

pened; by effacing all mention of what had; and by continually taking away something, changing something (taking care that no erasure was visible), interpolating something. For he has come to such a pitch, that he cannot even find a defence for his crimes without committing other crimes. That most senseless man thought that such a substitution of his own judges also could be effected by the instrumentality of his comrade, Quintus Curtius, who was to be principal judge; and unless I had prevented that by the power of the people, and the outcries and reproaches of all men, the advantage of having judges taken from this decuria¹ of our body, whose influence it was desirable for me should be rendered as extensive as possible, while he was substituting others for them without any reason, and placing on the bench those whom Verres had approved.

[The rest of this oration is lost.]

THE SECOND BOOK OF THE SECOND PLEADING AGAINST
CAIUS VERRES.

CONCERNING HIS MANNER OF DECIDING CAUSES AS JUDGE
WHILE IN SICILY.

THE ARGUMENT.

Cicero divides his accusation of Verres, on account of his conduct in Sicily, under four heads, of which the first is judicial corruption and extortion. And in this branch of the accusation he does not attend to the chronological order of his offences, but takes the instances according to the different classes under which they seem to fall, and according to their importance.

I. MANY things, O judges, must be necessarily passed over by me, in order that I may be able at last to speak in some manner of those matters which have been entrusted to my

¹ "With the passing of special enactments for the punishment of particular offences was introduced the practice of forming a body of judges for the trial of such offences as the enactments were directed against. Thus it is said that the *lex Calpurnia de pecuniis repetundis*

good faith For I have undertaken the cause of Sicily; that is the province which has tempted me to this business. But when I took upon myself this burden, and undertook the cause of Sicily, in my mind I embraced a wider range, for I took upon myself also the cause of my whole order—I took upon myself the cause of the Roman people; because I thought that in that case alone could a just decision be come to, if not only a wicked criminal was brought up, but if at the same time a diligent and firm accuser came before the court. On which account I must the sooner come to the cause of Sicily omitting all mention of his other thefts and iniquities, in order that I may be able to handle it while my strength is yet unimpaired, and that I may have time enough to dilate fully on the business. And before I begin to speak of the distresses of Sicily, it seems to me that I ought to say a little of the dignity and antiquity of that province, and of the advantage which it is to us. For as you ought to have a careful regard for all the allies and provinces, so especially ought you to have a regard for Sicily, O judges, for many, and those the greatest, reasons:—First, because of all foreign nations Sicily was the first who joined herself to the friendship and alliance of the Roman people. She was the first to be called a province; and the provinces are a great ornament to the empire. She was the first who taught our ancestors how glorious a thing it was to rule over foreign nations. She alone has displayed such good faith and such good will towards the Roman people, that the states of that island which have once come into our alliance have never revolted afterwards, but many of them, and those the most illustrious of them, have remained firm to our friendship for ever. Therefore our ancestors made their first strides to dominion over Africa from this province. Nor would the mighty power of Carthage so soon have fallen, if Sicily had not been open to us, both as a granary to supply us with corn, and as a harbour for our fleets.

II. Wherefore, Publius Africanus, when he had destroyed established the *album judicum*, or the body out of which the judges were to be chosen. It is not known what was the number of the judges so constituted, but it has been conjectured that the number was three hundred and fifty, and that ten were chosen from each tribe, and thus the origin of the phrase, *decuriæ judicum* is explained."—Smith, *Diet. Ant.* p. 531, v. *Judeæ*.

Carthage, adorned the cities of the Sicilians with most beautiful statues and monuments, in order to place the greatest number of monuments of his victory among those whom he thought were especially delighted at the victory of the Roman people. Afterwards that illustrious man, Marcus Marcellus himself, whose valour in Sicily was felt by his enemies, his mercy by the conquered, and his good faith by all the Sicilians, not only provided in that war for the advantage of his allies, but spared even his conquered enemies. When by valour and skill he had taken Syracuse, that most beautiful city, which was not only strongly fortified by art, but was protected also by its natural advantages—by the character of the ground about it, and by the sea—he not only allowed it to remain without any diminution of its strength, but he left it so highly adorned, as to be at the same time a monument of his victory, of his clemency, and of his moderation; when men saw both what he had subdued, and whom he had spared, and what he had left behind him. He thought that Sicily was entitled to have so much honour paid to her, that he did not think that he ought to destroy even an enemy's city in an island of such allies. And therefore we have always so esteemed the island of Sicily for every purpose, as to think that whatever she could produce was not so much raised among the Sicilians as stored up in our own homes. When did she not deliver the corn which she was bound to deliver, by the proper day? When did she fail to promise us, of her own accord, whatever she thought we stood in need of? When did she ever refuse anything which was exacted of her? Therefore that illustrious Marcus Cato the wise called Sicily a storehouse of provisions for our republic—the nurse of the Roman people. But we experienced, in that long and difficult Italian war which we encountered, that Sicily was not only a storehouse of provisions to us, but was also an old and well filled treasury left us by our ancestors; for, supplying us with hides, with tunics, and with corn, it clothed, armed, and fed our most numerous armies, without any expense at all to us.

