

PROPERTY OF ARISTOPHANES.

(1.) The present suit causes me much embarrassment gentlemen of the jury, when I reflect that, if I do not speak well now, not only I myself but also my father will be thought to be unrighteous (men), and I shall be deprived of all my property. Therefore it is necessary, even if by nature I am not clever at these things, to succor my father and myself as well as I can. (2.) You see the preparation and the eagerness of my enemies, and I need not say anything about them; but my own lack of experience all know, that are acquainted with me. I shall therefore ask you to grant me a just and easily bestowed favor: to hear me too without prejudice, as (you listened to) the accusers. (3.) For it is necessary that the defending (party) is at a disadvantage (*i.e.* the defendant is necessarily at a disadvantage), even if you listen (to him) impartially. For they made their accusation, plotting since a long time, being personally out of danger, but we contend amid fear and popular prejudice and the greatest danger. Therefore it is fair that you should have more good-will towards the defendants. (4.) For I think that you all are well aware that in the past many, having brought many and terrible accusations, were on the spot detected to be lying, so plainly, that, being hated on account of the whole affair, they left this place; but others again, were convicted of having given false evidence and of having

ruined people unjustly, at a time (*i.e.*, they were convicted at a time), when it made no difference to those who had suffered (*i.e.*, the discovery was made too late to be of any avail to the victims). (5.) Since now such things have happened frequently, it is right that you, gentlemen of the jury, shall not consider the words of the accusers to be trustworthy, until we too shall have spoken. For I hear (it said),—and I think that the majority of you know this,—that popular prejudice is hardest to overcome (*lit.*: is of all (things) the most dreadful). (6.) One could see this best, when many come to trial on the same charge. For, as a rule, the last tried are acquitted; for you listen to them dispassionately, and willingly you admit the arguments (in refutation).

(7.) Consider now that Nicophemus and Aristophanes were put to death untried, before any one (could) be present at their being convicted that they did wrong. For no one even saw them after the arrest; for they did not surrender their bodies even to bury (them), but so dreadful a calamity has come upon them, that in addition to the other things they have been deprived also of this. (8.) But I will pass this by; for I could accomplish nothing (by recounting all they suffered); but much more wretched appear to me (to be) the children of Aristophanes. For (although) not having wronged either private persons or the state, they have not only lost their paternal inheritance contrary to your laws but also the (only) hope, which was left to them,—to be brought by their grandfather, has now vanished so miserably (*lit.*: has come in such a dreadful state). (9.) And then, we, having been deprived of our relatives, and of the dowry, and having been compelled to bring up three

young children, we are, in addition, being accused falsely, and are in danger about (*i. e.* of losing) that which our fathers left to us, having gained it by just means. And yet, gentlemen of the jury, my father has spent during his life, more for the city than for himself and his relatives, and four times as much as we possess now, as I often found him calculating (*i. e.* as he often calculated in my presence). (10.) Do not, therefore, condemn in advance for wrong-doing a man, who spent little for himself, but much for you year after year, but (condemn) those who are accustomed to spend their inheritance and whatever they get from any (other) source, for the basest pleasures, (11.) It is hard, gentlemen of the jury, to defend myself in view of the opinion which some entertain about the property of Nicophemus and (in view of) the scarcity of money, which exists at present in the city, and since the suit concerns the treasury. Nevertheless, even while these (disadvantages) are in existence, you will easily find that the accusations are not true. But I ask of you, by every art and device (at my disposition), after having listened to us with goodwill until the end, to render this verdict, whatever you may hold to be best for you and most consistent with your oaths.

(12.) In the first place, now, I shall tell you, in what manner they (*i. e.* Nicophemus and Aristophanes) became our relatives. For Conon, serving as strategus around (the coasts of) the Peloponnese, having become a friend of my father, who commanded a trireme, asked (my father) to give my sister to the son of Nicophemus, who asked her hand. (13.) And he (my father), seeing that they were trusted by him (Conon), and that they were honorable men, and pleasing to the state, at that

time, at least,—was persuaded to give (his daughter to Aristophanes), not knowing (*i.e.* foreseeing) the slander that was to be (*i.e.* that at one time popular prejudice would be aroused against them), (but at a time) when any of you would have consented to become related to them, —for that (my father did not do this) for the sake of money, it is easy to perceive from his whole life and from his acts. (14.) For he, when he was of age (for marriage), while it was possible for him to marry another woman with much money, took my mother who brought no dowry, because she was the daughter of Xenophon, the son of Euripides, who was reported to be respectable not only in private life, but you thought fit that he should serve as strategus, as I hear. (15.) And while some rich men wished to marry my sisters without dowry, he did not give them, because they seemed to be of rather inferior character, but one he gave to Philomelus of Paeania, whom many consider to be better in character than in wealth, and another to his nephew Phaedrus of Myrrhinous, who had become poor through no fault of his own, giving forty minae as a dowry, and to Aristophanes an equal sum (as a dowry). (16.) And besides, although it was possible for me to get (a wife with) a large dowry, he advised me to accept a smaller one, provided I knew well that I would have decent and respectable relatives. And now I am married to the daughter of Critodemus, of Alopeke, who was killed by the Lacedaemonians, when the naval battle took place in the Hellespont. (17.) And yet, gentlemen of the jury, a man who himself married (a woman) without means, and gave his daughters much money as a dowry, and accept for his son a small dowry, how can it not be right to believe about him that he did not become their

