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THE

LIFE

OF

M. TULLIUS CICERO.

BY

CONYERS MIDDLETON, D.D.

Hunc igitur spectemus. Hoc propositum sit nobis exemplum. Illo se profecisse sciat, cui Cicero valde placebit.—QUINTIL. INST. l. x. 1.

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TO THE

RIGHT HON. JOHN LORD HERVEY,

LORD KEEPER OF HIS MAJESTY'S PRIVY SEAL.

MY LORD,

THE public will naturally expect, that in choosing a patron for the LIFE OF CICERO, I should address myself to some person of illustrious rank, distinguished by his parts and eloquence, and bearing a principal share in the great affairs of the nation; who, according to the usual style of dedications, might be the proper subject of a comparison with the hero of my piece. Your Lordship's name will confirm that expectation, and your character will justify me in running some length into the parallel; but my experience of your good sense forbids me the attempt. For your Lordship knows what a disadvantage it would be to any character to be placed in the same light with that of Cicero; that all such comparisons must be invidious and adulatory; and that the following history will suggest a reason, in every page, why no man now living can justly be compared with him.

I do not impute this to any superiority of parts or genius peculiar to the ancients; for human nature has ever been the same in all ages and nations, and owes the difference of its improvements to a difference only of culture, and of the rewards proposed to its industry: where these are the most amply provided, there we shall always find the most numerous and shining examples of human perfection. In old Rome, the public honours were laid open to the virtue of every citizen; which, by raising them in their turns to the command of that mighty empire, produced a race of nobles superior even to kings. This was a prospect that filled the soul of the ambi-

tious, and roused every faculty of mind and body to exert its utmost force: whereas, in modern states, men's views being usually confined to narrow bounds, beyond which they cannot pass, and a partial culture of their talents being sufficient to procure every thing that their ambition can aspire to, a great genius has seldom either room or invitation to stretch itself to its full size.

You see, my Lord, how much I trust to your good nature, as well as good sense, when in an epistle dedicatory, the proper place of panegyric, I am depreciating your abilities, instead of extolling them; but I remember, that it is an history which I am offering to your Lordship, and it would ill become me, in the front of such a work, to expose my veracity to any hazard: and my head indeed is now so full of antiquity, that I could wish to see the dedicatory style reduced to that classical simplicity, with which the ancient writers used to present their books to their friends or patrons, at whose desire they were written, or by whose authority they were published: for this was the first use and the sole purpose of a dedication; and as this also is the real ground of my present address to your Lordship, so it will be the best argument of my epistle, and the most agreeable to the character of an historian, to acquaint the public with a plain fact, that it was your Lordship who first advised me to undertake the LIFE OF CICERO; and when, from a diffidence of my strength, and a nearer view of the task, I began to think myself unequal to the weight of it, your Lordship still urged and exhorted me to persist, till I had moulded it into the form in which it now appears.

Thus far your Lordship was carried by that love for Cicero, which, as one of the best critics of antiquity assures us, is the undoubted proof of a true taste. I wish only that the favour, which you have since shewn to my English Cicero, may not detract from that praise, which is due to your love of the Roman: but whatever censure it may draw upon your Lordship, I cannot prevail with myself to conceal, what does so much honour to my work—that, before it went to the press, your Lordship not only saw and approved, but, as the sincerest mark of your approbation, corrected it. It adds no small credit to the history of Polybius, that he professes to have been assisted in it by Scipio and Lælius; and even Terence's style was made the purer, for its being retouched by the same great hands. You must pardon me, therefore, my Lord, if, after the example of those excellent authors, I cannot forbear boasting, that some parts of my present work have been brightened by the strokes of your Lordship's pencil.

It was the custom of those Roman nobles, to spend their

leisure, not in vicious pleasures, or trifling diversions, contrived, as we truly call it, to kill the time; but in conversing with the celebrated wits and scholars of the age; in encouraging other people's learning, and improving their own: and here your Lordship imitates them with success, and for love of letters and politeness, may be compared with the noblest of them. For your house, like theirs, is open to men of parts and merit; where I have admired your Lordship's agreeable manner of treating them all in their own way, by introducing questions of literature, and varying them so artfully, as to give every one an opportunity, not only of bearing a part, but of leading the conversation in his turn. In these liberal exercises you drop the cares of the statesman; relieve your fatigues in the senate; and strengthen your mind, while you relax it.

Encomiums of this kind, upon persons of your Lordship's quality, commonly pass for words of course, or a fashionable language to the great, and make little impression on men of sense, who know learning not to be the fruit of wit or parts, for there your Lordship's title would be unquestionable, but an acquisition of much labour and study, which the nobles of our days are apt to look upon, as inconsistent with the ease and splendour of an elevated fortune, and generally leave to men of professions and inferior life. But your Lordship has a different way of thinking, and by your education in a public school and university, has learned from your earliest youth, that no fortune can exempt a man from pains, who desires to distinguish himself from the vulgar; and that it is a folly, in any condition of life, to aspire to a superior character, without a superior virtue and industry to support it. What time, therefore, others bestow upon their sports or pleasures, or the lazy indolence of a luxurious life, your Lordship applies to the improvement of your knowledge; and in those early hours, when all around you are hushed in sleep, seize the opportunity of that quiet, as the most favourable season of study, and frequently spend an useful day, before others begin to enjoy it.

I am saying no more, my Lord, than what I know, from my constant admission to your Lordship in my morning visits, before good manners would permit me to attempt a visit any where else; where I have found you commonly engaged with the classical writers of Greece or Rome; and conversing with those very dead, with whom Scipio and Lælius used to converse so familiarly when living. Nor does your Lordship assume this part for ostentation or amusement only, but for the real benefit both of yourself and others; for I have seen the solid effects of your reading in your judicious reflections on the

policy of those ancient governments, and have felt your weight even in controversy, on some of the most delicate parts of their history.

There is another circumstance peculiar to your Lordship, which makes this task of study the easier to you, by giving you not only the greater health, but the greater leisure to pursue it; I mean that singular temperance in diet, in which your Lordship perseveres, with a constancy superior to every temptation, that can excite an appetite to rebel; and shews a firmness of mind, that subjects every gratification of sense to the rule of right reason. Thus, with all the accomplishments of the nobleman, you lead the life of a philosopher; and while you shine a principal ornament of the court, you practise the discipline of the college.

In old Rome there were no hereditary honours; but when the virtue of the family was extinct, its honour was extinguished too; so that no man, how nobly soever born, could arrive at any dignity, who did not win it by his personal merit: and here again your Lordship seems to have emulated that ancient spirit; for, though born to the first honours of your country, yet, disclaiming, as it were, your birth-right, and putting yourself upon the footing of a Roman, you were not content with inheriting, but resolved to import new dignities into your family; and, after the example of your noble father, to open your own way into the supreme council of the kingdom. In this august assembly, your Lordship displays those shining talents, by which you acquired a seat in it, in the defence of our excellent establishment; in maintaining the rights of the people, yet asserting the prerogative of the crown; measuring them both by the equal balance of the laws; which, by the provident care of our ancestors, and the happy settlement at the Revolution, have so fixed their just limits, and moderated the extent of their influence, that they mutually defend and preserve, but can never destroy each other without a general ruin.

In a nation, like ours, which, from the natural effect of freedom, is divided into opposite parties, though particular attachments to certain principles, or friendships with certain men, will sometimes draw the best citizens into measures of a subordinate kind, which they cannot wholly approve; yet whatever envy your Lordship may incur on that account, you will be found, on all occasions of trial, a true friend to our constitution, both in church and state; which I have heard you demonstrate with great force, to be the bulwark of our common peace and prosperity. From this fundamental point, no engagements will ever move, or interest draw you: and though men,

inflamed by opposition, are apt to charge each other with designs, which were never dreamt of perhaps by either side, yet, if there be any who know so little of you, as to distrust your principles, they may depend at least on your judgment, that it can never suffer a person of your Lordship's rank, born to so large a share of the property, as well as the honours of the nation, to think any private interest an equivalent, for consenting to the ruin of the public.

I mention this, my Lord, as an additional reason for presenting you with the Life of Cicero: for were I not persuaded of your Lordship's sincere love of liberty, and zeal for the happiness of your fellow-citizens, it would be a reproach to you, to put into your hands the Life of a man, who, in all the variety of his admirable talents, does not shine so glorious in any, as in his constant attachment to the true interests of his country, and the noble struggle that he sustained at the expense even of his life, to avert the impending tyranny that finally oppressed it.

But I ought to ask your Lordship's pardon for dwelling so long upon a character, which is known to the whole kingdom, as well as to myself, not only by the high office which you fill, and the eminent dignity that you bear in it, but by the sprightly compositions of various kinds, with which your Lordship has often entertained it. It would be a presumption to think of adding any honour to your Lordship, by my pen, after you have acquired so much by your own. The chief design of my epistle is, to give this public testimony of my thanks, for the signal marks of friendship, with which your Lordship has long honoured me; and to interest your name, as far as I can, in the fate and success of my work; by letting the world know, what a share you had in the production of it; that it owed its being to your encouragement; correctness to your pencil; and what many will think the most substantial benefit, its large subscription to your authority. For, though in this way of publishing it, I have had the pleasure to find myself supported by a noble list of generous friends, who, without being solicited, or being asked by me, have promoted my subscription with an uncommon zeal, yet your Lordship has distinguished yourself the most eminently of them, in contributing not only to the number, but the splendour, of the names that adorn it.

Next to that little reputation, with which the public have been pleased to favour me, the benefit of this subscription is the chief fruit that I have ever reaped from my studies. I am indebted for the first, to Cicero; for the second, to your Lordship. It was Cicero who instructed me to write; your Lordship who rewards me for writing: the same motive, therefore,

which induced me to attempt the history of the one, engages me to dedicate it to the other, that I may express my gratitude to you both, in the most effectual manner that I am able, by celebrating the memory of the dead, and acknowledging the generosity of my living benefactor.

I have received great civilities, on several occasions, from many noble persons, of which I shall ever retain a most grateful sense; but your Lordship's accumulated favours have long ago risen up to the character of obligations, and made it my perpetual duty, as it had always been my ambition, to profess myself, with the greatest truth and respect,

My Lord,

Your Lordship's most obliged,

And devoted servant,

CONYERS MIDDLETON.

PREFACE.

THERE is no part of history, which seems capable of yielding either more instruction or entertainment, than that which offers to us *the select lives* of great and virtuous men, who have made an eminent figure on the public stage of the world. In these we see, at one view, what the annals of a whole age can afford, that is worthy of notice; and, in the wide field of universal history, skipping as it were over the barren places, gather all its flowers, and possess ourselves at once of every thing that is good in it.

But there is one great fault, which is commonly observed in the writers of *particular lives*; that they are apt to be partial and prejudiced in favour of their subject, and to give us a panegyric instead of a history. They work up their characters as painters do their portraits; taking the praise of their art to consist, not in copying, but in adorning nature; not in drawing a just resemblance, but in giving a fine picture; or exalting the man into a hero: and this indeed seems to flow from the nature of the thing itself, where the very inclination to write is generally grounded on prepossession, and an affection already contracted for the person, whose history we are attempting: and, when we sit down to it with the disposition of a friend, it is natural for us to cast a shade over his failings—to give the strongest colouring to his virtues—and, out of a good character, to endeavour to draw a perfect one.

I am sensible that this is the common prejudice of *Biographers*, and have endeavoured therefore to divest myself of it, as far as I was able; yet dare not take upon me to affirm, that I have kept myself wholly clear from it; but shall leave the decision of that point to the judgment of the reader; for I must be so ingenuous as to own, that, when I formed the plan of this work, I was previously possessed with a very favourable opinion of Cicero; which, after the strictest scrutiny, has been greatly confirmed and heightened in me: and, in the case of a shining character, such as Cicero's, I am persuaded, will appear to be, it is certainly more pardonable to exceed rather in our praises of it, out of a zeal for illustrious merit, than to be reserved in doing justice to it, through a fear of being thought partial. But, that I might guard myself equally from both the extremes, I have taken care always to leave the facts to speak for themselves, and to affirm nothing of any moment, without an authentic testimony to support it; which yet, if consulted in the original at its full length, will commonly add more light and strength

to what is advanced, than the fragments quoted in the margin, and the brevity of notes would admit.

But whatever prejudices may be suspected to adhere to the writer, it is certain, that, in a work of this nature, he will have many more to combat in the reader. The scene of it is laid in a place and age, which are familiar to us from our childhood: we learn the names of all the chief actors at school, and choose our several favourites according to our tempers or fancies: and, when we are least able to judge of the merit of them, form distinct characters of each, which we frequently retain through life. Thus Marius, Sylla, Cæsar, Pompey, Cato, Cicero, Brutus, Antony, have all their several advocates, zealous for their fame, and ready even to quarrel for the superiority of their virtues. But, among the celebrated names of antiquity, those of the great conquerors and generals attract our admiration always the most, and imprint a notion of magnanimity and power, and capacity for dominion, superior to that of other mortals: we look upon such, as destined by Heaven for empire, and born to trample upon their fellow-creatures, without reflecting on the numerous evils, which are necessary to the acquisition of a glory, that is built upon the subversion of nations, and the destruction of the human species. Yet these are the only persons who are thought to shine in history, or to merit the attention of the reader: dazzled with the splendour of their victories, and the pomp of their triumphs, we consider them as the pride and ornament of the Roman name; while the pacific and civil character, though of all others the most beneficial to mankind, whose sole ambition is to support the laws, the rights and liberty of its citizens, is looked upon as humble and contemptible on the comparison, for being forced to truckle to the power of these oppressors of their country.