III. What more need I say? How great are these services, O judges, which perhaps we are hardly aware we are receiving;—that we have many wealthy citizens, that they have a province with which they are connected, faithful and productive to which they may easily make excursions, where they may be

welcome to engage in traffic ; citizens, some of whom she dismisses with gain and profit by supplying them with merchandise, some she retains, as they take a fancy to turn farmers, or graziers, or traders in her land, or even to pitch in it their habitations and their homes. And this is no trifling advantage to the Roman people, that so vast a number of Roman citizens should be detained so near home by such a respectable and profitable business. And since our tributary nations and our provinces are, as it were, farms belonging to the Roman people ; just as one is most pleased with those farms which are nearest to one, so too the suburban character of this province is very acceptable to the Roman people. And as to the inhabitants themselves, O judges, such is their patience, their virtue, and their frugality, that they appear to come very nearly up to the old-fashioned manners of our country, and not to those which now prevail. There is nothing then like the rest of the Greeks ; no sloth, no luxury ; on the contrary there is the greatest diligence in all public and private affairs, the greatest economy, and the greatest vigilance. Moreover, they are so fond of our nation that they are the only people where neither a publican nor a money-changer is unpopular. And they have borne the injuries of many of our magistrates with such a disposition, that they have never till this time fled by any public resolution to the altar of our laws and to your protection ; although they endured the misery of that year which so prostrated them that they could not have been preserved through it, if Caius Marcellus had not come among them, by some special providence, as it were, in order that the safety of Sicily might be twice secured by the same family. Afterwards, too, they experienced that terrible government of Marcus Antonius. For they had had these principles handed down to them from their ancestors, that the kindnesses of the Roman people to the Sicilians had been so great, that they ought to think even the injustice of some of our men endurable. The states have never before this man's time given any public evidence against any one. And they would have borne even this man himself, if he had sinned against them like a man, in any ordinary manner ; or, in short, in any one single kind of tyranny. But as they were unable to endure luxury, cruelty, avarice, and pride, when they had lost by the wickedness and lust of one man all their own advantages, all their own rights, and all fruits of the kindness of the senate and

the Roman people, they determined either to avenge themselves for the injuries they had suffered from that man by your instrumentality, or if they seemed to you unworthy of receiving aid and assistance at your hands, then to leave their cities and their homes, since they had already left their fields, having been driven out of them by his injuries.

IV. With this design all the deputations begged of Lucius Metellus that he would come as his successor as early as possible ; with these feelings, they so often bewailed their miseries to their patrons ; agitated by this indignation, they addressed the consuls with demands, which seemed to be not demands, but charges against that tyrant. They contrived also, by their indignation and their tears, to draw me, whose good faith and moderation they had experienced, almost from the employment of my life, in order to become his accuser ; an action with which both the settled plan of my life and my inclination are utterly inconsistent ; (although in this business I appear to have undertaken a cause which has more parts of defence than of accusation in it ;) lastly, the most noble men and the chief men of the whole province have come forward both publicly and privately ; every city of the greatest authority—every city of the highest reputation—have come forward with the greatest earnestness to prosecute its oppressor for its injuries.

But how, O judges, have they come ? It seems to me that I ought to speak before you now on behalf of the Sicilians with more freedom than perhaps they themselves wish. For I shall consult their safety rather than their inclination. Do you think that there was ever any criminal in any province defended in his absence against the inquiry into his conduct urged by his accuser, with such influence, and with such zeal ? The quæstors of both provinces,¹ who were so while he was prætor, stood close to me with their forces. Those also who succeeded them, very zealous for his interests, liberally fed from his stores, were no less vehement against me. See how great was his influence who had four quæstors in one province, most zealous defenders and bulwarks of his cause ; and the prætor and all his train so zealous in his interest, that it was quite plain, that it was not Sicily, which they had come upon when stripped bare, so much as Verres him-

¹ Sicily had two quæstors, one for the western or Lilybæan district, one for the Syracusean.

self, who had left it loaded, which they looked upon as their province. They began to threaten the Sicilians, if they decreed any deputations to make statements against him ; to threaten any one who had gone on any such deputation ; to make most liberal promises to others, if they spoke well of him ; to detain by force and under guard the most damaging witnesses of his private transactions, whom we had summoned by word of mouth to give evidence.

