

accompanied with the greatest insult and contumely? Therefore, O judges, those things which they have not at all been able to bear, they have not borne. You know that over the whole of Sicily the allotments of land are deserted and abandoned by their owners. Nor is there anything else to be gained by this trial, except that our most ancient and faithful allies, the Sicilians, Roman settlers, and the cultivators of the soil, owing to your strictness and your care, may return to their farms and to their homes under my guidance and through my instrumentality.

THE FOURTH BOOK OF THE SECOND PLEADING IN THE
PROSECUTION OF VERRES.

ABOUT THE STATUES.

THE ARGUMENT.

The subject of this oration is the manner in which Verres had plundered not only private individuals, but even some temples, of valuable statues, and other works of art. Among the instances given some of the most prominent are the plunder of Heius, a Messanian; of Philarchus, of Centuripa; of several other private citizens; of Antiochus, the king; and of the temples of Diana, Mercury, and Ceres. A French translator in commenting on this oration says, with reference to the slighting way in which Cicero speaks of the works of art thus stolen,—"The Romans struggled for some time against the seductive power of the arts of Greece, to which for many ages they were strangers. At first they really did despise them; afterwards they affected to despise them; but at last they were forced to bow the head beneath the brilliant yoke of luxury; and Greece, industrious, learned, and polite, subdued by the admiration which it extorted, the ignorant, unlettered, and rude barbarians who had conquered her by force. Faithful to the ancient maxims of the republic, Cicero in this oration speaks only with a sort of disdain of the arts and works of the most famous artists. He even pretends sometimes not to be too well acquainted with the names of the most celebrated statuaries; he often repeats, and with a kind of affectation, that he knows very little of painting or sculpture; and rather prides himself, as one may say, on his ignorance. He seems to regard a taste for art as unworthy of the Romans, and the finest *chefs d'œuvre* as children's toys, fit to amuse the trifling and frivolous minds of the Greeks, whose name he usually

expresses by a contemptuous diminutive, (Græculi,) but little calculated to fix the attention, or attract the esteem or wishes of a Roman mind.

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In general there runs through these orations a tone more calculated to render Verres ridiculous, than to make one feel how much there was in all his attempts which was odious and horrible. The orator even permitted himself some pleasantries, for which his taste has been, perhaps too severely, called in question. Cicero had no dislike to puns, and has played a good deal on the name of Verres, which means a boar. He was too eager to acquire the reputation of a wit. It is true that the person of Verres was sufficiently inviting as a subject for ridicule. He was one of those gross men overloaded with fat, in whom the bulk of body appears to stifle all delicacy of moral feeling. As he had tried to carry off a statue of Hercules which his people could with difficulty move upon its pedestal, Cicero calls this the thirteenth of the labours of Hercules. And playing continually on the name of Verres, he compares him to the boar of Erymanthus. At another time he calls him the dragnet of Sicily, because the name Verres has some resemblance to the word *everriculum*, which signifies a dragnet."

Hortensius endeavoured to defend Verres from the charge of having stolen these statues, &c. of which he admits that he had become the possessor, by contending that he had bought them. But it was contrary to the laws for a magistrate to purchase any such articles in his province; and Cicero shows also that the prices alleged to have been given are so wholly disproportionate to their value, that it is ridiculous to assert that the things had been purchased and not taken by force.

I. I COME now to what Verres himself calls his passion; what his friends call his disease, his madness; what the Sicilians call his rapine; what I am to call it, I know not. I will state the whole affair to you, and do you consider it according to its own importance and not by the importance of its name. First of all, O judges, suffer me to make you acquainted with the description of this conduct of his; and then, perhaps, you will not be very much puzzled to know by what name to call it. I say that in all Sicily, in all that wealthy and ancient province, that in that number of towns and families of such exceeding riches, there was no silver vessel, no Corinthian or Delian plate, no jewel or pearl, nothing made of gold or ivory, no statue of marble or brass or ivory, no picture whether painted or embroidered, that he did not seek out, that he did not inspect, that, if he liked it, he did not take away. I seem to be making a very extensive charge; listen now to the manner in which I make it. For I am not embracing everything in one charge for the sake of making

an impression, or of exaggerating his guilt. When I say that he left nothing whatever of the sort in the whole province, know that I am speaking according to the strict meaning of the words, and not in the spirit of an accuser. I will speak even more plainly; I will say that he has left nothing in any one's house, nothing even in the towns, nothing in public places, not even in the temples, nothing in the possession of any Sicilian, nothing in the possession of any Roman citizen; that he has left nothing, in short, which either came before his eyes or was suggested to his mind, whether private property or public, or profane or sacred, in all Sicily.