In the following history, therefore, if I have happened to affirm any thing that contradicts the common opinion, and shocks the prejudices of the reader, I must desire him to attend diligently to the authorities on which it is grounded; and if these do not give satisfaction, to suspend his judgment still to the end of the work; in the progress of which many facts will be cleared up, that may appear, at first, perhaps uncertain and precarious: and in every thing especially, that relates to Cicero, I would recommend to him, to contemplate the whole character, before he thinks himself qualified to judge of its separate parts, on which the whole will always be found the surest comment.

Quintilian has given us an excellent rule, in the very case: that we should be modest and circumspect, in passing a judgment on men so illustrious, lest, as it happens to the generality of censurers, we be found at last to condemn what we do not understand [1]. There is another reflection likewise very obvious, which yet seldom has its due weight: That a writer on any part of history, which he has made his particular study, may be presumed to be better

[1] Modeste tamen et circumspecto judicio de tantis viris pronunciandum est, ne, quod plerisque accidit, damnent quæ non intelligunt.—Quintil. Instit. 10. 1.

acquainted with it, than the generality of his readers; and when he asserts a fact, that does not seem to be well grounded, it may fairly be imputed, till a good reason appears to the contrary, to a more extensive view of his subject; which, by making it clear to himself, is apt to persuade him that it is equally clear to every body else; and that a fuller explication of it would consequently be unnecessary. If these considerations, which are certainly reasonable, have but their proper influence, I flatter myself, that there will be no just cause, to accuse me of any culpable bias, in my accounts of things or persons, or of any other favour to the particular character of Cicero, than what common humanity will naturally bestow upon every character, that is found, upon the whole, to be both great and good.

In drawing the characters of a number of persons, who all lived in the same city, at the same time; trained by the same discipline, and engaged in the same pursuits; as there must be many similar strokes, and a general resemblance in them all, so the chief difficulty will be, to prevent them from running into too great an uniformity. This I have endeavoured to do, not by forming ideal pictures, or such as would please or surprise: but by attending to the particular facts, which history has delivered of the men, and tracing them to their source, or to those correspondent affections, from which they derived their birth: for these are the distinguishing features of the several persons; which, when duly represented, and placed in their proper light, will not fail to exhibit that precise difference, in which the peculiarity of each character consists.

As to the nature of my work, though the title of it carries nothing more than the *History of Cicero's Life*, yet it might properly enough be called, the *History of Cicero's Times:* since, from his first advancement to the public magistracies, there was not any thing of moment transacted in the state, in which he did not bear an eminent part, so that, to make the whole work of a piece, I have given a summary account of the Roman affairs (during the time even of his minority); and, agreeably to what I promised in my proposals, have carried on a series of history, through *a period of above sixty years*, which, for the importance of the events, and the dignity of the persons concerned in them, is by far the most interesting of any in the annals of Rome.

In the execution of this design, I have pursued, as closely as I could, that very plan which Cicero himself had sketched out, for the model of a complete history; where he lays it down as a fundamental law, that the writer should not dare to affirm what was false, or to suppress what was true; nor give any suspicion either of favour or disaffection:—that, in the relation of facts, he should observe the order of time, and sometimes add the description of places; should first explain the councils; then the acts, and lastly, the events of things; that, in the councils, he should interpose his own judgment on the merit of them; in the acts, relate not only what was done, but how it was done; in the events, shew what share chance, or rashness, or prudence had in them: that he

should describe, likewise, the particular characters of all the great persons, who bear any considerable part in the story; and should dress up the whole in a clear and equable style, without affecting any ornament, or seeking any other praise but of perspicuity. These were the rules that Cicero had drawn up for himself, when he was meditating a general history of his country, as I have taken occasion to mention more at large in its proper place.

But as I have borrowed my plan, so I have drawn my materials also, from Cicero, whose works are the most authentic monuments that remain to us, of all the great transactions of that age; being the original accounts of one, who himself was not only a spectator, but a principal actor in them. There is not a single part of his writings, which does not give some light, as well into his own *history*, as into that of the Republic: but his *familiar letters*, and, above all, those to *Atticus*, may justly be called *the memoirs of the times;* for they contain not only a distinct account of every memorable event, but lay open the springs and motives whence each of them proceeded; so that, as a polite writer, that lived in that very age, and perfectly knew the merit of these letters, says, *the man who reads them will have no occasion for any other history of those times* [1].

My first business, therefore, after I had undertaken this task, was to read over Cicero's works, with no other view, than to extract from them all the passages that seemed to have any relation to my design: where the tediousness of collecting an infinite number of testimonies, scattered through many different volumes; of sorting them into their classes, and ranging them in proper order; the necessity of overlooking many in the first search, and the trouble of retrieving them in a second or third, and the final omission of several, through forgetfulness or inadvertency, have helped to abate that wonder, which had often occurred to me, why no man had ever attempted the same work before me, or at least in this enlarged and comprehensive form, in which it is now offered to the public.

In my use of these materials, I have chosen to insert as many of them as I could into the body of my work; imagining that it would give both a lustre and authority to a sentiment, to deliver it in the person and the very words of *Cicero;* especially, if they could be managed so as not to appear to be sewed on, like splendid patches, but woven originally into the text, as the genuine parts of it. With this view, I have taken occasion to introduce several of his letters, with large extracts from such of his orations, as gave any particular light into the facts, or customs, or characters, described in the history, or which seemed, on any other account, to be curious and entertaining. The frequent introduction of these may be charged, perhaps, to laziness, and a design of shortening my pains, by filling up my story with *Cicero's* words instead of my own: but that was

[1] Sexdecim volumina Epistolarum ab Consulatu ejus usque ad extremum tempus ad Atticum missarum; quæ qui legat, non multum desideret historiam contextam eorum temporum. Sic enim omnia de studiis principum, vitiis ducum, ac mutationibus Reipub. perscripta sunt, ut nihil in his non appareat. Corn. Nep. in Vit. Att. 16.

not the case; nor has this part of the task been the easiest to me, as those will readily believe, who have ever attempted to translate the classical writers of Greece or Rome, where the difficulty is, not so much to give their sense, as to give it in their language, that is, in such as is analogous to it, or what they might be supposed to speak, if they were living at this time; since a splendour of style, as well as of sentiment, is necessary to support the idea of a fine writer. While I am representing Cicero, therefore, as the most eloquent of the ancients, flowing with a perpetual ease and delicacy, and fulness of expression, it would be ridiculous to produce no other specimen of it, but what was stiff and forced, and offensive to a polite reader: yet this is generally the case of our modern versions; where the first wits of antiquity are made to speak such *English* as an *Englishman* of taste would be ashamed to write on any original subject. Verbal translations are always inelegant [1], and necessarily destroy all the beauty of language; yet, by departing too wantonly from the letter, we are apt to vary the sense, and mingle somewhat of our own: translators of low genius never reach beyond the first; but march from word to word, without making the least excursion, for fear of losing themselves; while men of spirit, who prefer the second, usually contemn the mere task of translating, and are vain enough to think of improving their author. I have endeavoured to take the middle way, and make it my first care always to preserve the sentiment; and my next, to adhere to the words, as far as I was able to express them, in an easy and natural style; which I have varied still agreeably to the different subject, or the kind of writing on which I was employed: and I persuade myself, that the many original pieces, which I have translated from Cicero, as they are certainly the most shining, so will be found also the most useful parts of my work, by introducing the reader the oftener, into the company of one with whom no man ever conversed, as a very eminent writer tells us, without coming away the better for it [2].

After I had gone through my review of Cicero's writings, my next recourse was to the other ancients, both Greeks and Romans, who had touched upon the affairs of that age. These served me, chiefly, to fill up the interstices of general history, and to illustrate several passages, which were but slightly mentioned by Cicero; as well as to add some stories and circumstances which tradition had preserved, concerning either Cicero himself, or any of the chief actors, whose characters I had delineated.

But the Greek historians, who treat professedly of these times, Plutarch, Appian, Dio, though they are all very useful for illustrating many important facts of ancient history, which would otherwise have been lost, or imperfectly transmitted to us, are not yet to be read without some caution; as being strangers to the lan-

[1] Nec tamen exprimi verbum e verbo necesse erit, ut interpretes indiserti solent. Cic. de Fin. 3. 4.

[2] Quis autem sumpsit hujus libros in manum, quin surrexerit animo sedatiore?—Erasm. Ep. ad Jo. Ulatten.

guage and customs of Rome, and liable to frequent mistakes, as well as subject to prejudices in their relation of Roman affairs. Plutarch lived from the reign of Claudius to that of Hadrian; in which he died very old, in the possession of the priesthood of the Delphic Apollo: and though he is supposed to have resided in Rome near forty years, at different times, yet he never seems to have acquired a sufficient skill in the Roman language, to qualify himself for the compiler of a Roman history. But if we should allow him all the talents requisite to an historian, yet the attempt of writing the lives of all the illustrious Greeks and Romans, was above the strength of any single man, of what abilities and leisure soever; much more of one who, as he himself tells us, was so engaged in public business, and in giving lectures of philosophy to the great men of Rome, that he had not time to make himself master of the Latin tongue, nor to acquire any other knowledge of its words, than what he had gradually learnt by a previous use and experience of things [1]: his work, therefore, from the very nature of it, must needs be superficial and imperfect, and the sketch, rather than the completion, of a great design.

This we find to be actually true in his account of Cicero's life, where, besides the particular mistakes that have been charged upon him by other writers, we see all the marks of haste, inaccuracy, and want of due information, from the poverty and perplexity of the whole performance. He huddles over Cicero's greatest acts in a summary and negligent manner, yet dwells upon his dreams and his jests, which, for the greatest part, were probably spurious; and, in the last scene of this life, which was of all the most glorious, when the whole counsels of the empire, and the fate and liberty of Rome rested on his shoulders, there he is more particularly trifling and empty; where he had the fairest opportunity of displaying his character to advantage, as well as of illustrating a curious part of history, which has not been well explained by any writer; though there are the amplest materials for it in Cicero's Letters and Philippic Orations, of which Plutarch appears to have made little or no use.

Appian flourished likewise in the reign of Hadrian [2], and came to Rome probably about the time of Plutarch's death, while his works were in every body's hands, which he has made great use of, and seems to have copied very closely, in the most considerable passages of his history.

Dio Cassius lived still later, from the time of the Antonines to that of Alexander Severus; and besides the exceptions that lie against him, in common with the other two, is observed to have conceived a particular prejudice against Cicero, whom he treats, on all occasions, with the utmost malignity. The most obvious cause of it seems to be, his envy to a man, who, for arts and eloquence, was thought to eclipse the fame of Greece; and, by explain-

[1] Vid. Plut. in vit. Demosthen. init. et vit. Plutarchi per Rualdum. c. 14.
[2] Vid. App. de Bell. civ. l. 2. p. 481.

ng all the parts of philosophy to the Romans, in their own language, had superseded, in some measure, the use of the Greek learning and lectures at Rome, to which the hungry wits of that nation owed both their credit and their bread. Another reason, not less probable, may be drawn likewise from Dio's character and principles, which were wholly opposite to those of Cicero: he flourished under the most tyrannical of the emperors, by whom he was advanced to great dignity; and, being the creature of despotic power, thought it a proper compliment to it, to depreciate a name, so highly revered for its patriotism; and whose writings tended to revive that ancient zeal and spirit of liberty, for which the people of Rome were once so celebrated; for we find him taking all occasions, in his history, to prefer an absolute and monarchical government, to a free and democratical one, as the most beneficial to the Roman state [1].

These were the grounds of Dio's malice to Cicero, which is exerted often so absurdly, that it betrays and confutes itself. Thus, in the debates of the senate about Antony, he dresses up a speech for Fufius Calenus, filled with all the obscene and brutal ribaldry, against Cicero, that a profligate mind could invent; as if it were possible to persuade any man of sense, that such infamous stuff could be spoken in the senate, at a time when Cicero had an entire ascendant in it, who, at no time, ever suffered the least insult upon his honour, without chastising the aggressor for it upon the spot: whereas Cicero's speeches, in these very debates, which are still extant, shew, that though they were managed with great warmth of opposition, yet it was always with decency of language between him and Calenus; whom, while he reproves and admonishes, with his usual freedom, yet he treats with civility, and sometimes even with compliments [2].