V. And though all this was done, yet know ye, that there was but one single city, that, namely, of the Mamertines, which by public resolution sent ambassadors to speak in his favour. But you heard the chief man of that embassy, the most noble man of that state, Caius Heius, speak on his oath, and say, that Verres had had a transport of the largest size built at Messana, the work being contracted for at the expense of the city. And that same ambassador of the Mamertines, his panegyrist, said that he had not only robbed him of his private property, but had also carried away his sacred vessels, and the images of the Di Penates, which he had received from his ancestors, out of his house. A noble panegyric ; when the one business of the ambassadors is discharged by two operations, praising the man and demanding back what has been stolen by him. And on what account that very city is friendly to him, shall be told in its proper place. For you will find that those very things which are the causes of the Mamertines bearing him good-will, are themselves sufficiently just causes for his condemnation. No other city, O judges, praises him by public resolution. The power of supreme authority has had so much influence with a very few men, not in the cities, that either some most insignificant people of the most miserable and deserted towns were found who would go to Rome without the command of their people or their senate, or on the other hand, those who had been voted as ambassadors against him, and who had received the public evidence to deliver, and the public commission, were detained by force or by fear. And I am not vexed at this having happened in a few instances, in order that the rest of the cities, so numerous, so powerful, and so wise,—that all Sicily, in short, should have all the more influence with you when you see that they could be restrained by no force, could be hindered by no danger, from making experiment whether

the complaints of your oldest and most faithful allies had any weight with you. For as to what some of you may, perhaps, have heard, that he had a public encomium passed upon him by the Syracusans, although in the former pleading you learnt from the evidence of Heraclius the Syracusan what sort of encomium it was, still it shall be proved to you in another place how the whole matter really stands as far as that city is concerned. For you shall see clearly that no man has ever been so hated by any people as that man both is and has been by the Syracusans.

VI. But perhaps it is only the native Sicilians who are persecuting him: the Roman citizens who are trading in Sicily defend him, love him, desire his safety. First of all, if that were the case, still in this trial for extortion, which has been established for the sake of the allies, according to that law and forms of proceeding which the allies are entitled to, you ought to listen to the complaints of the allies. But you were able to see clearly in the former pleading, that many Roman citizens from Sicily, most honourable men, gave evidence about most important transactions, both as to injuries which they had received themselves, and injuries which they knew had been inflicted on others. I, O judges, affirm in this way what I know. I seem to myself to have done an action acceptable to the Sicilians in seeking to avenge their injuries with my own labour, at my own peril, and at the risk of incurring enmity in some quarters; and I am sure that this which I am doing is not less acceptable to our own citizens, who think that the safety of their rights, of their liberty, of their properties and fortunes, consists in the condemnation of that man. On which account, while speaking of his Sicilian prætorship, I will not object to your listening to me on this condition, that if he has been approved of by any description of men whatever, whether of Sicilians or of our own citizens; if he has been approved of by any class of men, whether agriculturists, or graziers, or merchants; if he has not been the common enemy and plunderer of all these men,—if, in short, he has ever spared any man in any thing, then you, too, shall spare him.

Now, as soon as Sicily fell to him by lot as his province, immediately at Rome, while he was yet in the city, before he departed, he began to consider within himself and to deli-

END OF SAMPLE TEXT



The Complete Text can be found on our CD:
Primary Literary Sources For Ancient Literature
which can be purchased on our **Website :**

www.Brainfly.net

or

by sending **\$64.95** in check or money order to :

Brainfly Inc.

5100 Garfield Ave. #46

Sacramento CA 95841-3839

TEACHER'S DISCOUNT:

If you are a **TEACHER** you can take advantage of our teacher's discount. Click on **Teachers Discount** on our website (www.Brainfly.net) or **Send us \$55.95** and we will send you a full copy of *Primary Literary Sources For Ancient Literature* **AND** our *5000 Classics CD (a collection of over 5000 classic works of literature in electronic format (.txt))* plus our *Wholesale price list*.

If you have any suggestions such as books you would like to see added to the collection or if you would like our wholesale prices list please send us an email to:

webcomments@brainfly.net