Where then shall I begin rather than with that city which was above all others in your affection, and which was your chosen place of enjoyment? or with what class of men rather than with your flatterers? For by that means it will be the more easily seen how you behaved among those men who hate you, who accuse you, who will not let you rest, when you are proved to have plundered among the Mamertines, who are your friends, in the most infamous manner.

II. Caius Heius is a Mamertine—all men will easily grant me this who have ever been to Messana; the most accomplished man in every point of view in all that city. His house is the very best in all Messana,—most thoroughly known, most constantly open, most especially hospitable to all our fellow-citizens. That house before the arrival of Verres was so splendidly adorned, as to be an ornament even to the city. For Messana itself, which is admirable on account of its situation, its fortifications, and its harbour, is very empty and bare of those things in which Verres delights. There was in the house of Heius a private chapel of great sacredness, handed down to him from his ancestors, very ancient; in which he had four very beautiful statues, made with the greatest skill, and of very high character; calculated not only to delight Verres, that clever and accomplished man, but even any one of us whom he calls the mob:—one, a statue of Cupid, in marble, a work of Praxiteles; for in truth, while I have been inquiring into that man's conduct, I have learnt the names of the workmen; it was the same workman, as I imagine, who made that celebrated Cupid of the same figure as this which is at Thespiæ, on account of which people go to see Thespiæ, for there is no other reason for going to see it;

and therefore that great man Lucius Mummius, when he carried away from that town the statues of the Muses which are now before the temple of Good Fortune, and the other statues which were not consecrated, did not touch this marble Cupid, because it had been consecrated.

III. But to return to that private chapel; there was this statue, which I am speaking of, of Cupid, made of marble. On the other side there was a Hercules, beautifully made of brass; that was said to be the work of Myron, as I believe, and it undoubtedly was so. Also before those gods there were little altars, which might indicate to any one the holiness of the chapel. There were besides two brazen statues, of no very great size, but of marvellous beauty, in the dress and robes of virgins, which with uplifted hands were supporting some sacred vessels which were placed on their heads, after the fashion of the Athenian virgins. They were called the Canephoræ, but their maker was . . . (who? who was he? thank you, you are quite right,) they called him Polycletus. Whenever any one of our citizens went to Messana, he used to go and see these statues. They were open every day for people to go to see them. The house was not more an ornament to its master, than it was to the city.

Caius Claudius, whose ædileship we know to have been a most splendid affair, used this statue of Cupid, as long as he kept the forum decorated in honour of the immortal gods and the Roman people. And as he was connected by ties of hospitality with the Heii, and was the patron of the Mamertine people,—as he availed himself of their kindness to lend him this, so he was careful to restore it. There have lately been noble men of the same kind, O judges;—why do I say lately? Ay, we have seen some very lately, a very little while ago indeed, who have adorned the forum and the public buildings, not with the spoils of the provinces, but with ornaments belonging to their friends,—with splendid things lent by their own connexions, not with the produce of the thefts of guilty men,—and who afterwards have restored the statues and decorations, each to its proper owner; men who have not taken things away out of the cities of our allies for the sake of a four-day festival, under pretence of the shows to be exhibited in their ædileship, and after that carried them off to their own homes, and their own villas. All these statues

which I have mentioned, O judges, Verres took away from Heius, out of his private chapel. He left, I say, not one of those things, nor anything else, except one old wooden figure, —Good Fortune, as I believe; that, forsooth, he did not choose to have in his house!

IV. Oh! for the good faith of gods and men! What is the meaning of all this? What a cause is this! What impudence is this! The statues which I am speaking of, before they were taken away by you, no commander ever came to Messana without seeing. So many prætors, so many consuls as there have been in Sicily, in time of peace, and in time of war; so many men of every sort as there have been—I do not speak of upright, innocent, conscientious men, but so many covetous, so many audacious, so many infamous men as there have been, not one of them all was violent enough, or seemed to himself powerful enough or noble enough, to venture to ask for, or to take away, or even to touch anything in that chapel. Shall Verres take away everything which is most beautiful everywhere? Shall it not be allowed to any one besides to have anything? Shall that one house of his contain so many wealthy houses? Was it for this reason that none of his predecessors ever touched these things, that he might be able to carry them off? Was this the reason why Caius Claudius Pulcher restored them, that Caius Verres might be able to steal them? But that Cupid had no wish for the house of a pimp and the establishment of a harlot; he was quite content to stay in that chapel where he was hereditary; he knew that he had been left to Heius by his ancestors, with the rest of the sacred things which he inherited; he did not require the heir of a prostitute. But why am I borne on so impetuously? I shall in a moment be refuted by one word. "I bought it," says he. O ye immortal gods, what a splendid defence! we sent a broker into the province with military command and with the forces, to buy up all the statues, all the paintings, all the silver plate and gold plate, and ivory, and jewels, and to leave nothing to any body. For this defence seems to me to be got ready for everything; that he bought them. In the first place, if I should grant to you that which you wish, namely, that you bought them, since against all this class of accusations you are going to use this defence alone, I ask what sort of tribunals you thought that there would be