But a few passages from Dio himself will evince the justice of this censure upon him: he calls Cicero's father a fuller, who yet got his livelihood, he says, by dressing other people's vines and olives; that Cicero was born and bred amidst the scourings of old clothes, and the filth of dunghills; that he was master of no liberal science, nor ever did a single thing in his life worthy of a great man, or an orator: that he prostituted his wife; trained up his son in drunkenness; committed incest with his daughter; lived in adultery with Cærellia, whom he owns, at the same time, to be seventy years old [3]: all which palpable lies, with many more of the same sort, that he tells of Cicero, are yet full as credible, as what he

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[1] Vid. Dio. l. 44. init.

[2] Nam quod me tecum iracunde agere dixisti solere, non est ita. Vehementer me agere fateor; iracunde nego: omnino irasci amicis non temere soleo, ne si merentur quidem. Itaque sine verborum contumelia a te dissentire possum, sine animi summo dolore non possum. [Phil. 8. 5.] Satis multa cum Fufio, ac sine odio omnia; nihil sine dolore. [ibid. 6.] Quapropter ut invitus sæpe dissensi a Q. Fufio, ita sum libenter assensus ejus sententiæ: ex quo judicare debetis me non cum homine solere, sed cum causa dissidere. Itaque non assentior solum, sed etiam gratias ago Q. Fufio, &c. Phil. 11. 6.

[3] Vid. Dio. l. 46. p. 295, &c.

declares afterwards of himself, that he was admonished and commanded, by a vision from heaven, against his own will and inclination, to undertake the task of writing his history [1].

Upon these collections from Cicero, and the other ancients, I finished the first draught of my history, before I began to inquire after the modern writers, who had treated the same subject before me, either in whole or in part. I was unwilling to look into them sooner, lest they should fix any prejudice insensibly upon me, before I had formed a distinct judgment on the real state of the facts, as they appeared to me from their original records. For in writing history, as in travels, instead of transcribing the relations of those, who have trodden the same ground before us, we should exhibit a series of observations, peculiar to ourselves; such as the facts and places suggested to our own minds, from an attentive survey of them, without regard to what any one else may have delivered about them; and though in a production of this kind, where the same materials are common to all, many things must necessarily be said, which had been observed already by others; yet, if the author has any genius, there will always be enough of what is new, to distinguish it as an original work, and to give him a right to call it his own, which I flatter myself will be allowed to me in the following history. In this inquiry after the modern pieces, which had any connexion with my argument, I got notice presently of a greater number than I expected, which bore the title of Cicero's life; but, upon running over as many of them as I could readily meet with, I was cured of my eagerness for hunting out the rest, since I perceived them to be nothing else but either trifling panegyrics on Cicero's general character, or imperfect abstracts of his principal acts, thrown together within the compass of a few pages in duodecimo.

There are two books, however, which have been of real use to me, Sebastiani Corradi Quæstura, and M. T. Ciceronis Historia a Francisco Fabricio: the first was the work of an Italian critic, of eminent learning, who spent a great part of his life in explaining Cicero's writings; but it is rather an apology for Cicero, than the history of his life, its chief end being to vindicate Cicero's character from all objections that have ever been made to it; and particularly from the misrepresentations of Plutarch, and the calumnies of Dio. The piece is learned and ingenious, and written in good Latin; yet the dialogue is carried on with so harsh and forced an allegory, of a quæstor, or treasurer, producing the several testimonies of Cicero's acts, under the form of genuine money, in opposition to the spurious coins of the Greek historians, that none can read it with pleasure, few with patience: the observations, however, are generally just and well grounded, except that the author's zeal for Cicero's honour gets the better, sometimes, of his judgment, and draws him into a defence of his conduct, where Cicero himself has even condemned it.

[1] Vid. Dio. l. 73. p. 328.

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Fabricius's history is prefixed to several editions of Cicero's works, and is nothing more than a bare detail of his acts and writings, digested into exact order, and distinguished by the years of Rome, and of Cicero's life, without any explication or comment, but what relates to the settlement of the time, which is the sole end of the work. But as this is executed with diligence and accuracy, so it has eased me of a great share of that trouble, which I must otherwise have had, in ranging my materials into their proper places; in which task, however, I have always taken care to consult also the annals of Pighius.

I did not forget to pay a due attention to the French authors, whose works happened to coincide with any part of mine; particularly the History of the two Triumvirates;—of the Revolutions of the Roman Government; and of the Exile of Cicero—which are all of them ingenious and useful, and have given a fair account of the general state of the facts, which they profess to illustrate. But as I had already been at the fountain-head, whence they had all drawn their materials, so the chief benefit that I received from them was, to make me review with stricter care the particular passages in which I differed from them, as well as to remind me of some few things which I had omitted, or touched perhaps more slightly than they deserved. But the author of the Exile has treated his argument the most accurately of them, by supporting his story as he goes along with original testimonies from the old authors; which is the only way of writing history that can give satisfaction, or carry conviction along with it, by laying open the ground on which it is built; without which, history assumes the air of romance, and makes no other impression, than in proportion to our opinion of the judgment and integrity of the compiler.

There is a little piece also in our own language, called, Observations on the Life of Cicero, which, though it gives a very different account of Cicero from what I have done, yet I could not but read with pleasure, for the elegance and spirit with which it is written, by one who appears to be animated with a warm love of virtue. But to form our notions of a great man, from some slight passages of his writings, or separate points of conduct, without regarding their connexion with the whole, or the figure that they make in his general character, is like examining things in a microscope, which were made to be surveyed in the gross; every mole rises into a mountain, and the least spot into a deformity, which vanish again into nothing, when we contemplate them through their proper medium, and in their natural light. I persuade myself, therefore, that a person of this writer's good sense and principles, when he has considered Cicero's whole history, will conceive a more candid opinion of the man, who, after a life spent in a perpetual struggle against vice, faction, and tyranny, fell a martyr at last to the liberty of his country.

As I have had frequent occasion to recommend the use of Cicero's letters to Atticus, for their giving the clearest light into the history of those times; so I must not forget to do justice to the pains of one, who, by an excellent translation, and judicious com-

ment upon them, has made that use more obvious and accessible to all: I mean the learned Mr. Mongault; who, not content with retailing the remarks of other commentators, or, out of the rubbish of their volumes, with selecting the best, enters upon his task with the spirit of a true critic, and by the force of his own genius, has happily illustrated many passages, which all the interpreters before him had given up as inexplicable. But since the obscurity of these letters is now, in great measure, removed, by the labours of this gentleman, and especially to his own countrymen, for whose particular benefit, and in whose language he writes; one cannot help wondering, that the Jesuits, Catrou and Rouillè, should not think it worth while, by the benefit of his pains, to have made themselves better acquainted with them; which, as far as I am able to judge, from the little part of their history, that I have had the curiosity to look into, would have prevented several mistakes, which they have committed, with regard both to the facts and persons of the Ciceronian age.

But, instead of making free with other people's mistakes, it would become me perhaps better to bespeak some favour for my own. "An historian," says Diodorus Siculus, "may easily be pardoned for slips of ignorance, since all men are liable to them, and the truth hard to be traced from past and remote ages: but those, who neglect to inform themselves, and through flattery to some, or hatred to others, knowingly deviate from the truth, justly deserve to be censured." For my part, I am far from pretending to be exempt from errors: all that I can say is, that I have committed none wilfully, and used all the means which occurred to me, of defending myself against them: but since there is not a single history, either ancient or modern, that I have consulted, on this occasion, in which I cannot point out several, it would be arrogant in me to imagine, that the same inadvertency, or negligence, or want of judgment, may not be discovered also in mine; if any man, therefore, will admonish me of them with candour, I shall think myself obliged to him, as a friend to my work, for assisting me to make it more perfect, and consequently more useful: for my chief motive in undertaking it was, not to serve any particular cause, but to do a general good by offering to the public the example of a character, which, of all that I am acquainted with in antiquity, is the most accomplished with every talent, that can adorn civil life; and the best fraught with lessons of prudence and duty, for all conditions of men, from the prince to the private scholar.

If my pains therefore should have the effect, which I propose, of raising a greater attention to the name and writings of Cicero, and making them better understood and more familiar to our youth; I cannot fail of gaining my end: for the next step to admiring is, to imitate; and it is not possible to excite an affection for Cicero, without instilling an affection, at the same time, for every thing that is laudable: since how much soever people may differ in their opinion of his conduct, yet all have constantly agreed in their judgment of his works; that there are none now remaining to us from the

heathen world, that so beautifully display, and so forcibly recommend all those generous principles, that tend to exalt and perfect human nature; the love of virtue, liberty, our country, and of all mankind.

I cannot support this reflection by a better authority, than that of Erasmus; who, having contracted some prejudices against Cicero when young, makes a recantation of them when old, in the following passage of a letter to his friend Ulattenus[1]:

"When I was a boy," says he, "I was fonder of Seneca than of Cicero; and till I was twenty years old, could not bear to spend any time in reading him; while all the other writers of antiquity generally pleased me. Whether my judgment be improved by age, I know not; but I am certain that Cicero never pleased me so much, when I was fond of those juvenile studies, as he does now, when I am grown old; not only for the divine felicity of his style, but the sanctity of his heart and morals: in short, he has inspired my soul, and made me feel myself a better man. I make no scruple, therefore, to exhort our youth, to spend their hours in reading and getting his books by heart, rather than in the vexatious squabbles and peevish controversies, with which the world abounds. For my own part, though I am now in the decline of life, yet as soon as I have finished what I have in hand, I shall think it no reproach to me, to seek a reconciliation with my Cicero, and renew an old acquaintance with him, which, for many years, has been unhappily intermitted."

Before I conclude this preface, it will not be improper to add a short abstract, or general idea, of the Roman government, from its first institution by Romulus, to the time of Cicero's birth; that those, who have not been conversant in the affairs of Rome, may not come entire strangers to the subject of the following history.

The constitution of Rome is very often celebrated by Cicero, and other writers, as the most perfect of all governments; being happily tempered and composed of the three different sorts, that are usually distinguished from each other; the monarchical, the aristocratical, and the popular[2]. Their king was elected by the people, as the head of the Republic; to be their leader in war, the guardian of the laws in peace; the senate was his council, chosen also by the people, by whose advice he was obliged to govern himself in all his measures: but the sovereignty was lodged in the body of the citizens, or the general society; whose prerogative it was, to enact laws, create magistrates, declare war[3], and to receive appeals in all cases, both from the king and the senate. Some writers have denied this right of an appeal to the people: but Cicero expressly mentions it among the regal constitutions, as old as the foun-

[1] Erasm. Ep. ad Jo. Ulatt. in Cic. Tuscul. Quæst.

[2] Statuo esse optime constitutam Rempub. quæ ex tribus generibus illis, regali, optimo, et populari, confusa modice.—Fragm. de Rep. 2.
Cum in illis de Repub. libris persuadere videatur Africanus, omnium Rerumpublicarum nostram veterem illam fuisse optimam. De Leg. 2. 10. Polyb. l. 6. p. 460. Dion. Hal. l. 2. 82.

[3] Dion. Hal. l. 2. 87.

dation of the city [1]; which he had demonstrated more at large in his treatise on the Republic; whence Seneca has quoted a passage in confirmation of it: and intimates, that the same right was declared likewise in the pontifical books [2]. Valerius Maximus gives us an instance of it, which is confirmed also by Livy, that Horatius, being condemned to die by king Tullus, for killing his sister, was acquitted upon his appeal to the people [3].

This was the original constitution of Rome, even under their kings: for, in the foundation of a state, where there was no force to compel, it was necessary to invite men into it, by all proper encouragements; and none could be so effectual, as the assurance of liberty, and the privilege of making their own laws [4]. But the kings, by gradual encroachments, having usurped the whole administration to themselves, and, by the violence of their government, being grown intolerable to a city, trained to liberty and arms, were finally expelled by a general insurrection of the senate and the people. This was the ground of that invincible fierceness, and love of their country, in the old Romans, by which they conquered the world; for the superiority of their civil rights naturally inspired a superior virtue and courage to defend them; and made them, of course, the bravest, as long as they continued the freest, of all nations.

By this revolution of the government, their old constitution was not so much changed, as restored to its primitive state: for though the name of king was abolished, yet the power was retained; with this only difference, that instead of a single person chosen for life, there were two chosen annually, whom they called consuls: invested with all the prerogatives and ensigns of royalty, and presiding in the same manner in all the affairs of the Republic [5]; when, to convince the citizens that nothing was sought by the change, but to secure their common liberty; and to establish their sovereignty again on a more solid basis; one of the first consuls, P. Valerius Poplicola, confirmed, by a new law, their fundamental right of an appeal to them in all cases; and, by a second law, made it capital for any man to exercise a magistracy in Rome, without their special appointment [6]: and as a public acknowledgment of their supreme authority, the same consul never appeared in any assembly of the people, without bowing his fasces or maces to them; which was afterwards the constant prac-

[1] Nam cum a primo Urbis ortu, regiis institutis, partim etiam legibus, auspicia, cæremoniæ, comitia, *provocationes*—divinitus essent instituta. Tusc. Quæst. 4, 1.

