inquiry just as much power as the law gave me, not as much as I might have had through the zeal of those men whom that fellow had oppressed. When I returned to Rome from Sicily, when he and his friends, luxurious and polite men, had disseminated reports of this sort, in order to blunt the inclinations of the witnesses,—such as that I had been seduced by a great bribe from proceeding with a genuine prosecution; although it did not seem probable to any one, because the witnesses from Sicily were men who had known me as a quæstor in the province; and as the witnesses from Rome were men of the highest character, who knew every one of us thoroughly, just as they themselves are known; still I had some apprehension lest any one should have a doubt of my good faith and integrity, till we came to striking out the objectionable judges.

VII. I knew that in selecting the judges, some men, even within my own recollection, had not avoided the suspicion of a good understanding with the opposite party, though their industry and diligence was being proved actually in the prosecution of them. I objected to objectionable judges in such a way that this is plain,—that since the republic has had that constitution which we now enjoy, no tribunal has ever existed of similar renown and dignity. And this credit that fellow says that he shares in common with me; since when he

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