at Rome, if you thought that any one would grant you this, that you in your prætorship and in your command¹ bought up so many and such valuable things,—everything, in short, which was of any value in the whole province.

V. Remark the care of our ancestors, who as yet suspected no such conduct as this, but yet provided against the things which might happen in affairs of small importance. They thought that no one who had gone as governor² or as lieutenant into a province would be so insane as to buy silver, for that was given him out of the public funds; or raiment, for that was afforded him by the laws; they thought he might buy a slave, a thing which we all use, and which is not provided by the laws. They made a law, therefore, “that no one should buy a slave except in the room of a slave who was dead.” If any slave had died at Rome? No, if any one had died in the place where his master was. For they did not mean you to furnish your house in the province, but to be of use to the province in its necessities. What was the reason why they so carefully kept us from making purchases in the provinces? This was it, O judges, because they thought it a robbery, not a purchase, when the seller was not allowed to sell on his own terms. And they were aware that, in the provinces, if he who was there with the command and power²

¹ The Latin word is *imperium*. “Imperium (as opposed to *Potestas*) is the power which was conferred by the state upon an individual who was appointed to command an army. . . . The *imperium* was as necessary for the governor of a province, as for a general who merely commanded the armies of the republic; as without it he could not exercise military authority. . . . It was conferred by a special law, and was limited, if not by the terms in which it was conferred, at least by usage. It could not be held or exercised within the city.”—Smith, *Dict. Ant.* p. 508, v. *Imperium*.

² The Latin word in each case is *potestas*. “According to Paulus, *potestas*, as applied to a magistrate, is equivalent to *imperium*. . . . But *potestas* is applied to magistrates who had not the *imperium*, as, for instance, to *quæstors* and *tribunes of the people*; and *potestas* and *imperium* are often opposed in Cicero. Thus it seems that *potestas*, like many other Roman terms, had both a wider signification and a narrower one; in its wider signification it might mean all the power that was delegated to any person by the state, whatever might be the extent of that power; in its narrower signification, it was on the one hand equivalent to *imperium*, and on the other, it expressed the power of those functionaries who had not the *imperium*” .Smith, *Dict. Ant.* p. 721, v. *Potestas*.

of a governor wished to purchase what was in any one's possession, and was allowed to do so, it would come to pass that he would get whatever he chose, whether it was to be sold or not, at whatever price he pleased. Some one will say, "Do not deal with Verres in that manner; do not try and examine his actions by the standard of old-fashioned conscientiousness; allow him to have bought them without being punished for it, provided he bought them in a fair way, not through any arbitrary exercise of power, nor from any one against his will, or by violence." I will so deal with him. If Heius had anything for sale, if he sold it for the price at which he valued it, I give up inquiring why you bought it.

VI. What then are we to do? Are we to use arguments in a case of this sort? We must ask, I suppose, whether Heius was in debt, whether he had an auction,—if he had, whether he was in such difficulties about money matters, whether he was oppressed by such want, by such necessity, as to strip his private chapel, to sell his paternal gods. But I see that the man had no auction; that he never sold anything except the produce of his land; that he not only had no debts, but that he had always abundance of ready money. Even if all these things were contrary to what I say they were, still I say that he would not have sold things which had been so many years in the household and chapel of his ancestors. "What will you say if he was persuaded by the greatness of the sum given him for them?" It is not probable that a man, rich as he was, honourable as he was, should have preferred money to his own religious feelings and to the memorials of his ancestors. "That may be, yet men are sometimes led away from their habits and principles by large sums of money." Let us see, then, how great a sum this was which could turn Heius, a man of exceeding riches, by no means covetous, away from decency, from affection, and from religion. You ordered him, I suppose, to enter in his account books, "All these statues of Praxiteles, of Myron, of Polycletus, were sold to Verres for six thousand five hundred sesterces." Read the extracts from his accounts—

[*The accounts of Heius are read.*]

I am delighted that the illustrious names of these workmen, whom those men extol to the skies, have fallen so low in the

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