[2] Cum Ciceronis libros de Repub. prehendit—notat, *Provocationem* ad populum etiam a regibus fuisse. Id ita in *Pontificalibus libris* aliqui putant et Fenestella. Senec. Ep. 108.

[3] M. Horatius interfectæ sororis crimine a Tullo rege damnatus, ad populum provocato judicio absolutus est. Val. Max. 1. 8. 1. vid. Liv. 1. 26.

[4] Romulus seems to have borrowed the plan of his new state from the old government of Athens, as it was instituted by Theseus; who prevailed with the dispersed tribes and families of Attica to form themselves into one city, and live within the same walls, under a free and popular government; distributing its rights and honours promiscuously to them all; and reserving no other prerogative to himself, but to be their captain in war, and the guardian of their laws, &c. Vid. Plut. in Theseo. p. xi.

[5] Sed quoniam regale civitatis genus, probatum quondam, non tam regni, quam regis vitiis repudiatum est; nomen tamen videbitur regis repudiatum, res manebit, si unus omnibus reliquis Magistratibus imperabit. De Leg. 3. 7.

[6] Dion. Hal. 1. 5, 292.

tice of all succeeding consuls[1]. Thus the Republic reaped all the benefit of a kingly government, without the danger of it; since the consuls, whose reign was but annual and accountable, could have no opportunity of invading its liberty, and erecting themselves into tyrants.

By the expulsion of the kings, the city was divided into two great parties, the aristocratical and the popular; or the senate and the plebeians[2]; naturally jealous of each other's power, and desirous to extend their own: but the nobles or patricians, of whom the senate was composed, were the most immediate gainers by the change, and, with the consuls at their head, being now the first movers and administrators of all the deliberations of the state, had a great advantage over the people: and within the compass of sixteen years, became so insolent and oppressive, as to drive the body of the plebeians to that secession into the sacred mount, whence they would not consent to return, till they had extorted a right of creating a new order of magistrates, of their own body, called tribunes, invested with full powers to protect them from all injuries, and whose persons were to be sacred and inviolable[3].

The plebeian party had now got a head exactly suited to their purpose, subject to no controul; whose business it was to fight their battles with the nobility; to watch over the liberties of the citizens; and to distinguish themselves in their annual office, by a zeal for the popular interest, in opposition to the aristocratical: who, from their first number, five, being increased afterwards to ten, never left teazing the senate with fresh demands, till they had laid open to the plebeian families a promiscuous right to all the magistracies of the Republic, and by that means a free admission into the senate.

Thus far they were certainly in the right, and acted like true patriots; and, after many sharp contests, had now brought the government of Rome to its perfect state, when its honours were no longer confined to particular families, but proposed equally and indifferently to every citizen; who, by his virtue and services, either in war or peace, could recommend himself to the notice and favour of his countrymen: while the true balance and temperament of power between the senate and people which was generally observed in regular times, and which the honest wished to establish in all times, was, that the senate should be the authors and advisers of all the public counsels, but the people give them their sanction and legal force.

The tribunes, however, would not stop here; nor were content with securing the rights of the commons, without destroying those of the senate; and as oft as they were disappointed in their private views, and obstructed in the course of their ambition, used to recur always to the populace; whom they could easily inflame to what

[1] Vocato ad concilium populo, summissis fascibus in concionem ascendit. Liv. 2. 7.

[2] Duo genera semper in hac civitate fuerunt.—ex quibus alteri se populares, alteri optimates et haberi et esse voluerunt. Qui ea, quæ faciebant, quæque dicebant, jucunda multitudini esse volebant, populares; qui autem ita se gerebant, ut sua consilia optimo cuique probarent, optimates habebantur. Pro Sext. 45.

[3] Dion. Hal. l. 6. 410.

degree they thought fit, by the proposal of factious laws for dividing the public lands to the poorer citizens; or by the free distribution of corn; or the abolition of all debts; which are all contrary to the quiet, and discipline, and public faith of societies. This abuse of the tribunician power was carried to its greatest height by the two Gracchi, who left nothing unattempted, that could mortify the senate, or gratify the people [1]; till, by their agrarian laws, and other seditious acts, which were greedily received by the city, they had in great measure overturned the equilibrium of power in the Republic, on which its peace and prosperity depended.

But the violent deaths of these two tribunes, and of their principal adherents, put an end to their sedition, and was the first civil blood that was spilt in the streets of Rome, in any of their public dissensions; which, till this time, had always been composed by the method of patience and mutual concessions. It must seem strange to observe, how these two illustrious brothers, who, of all men, were the dearest to the Roman people, yet, upon the first resort to arms, were severally deserted by the multitude, in the very height of their authority, and suffered to be cruelly massacred, in the face of the whole city: which shews what little stress is to be laid on the assistance of the populace, when the dispute comes to blows; and that sedition, though it may often shake, yet will never destroy, a free state, while it continues unarmed, and unsupported by a military force. But this vigorous conduct of the senate, though it seemed necessary to the present quiet of the city, yet soon after proved fatal to it: as it taught all the ambitious, by a most sensible experiment, that there was no way of supporting an usurped authority, but by force; so that, from this time, as we shall find in the following story, all those who aspired to extraordinary powers, and a dominion in the Republic, seldom troubled themselves with what the senate or people were voting at Rome, but came, attended by armies, to enforce their pretensions, which were always decided by the longest sword.

The popularity of the Gracchi was grounded on the real affections of the people, gained by many extraordinary privileges, and substantial benefits conferred upon them: but when force was found necessary to controul the authority of the senate, and to support that interest, which was falsely called popular, instead of courting the multitude, by real services and beneficial laws, it was found a much shorter way to corrupt them by money; a method wholly unknown in the times of the Gracchi; by which the men of power had always a number of mercenaries at their devotion, ready to fill the Forum at any warning; who, by clamour and violence, carried all before them in the public assemblies, and came prepared to ratify whatever was proposed to them [2]: this kept up the form of a legal proceeding:

[1] Nihil immotum, nihil tranquillum, nihil quietum denique in eodem statu relinquebat, &c. Vell. Pat. 2. 6.

[2] Itaque homines seditiosi ac turbulenti—conductas habent conciones. Neque id agunt, ut ea dicant et ferant, quæ illi velint audire, qui in concione sunt: sed pretio ac mercede perficiunt, ut, quicquid dicant, id illi velle audire videantur. Num vos existi-

while, by the terror of arms, and a superior force, the great could easily support, and carry into execution, whatever votes they had once procured in their favour by faction and bribery.

After the death of the younger Gracchus, the senate was perpetually labouring to rescind, or to moderate, the laws, that he had enacted to their prejudice; especially one that affected them the most sensibly, by taking from them the right of judicature; which they had exercised from the foundation of Rome, and transferring it to the knights. This act, however, was equitable; for, as the senators possessed all the magistracies and governments of the empire, so they were the men whose oppressions were the most severely felt, and most frequently complained of: yet, while the judgment of all causes continued in their hands, it was their common practice, to favour and absolve one another, in their turns, to the general scandal and injury both of the subjects and allies; of which some late and notorious instances had given a plausible pretext for Gracchus's law. But the senate could not bear, with patience, to be subjected to the tribunal of an inferior order; which had always been jealous of their power, and was sure to be severe upon their crimes: so that, after many fruitless struggles to get this law repealed, Q. Servilius Cæpio, who was consul about twenty-five years after, procured at last a mitigation of it, by adding a certain number of senators to the three centuries of the knights or equestrian judges: with which the senate was so highly pleased, that they honoured this consul with the title of their patron [1]. Cæpio's law was warmly recommended by L. Crassus, the most celebrated orator of that age, who, in a speech upon it to the people, defended the authority of the senate with all the force of his eloquence; in which state of things, and in this very year of Cæpio's consulship, Cicero was born: and as Crassus's oration was published, and much admired, when he was a boy, so he took it, as he afterwards tells us, for the pattern both of his eloquence and his politics [2].

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matis, Gracchos, aut Saturninum, aut quenquam illorum veterum, qui populares habebantur, ullum unquam in concione habuisse conductum? Nemo habuit. Pro Sext. 49.

[1] Is—consulatus decore, maximi pontificatus sacerdotio, ut Senatus patronus diceretur, assecutus. Val. Max. 6. 9.

[2] Suasit Serviliam legem Crassus—sed hæc Crassi cum edita est oratio—quatuor et triginta tum habebat annos, totidemque annis mihi ætate præstabat. Iis enim Consulibus eam legem suasit, quibus nos nati sumus. [Brut. p. 274.] Mihi quidem a pueritia, quasi magistra fuit illa in legem Cæpionis oratio; in qua et auctoritas ornatur Senatus, pro quo ordine illa dicuntur. Ibid. 278.

THE

LIFE

OF

MARCUS TULLIUS CICERO.

SECTION I.

Coss.—Q. Servilius Cæpio, C. Atilius Serranus.

MARCUS TULLIUS CICERO was born on the third of January [1], in the six-hundred-forty-seventh year of Rome, about a hundred and seven years before CHRIST [2]. His birth, if we believe Plutarch, was attended by prodigies, foretelling the future eminence and lustre of his character, "which might "have passed," he says, "for idle dreams, had not the event "soon confirmed the truth of the prediction:" but since we have no hint of these prodigies from Cicero himself, or any author of that age, we may charge them to the credulity or the invention of a writer who loves to raise the solemnity of his story by the introduction of something miraculous.

His mother was called Helvia; a name mentioned in history and old inscriptions among the honourable families of Rome. She was rich and well descended, and had a sister married to a Roman knight of distinguished merit, C. Aculeo, an intimate friend of the orator, L. Crassus, and celebrated for a singular knowledge of the law; in which his sons, likewise, our Cicero's cousin-germans, were afterwards very eminent [3]. It is remarkable, that Cicero never once speaks of his mother in any part of his writings; but his younger brother Quintus has left

[1] III Nonas Jan. natali meo. Ep. ad Att. 7. 5. it. 13. 42.

[2] This computation follows the common era of Christ's birth, which is placed three years later than it ought to be. Pompey the Great was born also in the same year, on the last of September. Vid. Pigh. Annal. Plin. 37. 2.

[3] De Orat. 1. 43. 2. 1.

a little story of her, which seems to intimate her good management and housewifery; "how she used to seal all her wine "casks, the empty as well as the full, that when any of them "were found empty and unsealed, she might know them to "have been emptied by stealth;" it being the most usual theft among the slaves of great families to steal their master's wine out of the vessels [1].

As to his father's family, nothing was delivered of it but in extremes [2]: which is not to be wondered at in the history of a man, whose life was so exposed to envy, as Cicero's, and who fell a victim at last to the power of his enemies. Some derive his descent from kings, others from mechanics [3]; but the truth lay between both; for his family, though it had never borne any of the great offices of the Republic, was yet very ancient and honourable [4]; of principal distinction and nobility in that part of Italy, in which it resided; and of equestrian rank [5], from its first admission to the freedom of Rome.

Some have insinuated, that Cicero affected to say but little of the splendour of his family, for the sake of being considered as the founder of it; and chose to suppress the notion of his regal extraction, for the aversion that the people of Rome had to the name of King; with which however he was sometimes reproached by his enemies [6], but those speculations are wholly imaginary: for as oft as there was occasion to mention the character and condition of his ancestors, he speaks of them always with great frankness, declaring them "to have been "content with their paternal fortunes, and the private honours "of their own city, without the ambition of appearing on the

[1] Sicut olim matrem meam facere memini quæ lagenas etiam inanes obsignabat, ne dicerentur inanes aliquæ fuisse, quæ furtim essent exsiccatæ. Ep. Fam. 16. 26.

——— posset qui ignoscere servis,
Et signo læso non insanire lagenæ. Hor.

[2] See Plutarch's Life of Cicero.

[3] Regia progenies et Tullo sanguis ab alto. Sil. Ital.

[4] Hinc enim orti stirpe antiquissima: hic sacra, hic genus, hic majorum multa vestigia. De Leg. 2. 1. 2.

[5] The *Equestrian* dignity, or that order of the Roman people, which we commonly call *Knights*, had nothing in it analogous or similar to any order of modern Knighthood, but depended entirely upon a *census*, or valuation of their estates, which was usually made every five years by the *Censors* in their *Lustrum*, or general review of the whole people: when all those citizens, whose entire fortunes amounted to the value of four hundred *Sestertia*, that is of £3,229 of our money, were enrolled of course in the list of *Equites* or *Knights;* who were considered as a middle order between the Senators and the common people, yet without any other distinction, than the privilege of wearing a *gold ring*, which was the peculiar badge of their order. [Liv. 23. 12. Plin. Hist. 33. 1.] *The census* or estate necessary to a Senator, was double to that of a Knight; and if ever they reduced their fortunes below that standard, they forfeited their rank and were struck out of the roll of their order by the Censors.

