

POLYAENUS

(1.) With what intentions have the prosecutors neglected the point in dispute, and tried to attack my character? (Because) not knowing, that they should speak concerning the point in dispute? or do they, indeed, know this, but, (because) expecting to escape notice, do they speak more concerning everything (else) but what they ought (to have spoken of)? (2.) That now, not (because) despising me, but (because thinking little) of their case they speak (thus), I know well. If, however, they think that you will condemn me, through your ignorance of the ways of the world being persuaded by their slanders.—I would not be surprised (if they should think this). (3.) I thought, indeed, gentlemen of the jury, that this contention, in which I am now involved, would be concerning the specific charge laid against me, (but) not concerning my character; but, now that the prosecutors are calumniating me, it is necessary to make my defence on (*i. e.* so as to include) everything. And now, I shall first enlighten you about the writ.

(4.) Having come (*i. e.* returned) to the city two years ago, not yet having been at home two months, I was enrolled (as) a soldier. Having learned what had happened, I at once began to suspect that I had been enrolled from some corrupt motive. Approaching, therefore, the general. I told (him) that I had (already) served, but met with no fair (treatment). Being (thus) insulted,

I was angry indeed, but held my peace. (5.) Being at a loss and taking council with some one of the citizens what I should do in the matter, I learned that they threatened even to bind me, saying that Polyænus had been at home not less time than Callicrates. The afore-said conversation had been held by me at the bank of Philiæ. (6.) But the partisans of Ctesicles, the archon, some one reporting that I had used abusive language, thought it right to impose a fine on me, contrary to the law, the law explicitly saying: "if any one abuse an official at his court." After inflicting the fine on me, they did not attempt to exact it, but, when their (term of) office came to an end, having entered it on the register, they handed it over to the treasurers. (7.) These, then, did this; but the treasurers, not agreeing with them, summoning those who had handed over the register, inquired into the alleged reason of the charge. Having heard what had happened, considering to what treatment I had been subjected, at first they (tried to) persuade them to abandon (their case against me), reminding them (of the fact) that it was not seemly, to have (the names of) any of their fellow citizens entered (as owing a fine) from some private enmity, but finding it impossible to persuade them, they pronounced the fine of no validity, taking the risk from your part on themselves (*i. e.* they canceled the fine, and assumed the responsibility involving the danger of being called to account before a court). (8.) And now, you know, that I was released by the treasurers; and although I think it to be right that I should be cleared from the charge even through this exposition (of my case), I yet shall furnish more, both laws and other pleas. Please, take the law.

LAW.

(9.) You have heard that the law explicitly says to fine those using abusive language in the court. But I produced witnesses that I had not entered the court, and (therefore), unjustly having been fined, I do not owe (any fine) nor is it right that I should pay it. For if it is evident that I did not enter the court (10.) and if the law says that those misbehaving in the court room owe a fine, I am shown, on the one hand, to have done no wrong, and, on the other hand, to have been fined unreasonably, from private enmity, without (the sanction of) the law. (11.) And they themselves are well aware of their guilt, for they neither stood an audit, nor going to a court of justice, did they have their proceedings (against me) confirmed by a (judicial) vote. And, therefore, even if they had fined me justly, and had the infliction (of the fine) confirmed by you, I should have been freed from the charge, since the treasurers released me. (12.) For if they were competent either to exact or to cancel (the fine), I would in justice not be liable, not even when being fined according to the laws; and if it is possible for them (the treasurers) to cancel, but if (nevertheless) they (must) stand an audit of their administration, they will easily obtain just punishment, if guilty of some offence. (13.) In what manner, now, I was delivered up and fined, you know, but you should know not only the reason of the charge, but also the reason of their enmity. For I became Sostratus' friend before (I incurred) their enmity, knowing that he had become an important man in the state's affairs. (14.) Having become a man of note through his influence, I neither avenged myself on an

enemy, nor did I help a friend; for, while he lived, I led a life of leisure both on account of circumstances, and on account of my age, and when he had departed from life, I neither in word nor deed harmed any of those (now) accusing (me); nay, I can even recount such (deeds of mine), in consequence of which I should much more justly be benefited by my opponents in this suit, than suffer evil (at their hands). (15.) They, now, became my enemies for the aforesaid (reasons), although there being no pretext for enmity. Then, having sworn to enroll (as soldiers) those who had not served, they violated (lit. : transgressed) their oaths and caused the people to deliberate concerning my freedom (by) imposing a fine on me, as abusing a public official, and (by) disregarding justice, making every effort to damage (me) on every possible pretext. (16.) What would they have done, if seeing their way (lit. : going) to damage me greatly, and to benefit themselves considerably, since, now that there was no such opportunity, they consider nothing but the chance to give vent to their vindictive feelings (lit.: they care less for everything than for injustice). (17.) But they despised you, the people, nor did they think they ought to fear the gods, but they bore themselves so contemptuously and with so much disregard of the laws, that they did not even attempt to justify their acts, but thinking they had not taken sufficient revenge on me, they finally drove me from the city. (18.) Being disposed so lawlessly and violently, they did not care at all to hide their injustice, but bringing me into court again on the same (charges), they lay information against me, although I have committed no wrong and slander me, putting on my acts motives that do not belong to them, but (such

as are) in harmony with and suitable to their own characters.

(19.) These men, now, wish me to be convicted in every way ; but, you,—do not condemn me, led on by their calumniations and do not invalidate (the decision) of those who judged better and rightly. For these (*i.e.* the treasurers) acted in everything according to justice and equity, and are not shown to have done anything illegal, but to have considered justice above everything else. (20.) And now, I would be but moderately angry with those (*i.e.* the accusers) when wronging me, thinking it to have been (universally) ordained to harm one's enemies and to benefit one's friends ; but if being deprived of justice by you, I should be grieved much more. For (in that case) I shall not seem to have suffered evil through private enmity, but on account of the viciousness of the state. (21.) Nominally, I am contending about the writ, but actually about my citizenship. For, when meeting with justice (and I have faith in your judgment), I should remain in the city ; but if now that I have been brought before you, I should be unjustly condemned, I should run away. For buoyed up by what hope, should I live among you, as a citizen, or with what thoughts should I (continue to dwell among you), while knowing, on the one hand, the wishes of my opponents, and while, on the other hand, being at a loss whence I should obtain anything of justice ? (22.) And therefore putting justice above all other considerations, and remembering, that you grant pardon (sometimes) for manifest wrongs, do not allow people who are guilty of no wrong to fall into the greatest misfortunes unjustly, through private enmities.

END OF SAMPLE TEXT



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