relative (*i.e.* of Aristophanes and Nicophemus) for the sake of money ?

(18.) But that Aristophanes, when he had married, with many men was on a footing of greater intimacy than with my father it is easy to see. For their age was greatly different, and their character still more ; for to my father it was (natural) to attend to his own affairs, but Aristophanes wished to take care not only of his private affairs but also of the public affairs, and if he had any money, he spent it, desiring to be honored.

(19.) You will see that I speak the truth, out of what he did. For in the first place, when Conon wished to send some one to Sicily, he went, undertaking it with Eunomus who was a friend of Dionysius and used to entertain him at his house, a man who benefited our people very greatly, as I have heard from eye-witnesses in the Piraeus. (20.) The hopes of the expedition were (*i.e.* Aristophanes and Eunomus were sent for this purpose): to persuade Dionysius to become a relative (by marriage) of Euagoras, and an enemy to the Lacedaemonians, and a friend and ally to your city. And they did this, although dangers were (threatening them) on the part of the sea and on the part of the enemy, and they did persuade Dionysius not to send the triremes, which at that time he had prepared for the Lacedaemonians. (21.) And after this when ambassadors had come from Cyprus to seek aid, he (Aristophanes) exerting himself, in no way fell short of eagerness. You gave them triremes and voted the other (relief), but they lacked money for the expedition. For they had come with little money, and they needed much in addition, for (*they needed money*) not only for the ships but they had hired peltasts and bought arms. (22.) Aristopha-

nes, now, furnished the greater part of the money himself ; but since it was not sufficient, he persuaded his friends, asking them and giving securities, and having forty minae of his half-brother, deposited with him, he used (that money). And on the day before he sailed, coming to my father he told him to lend him whatever money he had. For he said that he needed an additional sum for the peltasts. We had seven minae in cash ; and he, taking that also, used it up. (23.) What man, do you think, gentlemen of the jury,—being ambitious, letters having come from his father from Cyprus (saying) that he would have no lack of anything, having been chosen ambassador, and being on the point of sailing to Euagoras,—(what man, do you think) would leave behind anything of his property, and not ingratiate himself with that one (*i.e.* Euagoras), if he could, (by) furnishing everything (he had) and (thus) gain not less? That this, now, is true, please call Eunomus.

WITNESSES.

You hear the witnesses not only that they lent (the money), when he asked for it, but also that they received it back ; for it was brought them on the trireme.

And now it is easy to perceive from what has been said, that he would not have spared anything of his belongings at such critical times ; of which this is the most conclusive proof : (25), Demus, the son of Pyrilampes, serving as trierarch to Cyprus, asked me to come to him,—saying that he had received a golden cup from the great king,—and get (for him) sixteen minae on it, which he might use to defray the expenses of his trierarchy ; (he said) that when he should have come

to Cyprus, he would redeem it, paying twenty minae ; for that he would have an abundance of advantages, both in other things and in the way of money, through this pledge, throughout the continent. (26.) Aristophanes, hearing this from Demus, although I begged him (to do so), and although (in that case) he would take the gold cup (with him) and receive four minae as interest, said that he did not have the money, but swore that he had borrowed from his friends besides from elsewhere, since (he said) it would give him the greatest pleasure in the world to take that pledge on the spot, and to grant our request. (27.) That this is the truth, I will bring forward witnesses to you.

WITNESSES.

That now Aristophanes left neither silver nor gold, it is easy to see from what has been said and testified. He did not possess many miscellaneous bronze utensils, nay, when he was entertaining the ambassadors from Euagoras, he borrowed (the plate) and used that. What he left, he (*i. e.* the clerk) will read to you.

INVENTORY.

(28.) Perhaps to some of you, gentlemen of the jury, it seems to be little. But consider this, that before we won the naval battle, they (*i. e.* Nicophemus and Aristophanes) possessed no land but a small estate at Rhamnus. And the naval battle took place during the archonship of Eubulus. (29.) And so, in four or five years, there being no property before that time, it is hard, gentlemen of the jury, to act as choregus for the tragedies twice, for himself and his father, and to

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