Si quadringentis sex septem millia desunt,
Plebs eris——— Hor. Ep. 1. 1. 57.

The order of Knights therefore included in it the whole provincial nobility and gentry of the empire, which had not yet obtained the honour of the senate.

[6] Vid. Sebast. Corrad. Quæstura, p. 43. 44.

" public stage of Rome." Thus in a speech to the people upon his advancement to the consulship; " I have no pretence," says he, " to enlarge before you, upon the praises of my ances- " tors; not but they were all such as myself, who am descended " from their blood, and trained by their discipline; but because " they lived without this applause of popular fame, and the " splendour of these honours, which you confer [1]." It is on this account, therefore, that we find him so often called a new man; not that his family was new or ignoble, but because he was the first of it, who ever sought and obtained the public magistracies of the state.

The place of his birth was Arpinum; a city anciently of the Samnites, now part of the kingdom of Naples; which, upon its submission to Rome, acquired the freedom of the city, and was inserted into the Cornelian tribe. It had the honour also of producing the great C. Marius; which gave occasion to Pompey to say in a public speech, " That Rome was indebted to this " corporation for two citizens, who had, each in his turn, pre- " served it from ruin [2]." It may justly, therefore, claim a place in the memory of posterity, for giving life to such worthies, who exemplified the character which Pliny gives of true glory, " by doing what deserved to be written, and writing what de- " served to be read;" and making the world the happier and the better for their having lived in it [3].

The territory of Arpinum was rude and mountainous, to which Cicero applies Homer's description of Ithaca;

—— τρηχεῖ' ἀλλ' ἀγαθὴ, κουροτρόφος, &c.
'Tis rough indeed, yet breeds a gen'rous race [4]!

The family seat was about three miles from the town, in a situation extremely pleasant, and well adapted to the nature of the climate. It was surrounded with groves and shady walks, leading from the house to a river, called Fibrenus; " which " was divided into two equal streams, by a little island, covered " with trees and a portico, contrived both for study and exer- " cise, whither Cicero used to retire, when he had any parti- " cular work upon his hands. The clearness and rapidity of " the stream, murmuring through a rocky channel; the shade " and verdure of its banks, planted with tall poplars; the re- " markable coldness of the water; and, above all, its falling by " a cascade into the nobler river Liris, a little below the island, " gives us the idea of a most beautiful scene," as Cicero him- self has described it. When Atticus first saw it, he was charmed with it, and wondered that Cicero did not prefer it to

[1] De Leg. Agrar. con. Rull. ad Quirites, 1.
[2] De Legib. 2. 3. Val. Max. 2. 2. [3] Plin. Ep. [4] Ad Att. 2. xi. Odyss. 9. 27.

all his other houses; declaring a contempt of the laboured magnificence, marble pavements, artificial canals, and forced streams of the celebrated villas of Italy, compared with the natural beauties of this place[1]. The house, as Cicero says, was but small and humble in his grandfather's time, according to the ancient frugality, like the Sabine farm of old Curius; till his father beautified and enlarged it into a handsome and spacious habitation.

But there cannot be a better proof of the delightfulness of the place, than that it is now possessed by a convent of monks, and called the Villa of St. Dominic[2]. Strange revolution! to see Cicero's porticos converted to monkish cloisters! the seat of the most refined reason, wit, and learning, to a nursery of superstition, bigotry, and enthusiasm! What a pleasure must it give to these Dominican inquisitors to trample on the ruins of a man, whose writings, by spreading the light of reason and liberty through the world, have been one great instrument of obstructing their unwearied pains to enslave it.

Cicero, being the first born of the family, received, as usual, the name of his father, and grandfather, Marcus. This name was properly personal, equivalent to that of baptism with us, and imposed with ceremonies somewhat analogous to it, on the ninth day, called the lustrical, or day of purification[3]; when the child was carried to the temple by the friends and relations of the family, and, before the altars of the gods, recommended to the protection of some tutelar deity.

Tullius was the name of the family; which, in old language, signified flowing streams, or ducts of water, and was derived, therefore, probably, from their ancient situation, at the confluence of the two rivers[4].

The third name was generally added on account of some memorable action, quality, or accident, which distinguished the founder. or chief person of the family. Plutarch says, "that "the surname of Cicero was owing to a wart or excrescence on "the nose of one of his ancestors, in the shape of a vetch, "which the Romans called Cicer[5]:" but Pliny tells us more credibly, "that all those names, which had a reference to any "species of grain, as the Fabii, Lentuli, &c. were acquired by

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[1] De Legib. 2. 1, 2, 3.

[2] Appresso la Villa di S. Domenico; hora cosi nominato questo luogo ove nacque Cicerone, come dice Pietro Marso, laquale Villa è discosta da Arpino da tre miglia. Vid. Leand. Alberti Descrittione d'Italia. p. 267.

[3] Est Nundina Romanorum Dea, a nono nascentium die nuncupata, qui lustricus dicitur; est autem dies lustricus, quo infantes lustrantur et nomen accipiunt. Macrob. Sat. 1. 16.

[4] Pompeius Festus in voce Tullius.

[5] This has given rise to a blunder of some sculptors, who, in the busts of Cicero, have formed the resemblance of this vetch on his nose; not reflecting, that it was the name only, and not the vetch itself, which was transmitted to him by his ancestors.

"a reputation of being the best husbandmen, or improvers of "that species[1]." As Tullius, therefore, the family name, was derived from the situation of the farm, so Cicero, the surname, from the culture of it by vetches. This, I say, is the most probable, because agriculture was held the most liberal employment in old Rome, and those tribes, which resided on their farms in the country, the most honourable; and this very grain, from which Cicero drew his name, was, in all ages of the Republic, in great request with the meaner people; being one of the usual largesses bestowed upon them by the rich, and sold every where in the theatres and streets ready parched or boiled for present use[2].

Cicero's grandfather was living at the time of his birth, and from the few hints, which are left of him, seems to have been a man of business, and interest in his country[3]. He was at the head of a party in Arpinum, in opposition to a busy turbulent man, M. Gratidius, whose sister he had married, who was pushing forward a popular law, to oblige the town to transact all their affairs by ballot. The cause was brought before the consul Scaurus; in which old Cicero behaved himself so well, that the consul paid him the compliment to wish, "that a man "of his spirit and virtue would come and act with them in the "great theatre of the Republic, and not confine his talents to "the narrow sphere of his own corporation[4]." There is a saying likewise recorded of this old gentleman, "that the men of "those times were like the Syrian slaves; the more Greek "they knew, the greater knaves they were[5]:" which carries with it the notion of an old patriot, severe on the importation of foreign arts, as destructive of the discipline and manners of his country. This grandfather had two sons: Marcus the elder, the father of our Cicero; and Lucius, a particular friend of the celebrated orator, M. Antonius, whom he accompanied to his government of Cilicia[6]; and who left a son of the same

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[1] Hist. Nat. 18. 3. 1.

[2] In cicere atque faba bona tu perdasque lupinis,
Latus ut in Circo spatiere, et æneus ut stes. Hor. Sat. 2, 3. 182.

Nec siquid fricti ciceris probat et nucis emtor. Art. Poet. 249.

[3] De Legib. 2. 1.

[4] Ac nostro quidem huic, cum res esset ad se delata, consul Scaurus, utinam, inquit, M. Cicero, isto animo atque virtute, in summa Repub. nobiscum versari, quam in municipali maluisses! Ibid. 3. 16.

[5] Nostros homines similes esse Syrorum venalium; ut quisque optime Græce sciret, ita esse nequissimum. De Orat. 2. 66.

N.B. A great part of the slaves in Rome were Syrians; for the pirates of Cilicia, who used to infest the coasts of Syria, carried all their captives to the market of Delos, and sold them there to the Greeks, through whose hands they usually passed to Rome: those slaves, therefore, who had lived the longest with their Grecian masters, and consequently talked Greek the best, were the most practised in all the little tricks and craft that servitude naturally teaches; which old Cicero, like Cato the Censor, imputed to the arts and manners of Greece itself. Vid. Adr. Turneb. in jocos Ciceron.

[6] De Orat. 2. 1.

name, frequently mentioned by Cicero with great affection, as a youth of excellent virtue and accomplishments [1].

His father Marcus also was a wise and learned man, whose merit recommended him to the familiarity of the principal magistrates of the Republic, especially Cato, L. Crassus, and L. Cæsar [2]; but being "of an infirm and tender constitution, "he spent his life chiefly at Arpinum, in an elegant retreat, "and the study of polite letters [3]."

But his chief employment, from the time of his having sons, was to give them the best education which Rome could afford, in hopes to excite in them an ambition of breaking through the indolence of the family, and aspiring to the honours of the state. They were bred up with their cousins, the young Aculeos, in a method approved and directed by L. Crassus; a man of the first dignity, as well as the first eloquence in Rome, and by those very masters, whom Crassus himself made use of [4]. The Romans were, of all people, the most careful and exact in the education of their children: their attention to it began from the moment of their birth; when they committed them to the care of some prudent matron of reputable character and condition, whose business it was to form their first habits of acting and speaking; to watch their growing passions, and direct them to their proper objects; to superintend their sports, and suffer nothing immodest or indecent to enter into them; that the mind, preserved in its innocence, nor depraved by a taste of false pleasure, might be at liberty to pursue whatever was laudable, and apply its whole strength to that profession, in which it desired to excel [5].

It was the opinion of some of the old masters, that children should not be instructed in letters till they were seven years old; but the best judges advised, that no time of culture should be lost, and that their literary instruction should keep pace with their moral; that three years only should be allowed to the nurses, and when they first began to speak, that they should begin also to learn [6]. It was reckoned a matter likewise of great importance, what kind of language they were first accustomed to hear at home, and in what manner not only their nurses, but their fathers and even mothers spoke; since their first habits were then necessarily formed, either of a pure or

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[1] De Finib. 5. 1. ad Att. 1. 5. [2] Ep. Fam. 15. 4. de Orat. 2. 1.

[3] Qui cum esset infirma valetudine, hic fere ætatem egit in literis. De Legib. 2. 1.

[4] Cumque nos cum consobrinis nostris, Aculeonis filiis, et ea disceremus, quæ Crasso placerent, et ab iis doctoribus, quibus ille uteretur, erudiremur. De Orat. 2. 1.

[5] Eligebatur autem aliqua major natu propinqua, cujus probatis, spectatisque moribus, omnis cujuspiam familiæ soboles committeretur, &c. quæ disciplina et severitas eo pertinebat, ut sincera et integra et nullis pravitatibus detorta uniuscujusque natura, toto statim pectore arriperet artes honestas, &c. Tacit. Dial. de Oratorib. 28.

[6] Quintil. 1 1.

corrupt elocution: thus the two Gracchi were thought to owe that elegance of speaking, for which they were famous, to the instruction of their mother Cornelia; a woman of great politeness, whose epistles were read and admired, long after her death, for the purity of their language[1].

This, probably, was a part of that domestic discipline, in which Cicero was trained, and of which he often speaks: but as soon as he was capable of a more enlarged and liberal institution, his father brought him to Rome, where he had a house of his own[2], and placed him in a public school, under an eminent Greek master, which was thought the best way of educating one, who was designed to appear on the public stage, and who, as Quintilian observes, ought to be so bred, as not to fear the sight of men; since that can never be rightly learned in solitude, which is to be produced before crowds[3]. Here he gave the first specimen of those shining abilities, which rendered him afterwards so illustrious; and his schoolfellows carried home such stories of his extraordinary parts and quickness in learning, that their parents were often induced to visit the school, for the sake of seeing a youth of such surprising talents[4].

About this time a celebrated rhetorician, Plotius, first set up a Latin school of eloquence in Rome, and had a great resort to him[5]: young Cicero was very desirous to be his scholar, but was over-ruled in it by the advice of the learned, who thought the Greek masters more useful in forming him to the bar, for which he was designed. This method of beginning with Greek is approved by Quintilian; because "the Latin "would come of itself, and it seemed most natural to begin "from the fountain, whence all the Roman learning was de-"rived; yet the rule," he says, "must be practised with some "restriction, nor the use of a foreign language pushed so far, "to the neglect of the native, as to acquire with it a foreign "accent and vicious pronunciation[6]."

Cicero's father, encouraged by the promising genius of his son, spared no cost nor pains to improve it by the help of the ablest masters, and among the other instructors of his early youth, put him under the care of the poet Archias, who came to Rome with a high reputation for learning and poetry, when Cicero was about five years old, and lived in the family of Lucullus[7]: for it was the custom of the great in those days to entertain in their houses the principal scholars and philosophers

[1] Ibid. it. in Brut. p. 319. edit. Sebast. Corradi.

[2] This is a further proof of the wealth and flourishing condition of his family, since the rent of a moderate house in Rome, in a reputable part of the city, fit for one of equestrian rank, was about two hundred pounds sterling per annum.

[3] L. 1. 2. [4] Plutarch in his Life. [5] Sueton. de claris Rhetoribus, c. 2.

[6] L. 1. 1. [7] Pro Archia l. 3.

of Greece, with a liberty of opening a school, and teaching, together with their own children, any of the other young nobility and gentry of Rome. Under this master, Cicero applied himself chiefly to poetry, to which he was naturally addicted, and made such a proficiency in it, that while he was still a boy, he composed and published a poem, called Glaucus Pontius, which was extant in Plutarch's time[1].

After finishing the course of these puerile studies, it was the custom to change the habit of the boy for that of the man, and take what they called the manly gown, or the ordinary robe of the citizens: this was an occasion of great joy to the young men; who by this change passed into a state of greater liberty and enlargement from the power of their tutors[2]. They were introduced at the same time into the Forum, or the great square of the city, where the assemblies of the people were held, and the magistrates used to harangue to them from the rostra, and where all the public pleadings and judicial proceedings were usually transacted: this therefore was the grand school of business and eloquence! the scene, on which all the affairs of the empire were determined, and where the foundation of their hopes and fortunes were to be laid: so that they were introduced into it with much solemnity, attended by all the friends and dependants of the family; and after divine rites performed in the Capitol, were committed to the special protection of some eminent senator, distinguished for his eloquence or knowledge of the laws, to be instructed by his advice in the management of civil affairs, and to form themselves by his example for useful members and magistrates of the Republic.

Writers are divided about the precise time of changing the puerile for the manly gown: what seems the most probable, is, that in the old Republic it was never done till the end of the seventeenth year; but when the ancient discipline began to relax, parents, out of indulgence to their children, advanced this era of joy one year earlier, and gave them the gown at sixteen, which was the custom in Cicero's time. Under the Emperors, it was granted at pleasure, and at any age, to the great, or their own relations; for Nero received it from Claudius, when he just entered into his fourteenth year, which, as Tacitus says, was given before the regular season[3].

Cicero, being thus introduced into the Forum, was placed

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[1] Plutarch.——This Glaucus was a fisherman of Anthedon in Bœotia, who, upon eating a certain herb, jumped into the sea, and became a sea-god: the place was ever after called Glaucus's leap; where there was an oracle of the god, in great vogue with all seamen; and the story furnished the argument to one of Æschylus's tragedies. Pausan. Bœot. c. 22.

[2] Cum primum pavido custos mihi purpura cessit. Pers. Sat. 5. 30.

[3] Ann. 12. 41. Vid. Norris Cenotaph. Pisan. Disser. 2. c. 4. it. Sueton. August. 8. et Notas Pitisci.

under the care of Q. Mucius Scævola, the augur, the principal lawyer, as well as statesman of that age; who had passed through all the offices of the Republic, with a singular reputation of integrity, and was now extremely old: Cicero never stirred from his side, but carefully treasured up in his memory all the remarkable sayings which dropped from him, as so many lessons of prudence for his future conduct[1]: and after his death applied himself to another of the same family, Scævola, the high priest, a person of equal character for probity and skill in the law; who, though he did not profess to teach, yet freely gave his advice to all the young students who consulted him[2].

Under these masters he acquired a complete knowledge of the laws of his country; a foundation useful to all who design to enter into public affairs; and thought to be of such consequence at Rome, that it was the common exercise of boys at school to learn the laws of the twelve tables by heart, as they did their poets and classic authors[3]. Cicero particularly took such pains in this study, and was so well acquainted with the most intricate parts of it, as to be able to sustain a dispute on any question, with the greatest lawyers of his age[4]: so that in pleading once against his friend S. Sulpicius, he declared, by way of raillery, what he could have made good likewise in fact, that if he provoked him, he would profess himself a lawyer in three days' time[5].

The profession of the law, next to that of arms and eloquence, was a sure recommendation to the first honours of the Republic[6], and for that reason was preserved, as it were hereditary, in some of the noblest families of Rome[7]; who, by giving their advice gratis to all who wanted it, engaged the favour and observance of their fellow citizens, and acquired great authority in all the affairs of state. It was the custom of these old senators, eminent for their wisdom and experience, to walk every morning up and down the Forum, as a signal of their offering themselves freely to all, who had occasion to consult them, not only in cases of law, but in their private and domestic affairs[8]. But in later times they chose to sit at home with their doors open, in a kind of throne or raised seat, like the confessors in foreign churches, giving access and audience

[1] De Amicit. 1. [2] Brut. p. 89. edit. Sch. Corradi. [3] De Legib. 2. 23.
[4] Ep. Fam. 7. 22. [5] Pro Murænа, 13. [6] Ib. 14.
[7] Quorum vero patres aut majores aliqua gloria præstiterunt, ii student plerumque in eodem genere laudis excellere: ut Q. Mucius P. filius, in jure civili. Off. 1. 32. 2. 19.
[8] M. vero Manilium nos etiam vidimus transverso ambulantem foro; quod erat insigne, eum qui id faceret, facere civibus omnibus consilii sui copiam. Ad quos olim et ita ambulantes et in solio sedentes domi ita adibatur, non solum ut de jure civili ad eos, verum etiam de filia collocanda——de omni denique aut officio aut negotio referretur. De Orat. 3. 33.

to all people. This was the case of the two Scævolas, especially the augur, whose house was called the oracle of the city[1]; and who, in the Marsic war, when worn out with age and infirmities, gave free admission every day to all the citizens, as soon as it was light, nor was ever seen by any in his bed during that whole war[2].

But this was not the point that Cicero aimed at, to guard the estates only of the citizens: his views were much larger; and the knowledge of the law was but one ingredient of many, in the character which he aspired to, of an universal patron, not only of the fortunes, but of the lives and liberties of his countrymen: for that was the proper notion of an orator, or pleader of causes; whose profession it was to speak aptly, elegantly, and copiously on every subject which could be offered to him, and whose art therefore included in it all other arts of the liberal kind, and could not be acquired to any perfection, without a competent knowledge of whatever was great and laudable in the universe. This was his own idea of what he had undertaken[3]; and his present business therefore was, to lay a foundation fit to sustain the weight of this great character: so that while he was studying the law under the Scævolas, he spent a large share of his time in attending the pleadings at the bar, and the public speeches of the magistrates, and never passed one day without writing and reading something at home; constantly taking notes, and making comments on what he read. He was fond, when very young, of an exercise, which had been recommended by some of the great orators before him, of reading over a number of verses of some esteemed poet, or a part of an oration, so carefully as to retain the substance of them in his memory, and then deliver the same sentiments in different words, the most elegant that occurred to him. But he soon grew weary of this, upon reflecting, that his authors had already employed the best words which belonged to their subject; so that if he used the same, it would do him no good, and if different, would even hurt him, by a habit of using worse. He applied himself, therefore, to another task, of more certain benefit; to translate into Latin the select speeches of the best Greek orators, which gave him an opportunity of observing and employing all the most elegant words of his own language, and of enriching it, at the same time, with new ones, borrowed or imitated from the Greek[4]. Nor did he yet neglect his poetical studies; for he now translated Aratus on the Phæno-

[1] Est enim sine dubio domus Jurisconsulti totius Oraculum civitatis. Testis est hujusce Q. Mucii janua, et vestibulum, quod in ejus infirmissima valetudine, affectaque jam ætate, maxima quotidie frequentia civium, ac summorum hominum splendore celebratur. De Orat. 1. 45.

[2] Philip. 8. x. [3] De Orat. 1. 5. 6. 13. 17. [4] De Orator. 1. 34.

mena of the Heavens into Latin verse, of which many fragments are still extant; and published also an original poem, of the heroic kind, in honour of his countryman, C. Marius. This was much admired, and often read, by Atticus: and old Scævola was so pleased with it, that, in an epigram which he seems to have made upon it, he declares "that it would live as long as the Roman name and learning subsisted[1]:" there remains still a little specimen of it, describing a memorable omen given to Marius from the oak of Arpinum, which from the spirit and elegance of the description, shows that his poetical genius was scarce inferior to his oratorial, if it had been cultivated with the same diligence[2]. He published another poem, also, called Limon, of which Donatus has preserved four lines in the Life of Terence, in praise of the elegance and purity of that poet's style[3]. But while he was employing himself in these juvenile exercises, for the improvement of his invention, he applied himself, with no less industry, to philosophy, for the enlargement of his mind and understanding; and, among his other masters, was very fond, at his age, of Phædrus, the Epicurean; but as soon as he had gained a little more experience and judgment of things, he wholly deserted and constantly disliked the principles of that sect; yet always retained a particular esteem for the man, on account of his learning, humanity, and politeness[4].

The peace of Rome was now disturbed by a domestic war, which writers call the Italic, Social, or Marsic: it was begun by a confederacy of the principal towns of Italy, to support their demand of the freedom of the city: the tribune Drusus had made them a promise of it, but was assassinated in the attempt of publishing a law to confer it: this made them despe-

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[1] Eaque, ut ait Scævola de fratris mei Mario,——canescet sæclis innumerabilibus. De Leg. 1. 1.

[2] Hic Jovis altisoni subito pinnata Satelles
Arboris e trunco, serpentis saucia morsu,
Subjugat ipsa feris transfigens unguibus anguem
Semianimum, et varia graviter cervice micantem;
Quem se intorquentem lanians rostroque cruentans,
Jam satiata animos, jam duros ulta dolores,
Abjicit efflantem, et laceratum adfligit in unda,
Seque obitu a Solis, nitidos convertit ad ortus.
Hanc ubi præpetibus pennis lapsuque; volantem
Conspexit Marius, divini Numinis Augur,
Faustaque signa suæ laudis, reditusque notavit;
Partibus intonuit cœli Pater ipse sinistris.
Sic Aquilæ clarum firmavit Juppiter omen.——De Divin. 1. 47.

[3] We have no account of the argument of this piece, or the meaning of its title; it was probably nothing more than the Greek word Λειμών; to intimate that the poem, like a meadow or garden, exhibited a variety of different fancies and flowers. The Greeks, as Pliny says, were fond of giving such titles to their books, as Πανδέκται, Ἐγχειρίδιον, Λειμών, &c. [Præf. Hist. Nat.] and Pamphilus the Grammarian, as Suidas tells us, published a Λειμών, or a collection of various subjects. Vid. in Pamphilus.

[4] Ep. Fam. 13. 1.

rate, and resolve to extort by force, what they could not obtain by entreaty[1]. They alleged it to be unjust to exclude them from the rights of a city, which they sustained by their arms; that in all its wars they furnished twice the number of troops which Rome itself did; and had raised it to all that height of power, for which it now despised them[2]. This war was carried on for above two years, with great fierceness on both sides, and various success: two Roman consuls were killed in it, and their armies often defeated: till the confederates, weakened also by frequent losses, and the destruction of one ally after another, were forced at last to submit to the superior fortune of Rome[3]. During the hurry of the war, the business of the Forum was intermitted; the greatest part of the magistrates, as well as the pleaders, being personally engaged in it; Hortensius, the most flourishing young orator at the bar, was a volunteer in it the first year, and commanded a regiment the second[4].

Cicero likewise took the opportunity to make a campaign, along with the consul Cn. Pompeius Strabo, the father of Pompey the Great; this was a constant part of the education of the young nobility: to learn the art of war by personal service, under some general of name and experience; for in an empire raised and supported wholly by arms, a reputation of martial virtue was the shortest and surest way of rising to its highest honours; and the constitution of the government was such, that as their generals could not make a figure even in camps, without some institution in the politer arts, especially that of speaking gracefully[5]; so those, who applied themselves to the peaceful studies, and the management of civil affairs, were obliged to acquire a competent share of military skill, for the sake of governing provinces, and commanding armies, to which they all succeeded of course from the administration of the great offices of the state.

In this expedition Cicero was present at a conference between Pompeius the consul, and Vettius the general of the Marsi, who had given the Romans a cruel defeat the year before, in which the consul Rutilius was killed[6]. It was held in sight of the two camps, and managed with great decency: the consul's brother Sextus, being an old acquaintance of Vettius, came from Rome on purpose to assist at it; and, at the first sight of each other, after lamenting the unhappy circumstance of their meeting at the head of opposite armies, he asked Vettius by what title he should now salute him, of friend,

[1] Philip. 12. 27. [2] Vell. Pat. 2. 15. [3] Flor. 3. 18. [4] Brut. 425.
[5] Quantum dicendi gravitate et copia valeat, in quo ipso inest quædam dignitas imperatoria.——Pro leg. Manil. 14.
[6] Appian. Bell. Civ. p. 376.

or enemy: to which Vettius replied, "Call me friend by incli- "nation; enemy by necessity[1]." Which shews, that these old warriors had not less politeness in their civil, than fierceness in their hostile encounters.

Both Marius and Sylla served as lieutenants to the consuls in this war, and commanded separate armies in different parts of Italy: but Marius performed nothing in it answerable to his great name and former glory: his advanced age had increased his caution, and after so many triumphs and consulships, he was jealous of a reverse of fortune; so that he kept himself wholly on the defensive, and, like old Fabius, chose to tire out the enemy by declining a battle; content with snatching some little advantages, that opportunity threw into his hands, without suffering them, however, to gain any against him[2]. Sylla, on the other hand, was ever active and enterprising; he had not yet obtained the consulship, and was fighting for it, as it were, in the sight of his citizens: so that he was constantly urging the enemy to a battle, and glad of every occasion to signalize his military talents, and eclipse the fame of Marius; in which he succeeded to his wish, gained many considerable victories, and took several of their cities by storm, particularly Stabiæ, a town of Campania, which he utterly demolished[3]. Cicero, who seems to have followed his camp, as the chief scene of the war, and the best school for a young volunteer, gives an account of one action, of which he was eye witness, executed with great vigour and success; that as Sylla was sacrificing before his tent in the fields of Nola, a snake happened to creep out from the bottom of the altar; upon which Postumius, the haruspex, who attended the sacrifice, proclaiming it to be a fortunate omen, called out upon him to lead his army immediately against the enemy: Sylla took the benefit of the admonition, and drawing out his troops without delay, attacked and took the strong camp of the Samnites under the walls of Nola[4]. This action was thought so glorious, that Sylla got the story of it painted afterwards in one of the rooms of his Tusculan villa[5]. Thus Cicero was not less diligent in the army, than he was in the Forum, to observe every thing that passed; and contrived to be always near the person of the general, that no action of moment might escape his notice.

[1] Quem te appellem, inquit? at ille; voluntate hospitem, necessitate hostem. Phil. 12. xi.

[2] Plutar. in Marius.

[3] Plut. in Sylla. In Campano autem agro Stabiæ oppidum fuere usque ad Cn. Pompeium et L. Carbonem Coss. prid. Kal. Maij. quo die L. Sylla legatus bello sociali id delevit, quod nunc in villas abiit. Intercidit ibi et Taurania. Plin. Hist. N. 3. 5.

[4] In Syllæ scriptum historia videmus, quod te inspectante factum est, ut quum ille in agro Nolano immolaret ante prætorium, ab infima ara subito anguis emergeret, quum quidem C. Postumius haruspex orabat illum, &c. De Divin. 1. 33. 2. 20.

[5] Plin. Hist. N. 22. 6.

Upon the breaking out of this war, the Romans gave the freedom of the city to all the towns which continued firm to them; and, at the end of it, after the destruction of three hundred thousand lives, thought fit, for the sake of their future quiet, to grant it to all the rest; but this step, which they considered as the foundation of a perpetual peace, was, as an ingenious writer has observed, one of the causes that hastened their ruin: for the enormous bulk to which the city was swelled by it, gave birth to many new disorders, that gradually corrupted, and at last destroyed it; and the discipline of the laws, calculated for a people whom the same walls would contain, was too weak to keep in order the vast body of Italy; so that, from this time chiefly, all affairs were decided by faction and violence, and the influence of the great; who could bring whole towns into the Forum, from the remote parts of Italy; or pour in a number of slaves and foreigners, under the form of citizens; for when the names and persons of real citizens could no longer be distinguished, it was not possible to know whether any act had passed regularly, by the genuine suffrage of the people[1].

The Italic war was no sooner ended, than another broke out, which, though at a great distance from Rome, was one of the most difficult and desperate in which it ever was engaged; against Mithridates, King of Pontus, a martial and powerful prince, of a restless spirit and ambition, with a capacity equal to the greatest designs: who, disdaining to see all his hopes blasted by the overbearing power of Rome, and confined to the narrow boundary of his hereditary dominion, broke through his barrier at once, and overran the lesser Asia like a torrent, and in one day caused eighty thousand Roman citizens to be massacred in cold blood[2]. His forces were answerable to the vastness of his attempt, and the inexpiable war, that he had now declared against the Republic: he had a fleet of above four hundred ships; with an army of two hundred and fifty thousand foot, and fifty thousand horse; all completely armed, and provided with military stores, fit for the use of so great a body[3].

Sylla, who had now obtained the consulship, as the reward of his late services, had the province of Asia allotted to him, with the command of the war against Mithridates[4]; but old Marius, envious of his growing fame, and desirous to engross every commission, which offered either power or wealth, engaged Sulpicius, an eloquent and popular tribune, to get that allotment reversed, and the command transferred from Sylla

[1] De la grandeur des Romains, &c. c. 9.
[2] Pro leg. Manil. 2.
[3] Appian. Bell. Mithridat. init. pag. 171.
[4] Appian. Bell. Civ. l. 1. 383.

to himself, by the suffrage of the people. This raised great tumults in the city between the opposite parties, in which the son of Q. Pompeius the consul, and the son-in-law of Sylla, was killed: Sylla happened to be absent, quelling the remains of the late commotions near Nola; but upon the news of these disorders, he hastened with his legions to Rome, and having entered it, after some resistance, drove Marius and his accomplices to the necessity of saving themselves by a precipitate flight. This was the beginning of the first civil war, properly so called, which Rome had ever seen; and what gave both the occasion and the example to all the rest that followed: the tribune Sulpicius was taken and slain; and Marius so warmly pursued, that he was forced to plunge himself into the marshes of Minturnum, up to the chin in water; in which condition he lay concealed for some time, till, being discovered and dragged out, he was preserved by the compassion of the inhabitants, who, after refreshing him from the cold and hunger which he had suffered in his flight, furnished him with a vessel, and all necessaries to transport himself into Afric[1].

Sylla in the meanwhile having quieted the city, and proscribed twelve of his chief adversaries, set forward upon his expedition against Mithridates: but he was no sooner gone, than the civil broils broke out afresh between the new consuls, Cinna and Octavius; which Cicero calls the Octavian war[2]. For Cinna, attempting to reverse all that Sylla had established, was driven out of the city by his colleague, with six of the tribunes, and deposed from the consulship: upon this he gathered an army, and recalled Marius, who, having joined his forces with him, entered Rome in a hostile manner, and, with the most horrible cruelty, put all Sylla's friends to the sword, without regard to age, dignity, or former services. Among the rest fell the consul, Cn. Octavius; the two brothers, L. Cæsar and C. Cæsar; P. Crassus, and the orator M. Antonius; whose head, as Cicero says, was fixed upon that rostra, where he had so strenuously defended the Republic when consul, and preserved the heads of so many citizens; lamenting, as it were ominously, the misery of that fate which happened afterwards to himself, from the grandson of this very Antonius. Q. Catulus also, though he had been Marius's colleague in the consulship, and in his victory over the Cimbri, was treated with the same cruelty; for when his friends were interceding for his life, Marius made them no other answer,

[1] Pro Plan. x. This account that Cicero gives more than once of Marius's escape makes it probable, that the common story of the Gallic soldier, sent into the prison to kill him, was forged by some of the later writers, to make the relation more tragical and affecting.

[2] De Div. l. 2. Philip. 14. 8.

but, He must die; he must die: so that he was obliged to kill himself[1].

Cicero saw this memorable entry of his countryman Marius, who, in that advanced age, was so far from being broken, he says, by his late calamity, that he seemed to be more alert and vigorous than ever; when he heard him recounting to the people, in excuse for the cruelty of his return, the many miseries which he had lately suffered; when he was driven from that country which he had saved from destruction; when all his estate was seized and plundered by his enemies; when he saw his young son also the partner of his distress; when he was almost drowned in the marshes, and owed his life to the mercy of the Minturnensians; when he was forced to fly into Afric in a small bark, and become a suppliant to those to whom he had given kingdoms; but that since he had recovered his dignity, and all the rest, that he had lost, it should be his care not to forfeit that virtue and courage, which he had never lost[2]. Marius and Cinna having thus got the Republic into their hands, declared themselves consuls: but Marius died unexpectedly, as soon almost as he was inaugurated into his new dignity, on the 13th of January, in the 70th year of his age; and, according to the most probable account, of a pleuritic fever[3].

His birth was obscure, though some call it equestrian; and his education wholly in camps; where he learnt the first rudiments of war, under the greatest master of that age, the younger Scipio, who destroyed Carthage: till, by long service, distinguished valour, and a peculiar hardiness and patience of discipline, he advanced himself gradually through all the steps of military honour, with the reputation of a brave and complete soldier. The obscurity of his extraction, which depressed him with the nobility, made him the greater favourite of the people; who, on all occasions of danger, thought him the only man fit to be trusted with their lives and fortunes; or to have the command of a difficult and desperate war: and, in truth, he twice delivered them from the most desperate, with which they had ever been threatened by a foreign enemy. Scipio, from the observation of his martial talents, while he had yet but an inferior command in the army, gave a kind of prophetic testimony of his future glory; for being asked by some of his officers,

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[1] Cum necessariis Catuli deprecantibus non semel respondit, sed sæpe, moriatur. Tusc. Disp. 5. 19. De Orat. 3. 3.

[2] Post red. ad Quir. 8.

[3] Plutarch, in Mar. The celebrated orator L. Crassus died not long before of the same disease; which might probably be then, as I was told in Rome that it is now, the peculiar distemper of the place. The modern Romans call it *punctura*, which seems to carry the same notion that the old Romans expressed by *percussus frigore;* intimating the sudden stroke of cold upon a body unusually heated.

who were supping with him at Numantia, what general the Republic would have, in case of any accident to himself; "that man," replied he, pointing to Marius, "at the bottom "of the table." In the field he was cautious and provident; and while he was watching the most favourable opportunities of action, affected to take all his measures from augurs and diviners; nor ever gave battle, till, by pretended omens and Divine admonitions, he had inspired his soldiers with a confidence of victory; so that his enemies dreaded him, as something more than mortal; and both friends and foes believed him to act always by a peculiar impulse and direction from the gods. His merit, however, was wholly military, void of every accomplishment of learning, which he openly affected to despise; so that Arpinum had the singular felicity to produce the most glorious contemner, as well as the most illustrious improver of the arts and eloquence of Rome. He made no figure therefore in the gown, nor had any other way of sustaining his authority in the city, than by cherishing the natural jealousy between the senate and the people; that by his declared enmity to the one, he might always be at the head of the other; whose favour he managed, not with any view to the public good, for he had nothing in him of the statesman, or the patriot, but to the advancement of his private interest and glory. In short, he was crafty, cruel, covetous, perfidious; of a temper and talents greatly serviceable abroad, but turbulent and dangerous at home: an implacable enemy to the nobles; ever seeking occasions to mortify them, and ready to sacrifice the Republic, which he had saved, to his ambition and revenge. After a life spent in the perpetual toils of foreign or domestic wars, he died at last in his bed, in a good old age, and in his seventh consulship; an honour that no Roman before him ever attained; which is urged by Cotta, the academic, as one argument amongst others against the existence of a Providence[1].

The transactions of the Forum were greatly interrupted by these civil dissensions; in which some of the best orators were killed, others banished: Cicero, however, attended the harangues of the magistrates, who possessed the rostra in their turns; and being now about the age of twenty-one, drew

[1] Natus equestri loco. [Vell. Pat. 2. xi.] Se P. Africani discipulum ac militem. [Pro Balb. 20. Val. Max. 8. 15.] Populus Rom. non alium repellendis tantis hostibus magis idoneum, quam Marium, est ratus. [Vell. Pat. 2. 12.] Bis Italiam obsidione et metu liberavit servitutis. [In Cat. 4. x.] Omnes socii atque hostes credere, illi aut mentem divinam esse, aut Deorum nutu cuncta portendi. [Sallust. Bell. Jug. 92.] Conspicuæ felicitatis Arpinum, sive unicum litterarum gloriosissimum contemptorem, sive abundantissimum fontem intueri velis. [Val. Max. 2. 2.] Quantum bello optimus, tantum pace pessimus; immodicus gloriæ, insatiabilis, impotens, semperque inquietus. [Vell. Pat. 2. xi.] Cur omnium perfidiosissimus, C. Marius, Q. Catulum, præstantissima dignitate virum, mori potuit jubere?——cur tam feliciter, septimum consul, domi suæ senex est mortuus? [De Nat. Deor. 3. 32.]

up, probably, those rhetorical pieces, which were published by him, as he tells us, when very young, and are supposed to be the same that still remain on the subject of invention: but he condemned and retracted them afterwards in his advanced age, as unworthy of his maturer judgment, and the work only of a boy, attempting to digest into order the precepts which he had brought away from school [1].

In the meanwhile, Philo, a philosopher of the first name in the academy, with many of the principal Athenians, fled to Rome from the fury of Mithridates, who had made himself master of Athens, and all the neighbouring parts of Greece: Cicero immediately became his scholar, and was exceedingly taken with his philosophy; and by the help of such a professor gave himself up to that study with the greater inclination, as there was cause to apprehend that the laws and judicial proceedings, which he had designed for the ground of his fame and fortunes, would be wholly overturned by the continuance of the public disorders [2].

But Cinna's party having quelled all opposition at home, while Sylla was engaged abroad in the Mithridatic war, there was a cessation of arms within the city for about three years, so that the course of public business began to flow again in its usual channel; and Molo, the Rhodian, one of the principal orators of that age, and the most celebrated teacher of eloquence, happening to come to Rome at the same time, Cicero presently took the benefit of his lectures, and resumed his oratorical studies with his former ardour [3]. But the greatest spur to his industry was the fame and splendour of Hortensius, who made the first figure at the bar, and whose praises fired him with such an ambition of acquiring the same glory, that he scarce allowed himself any rest from his studies either day or night: he had in his house with him Diodotus the stoic, as his preceptor in various parts of learning, but more particularly in logic; which Zeno, as he tells us, used to call a close and contracted eloquence; as he called eloquence an enlarged and dilated logic; comparing the one to the fist, or hand doubled; the other, to the palm opened [4]. Yet with all his attention to logic, he never suffered a day to pass, without some exercise in oratory; chiefly that of declaiming, which he generally performed with his fellow students, M. Piso and Q. Pompeius,

[1] Quæ pueris aut adolescentulis nobis, ex commentariolis nostris inchoata ac rudia, exciderunt, vix hac ætate digna, et hoc usu, &c. De Orat. 1. 2. Quintil. 1. 3. 6.

[2] Eodem tempore, cum Princeps Academiæ Philo cum Atheniensium Optimatibus Mithridatico bello domo profugisset, Romamque venisset; totum ei me tradidi, &c. Brut. 430.

[3] Eodem anno Moloni dedimus operam. Brut. 430.

[4] Zeno quidem ille, a quo disciplina Stoicorum est, manu demonstrare solebat, quid inter has artes interesset. Nam cum compresserat digitos, pugnumque fecerat; dialecticam aiebat ejusmodi esse: cum autem diduxerat, et manum dilataverat, palmæ illius similem eloquentiam esse dicebat. De Orator. 259. edit. Lamb.

two young noblemen, a little older than himself, with whom he had contracted an intimate friendship. They declaimed sometimes in Latin, but much oftener in Greek; because the Greek furnished a greater variety of elegant expressions, and an opportunity of imitating and introducing them into the Latin; and because the Greek masters, who were far the best, could not correct and improve them, unless they declaimed in that language [1].

In this interval Sylla was performing great exploits against Mithridates, whom he had driven out of Greece and Asia, and confined once more to his own territory; yet at Rome, where Cinna was master, he was declared a public enemy, and his estate confiscated: this insult upon his honours and fortunes, made him very desirous to be at home again, in order to take his revenge upon his adversaries; so that after all his success in the war, he was glad to put an end to it by an honourable peace; the chief article of which was, that Mithridates should defray the whole expense of it, and content himself for the future with his hereditary kingdom. On his return he brought away with him from Athens the famous library of Apellicon the Teian, in which were the works of Aristotle and Theophrastus, that were hardly known before in Italy, or to be found indeed entire any where else [2]. He wrote a letter at the same time to the senate, setting forth his great services, and the ingratitude with which he had been treated; and acquainting them, that he was coming to do justice to the Republic, and to himself, upon the authors of those violences; this raised great terrors in the city; which, having lately felt the horrible effects of Marius's entry, expected to see the same tragedy acted over again by Sylla.

But while his enemies were busy in gathering forces to oppose him, Cinna, the chief of them, was killed in a mutiny of his own soldiers: upon this, Sylla hastened his march, to take the benefit of that disturbance, and landed at Brundusium with about thirty thousand men: hither many of the nobility presently resorted to him, and among them young Pompey, about twenty-three years old; who, without any public character or commission, brought along with him three legions, which he had raised by his own credit out of the veterans who had served under his father: he was kindly received by Sylla, to whom he did great service in the progress of the war, and was ever after much favoured and employed by him [3].

Sylla now carried all before him: he defeated one of the consuls, Norbanus, and by the pretence of a treaty with the

[1] Brut. p. 357. 433.
[2] Plut. Life of Syll.
[3] Appian. Bell. Civ. l. 1. 397. 399.

other consul, Scipio, found means to corrupt his army, and draw it over to himself[1]: he gave Scipio, however, his life, who went into a voluntary exile at Marseilles[2]. The new consuls chosen in the mean time at Rome, were Cn. Papirius Carbo and young Marius; the first of whom, after several defeats, was driven out of Italy, and the second besieged in Præneste; where, being reduced to extremity, and despairing of relief, he wrote to Damasippus, then prætor of the city, to call a meeting of the senators, as if upon business of importance, and put the principal of them to the sword: in this massacre many of the nobles perished, and old Scævola, the high-priest, the pattern of ancient temperance and prudence, as Cicero calls him, was slain before the altar of Vesta[3]: after which sacrifice of noble blood to the manes of his father, young Marius put an end to his own life.

Pompey at the same time pursued Carbo into Sicily, and having taken him at Lilybæum, sent his head to Sylla, though he begged his life in an abject manner at his feet[4]: this drew some reproach upon Pompey, for killing a man, to whom he had been highly obliged on an occasion where his father's honour and his own fortunes were attacked. But this is the constant effect of factions in states, to make men prefer the interests of a party, to all the considerations, either of private or public duty; and it is not strange that Pompey, young and ambitious, should pay more regard to the power of Sylla, than to a scruple of honour or gratitude[4]. Cicero, however, says of this Carbo, that there never was a worse citizen, or more wicked man[5]: which will go a great way towards excusing Pompey's act.

Sylla, having subdued all who were in arms against him, was now at leisure to take his full revenge on their friends and adherents; in which, by the detestable method of a proscription, of which he was the first author and inventor, he exercised a more infamous cruelty, than had ever been practised in cold blood in that, or perhaps in any other city[6]. The proscription was not confined to Rome, but carried through all the

[1] Sylla cum Scipione inter Cales et Teanum—leges inter se et conditiones contulerunt; non tenuit omnino colloquium illud fidem, a vi tamen et periculo abfuit. Philip. 12. xi.

[2] Pro Sextio, 3.

[3] De Nat. Deor. 3. 32.

[4] Sed nobis tacentibus Cn. Carbonis, a quo admodum adolescens de paternis bonis in foro dimicans protectus es, jussu tuo interempti mors animis hominum obversabitur, non sine aliqua reprehensione; quia tam ingrato facto, plus L. Syllæ viribus, quam propriæ indulsisti verecundiæ. Val. Max. 5. 3.

[5] Hoc vero, qui Lilybæi a Pompeio nostro est interfectus, improbior nemo, meo judicio, fuit. Epist. Fam. 9. 21.

[6] Primus ille, et utinam ultimus, exemplum proscriptionis invenit, &c. Vell. Pat. 2. 28. N.B. The manner of proscribing was, to write down the names of those who were doomed to die, and expose them on tables fixed up in the public places of the city, with the promise of a certain reward for the head of each person so proscribed. So that though Marius and Cinna massacred their enemies with the same cruelty in cold blood, yet they did not do it in the way of proscription, nor with the offer of a reward to the murderers.

towns of Italy; where, besides the crime of party, which was pardoned to none, it was fatal to be possessed of money, lands, or a pleasant seat; all manner of licence being indulged to an insolent army, of carving for themselves what fortunes they pleased [1].

In this general destruction of the Marian faction, J. Cæsar, then about seventeen years old, had much difficulty to escape with life: he was nearly allied to old Marius, and had married Cinna's daughter; whom he could not be induced to put away, by all the threats of Sylla; who, considering him for that reason as irreconcileable to his interests, deprived him of his wife's fortune and the priesthood, which he had obtained. Cæsar, therefore, apprehending still somewhat worse, thought it prudent to retire and conceal himself in the country, where, being discovered accidentally by Sylla's soldiers, he was forced to redeem his head by a very large sum: but the intercession of the vestal virgins, and the authority of his powerful relations, extorted a grant of his life very unwillingly from Sylla; who bade them take notice, that he, for whose safety they were so solicitous, would one day be the ruin of that aristocracy, which he was then establishing with so much pains, for that he saw many Mariuses in one Cæsar [2]. The event confirmed Sylla's prediction; for, by the experience of these times, young Cæsar was instructed both how to form and to execute that scheme, which was the grand purpose of his whole life, of oppressing the liberty of his country.

As soon as the proscriptions were over, and the scene grown a little calm, L. Flaccus, being chosen interrex, declared Sylla dictator for settling the state of the Republic, without any limitation of time, and ratified whatever he had done, or should do, by a special law that empowered him to put any citizen to death without hearing or trial [3]. This office of dictator, which in early times had oft been of singular service to the Republic in cases of difficulty and distress, was now grown odious and suspected, in the present state of its wealth and power, as dangerous to the public liberty, and for that reason had been wholly disused and laid aside for one hundred and twenty years past [4]: so that Flaccus's law was the pure effect

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[1] Namque uti quisque domum aut villam, postremo aut vas aut vestimentum alicujus concupiverat, dabat operam, ut is in proscriptorum numero esset.——Neque prius finis jugulandi fuit, quam Sylla omnes suos divitiis explevit. Sallust. c. 51. Plut. Sylla.

[2] Scirent eum, quem incolumem tanto opere cuperent, quandoque optimatium partibus, quas secum simul defendissent, exitio futurum; nam Cæsari multos Marios inesse. [Sueton. J. Cæs. c. 1. Plut. in Cæs.]—Cinnæ gener, cujus filiam ut repudiaret, nullo modo compelli potuit. Vell. Pat. 2. 42.

[3] De Leg. Agrar. con. Rull. 3. 2.

[4] Cujus honoris usurpatio per annos cxx intermissa——ut apparcat populum Romanum usum Dictatoris non tam desiderasse, quam timuisse potestatem imperii, quo priores ad vindicandam maximis periculis Rempub. usi fuerant. Vell. Pat. 2. 28.

of force and terror; and though pretended to be made by the people, was utterly detested by them. Sylla, however, being invested by it with absolute authority, made many useful regulations for the better order of the government; and by the plenitude of his power changed in a great measure the whole constitution of it, from a democratical to an aristocratical form, by advancing the prerogative of the senate, and depressing that of the people. He took from the Equestrian order the judgment of all causes, which they had enjoyed from the time of the Gracchi, and restored it to the senate; deprived the people of the right of choosing the priests, and replaced it in the colleges of priests: but, above all, he abridged the immoderate power of the tribunes, which had been the chief source of all the civil dissensions; for he made them incapable of any other magistracy after the tribunate; restrained the liberty of appealing to them; took from them their capital privilege, of proposing laws to the people: and left them nothing but their negative; or, as Cicero says, the power only of helping, not of hurting any one [1]. But, that he might not be suspected of aiming at a perpetual tyranny, and a total subversion of the Republic, he suffered the consuls to be chosen in the regular manner, and to govern, as usual, in all the ordinary affairs of the city: whilst he employed himself particularly in reforming the disorders of the state, by putting his new laws in execution; and in distributing the confiscated lands of the adverse party among his legions: so that the Republic seemed to be once more settled on a legal basis, and the laws and judicial proceedings began to flourish in the Forum. About the same time, Molo, the Rhodian, came again to Rome, to solicit the payment of what was due to his country, for their services in the Mithridatic war; which gave Cicero an opportunity of putting himself a second time under his direction, and perfecting his oratorical talents by the farther instructions of so renowned a master [2]: whose abilities and character were so highly reverenced, that he was the first of all foreigners who was ever allowed to speak to the senate in Greek without an interpreter [3]. Which shews in what vogue the Greek learning, and especially eloquence, flourished at this time in Rome.

Cicero had now run through all that course of discipline, which he lays down as necessary to form the complete orator: for, in his treatise on that subject, he gives his own sentiments in the person of Crassus, on the institution requisite to that character; declaring, that no man ought to pretend to it, with-

[1] De Leg. 3. 10. It. vid. Pigh. Annal. ad A. Urb. 672. [2] Brut. p. 434.
[3] Eum ante omnes exterarum gentium in Senatu sine interprete auditum constat. Val. Max. 2. 2.

out being previously acquainted with every thing worth knowing in art or nature; that this is implied in the very name of an orator: whose profession it is, to speak upon every subject, which can be proposed to him; and whose eloquence, without the knowledge of what he speaks, would be the prattle only and impertinence of children [1]. He had learnt the rudiments of grammar and languages from the ablest teachers: gone through the studies of humanity and the politer letters with the poet Archias; been instructed in philosophy by the principal professors of each sect; Phædrus the Epicurean, Philo the academic, Diodotus the stoic; acquired a perfect knowledge of the law, from the greatest lawyers, as well as the greatest statesmen of Rome, the two Scævolas; all which accomplishments were but ministerial and subservient to that on which his hopes and ambition were singly placed, the reputation of an orator; to qualify himself, therefore, particularly for this, he attended the pleadings of all the speakers of his time; heard the daily lectures of the most eminent orators of Greece, and was perpetually composing somewhat at home, and declaiming under their correction: and, that he might neglect nothing which could help in any degree to improve and polish his style, he spent the intervals of his leisure in the company of the ladies; especially of those who were remarkable for a politeness of language, and whose fathers had been distinguished by a fame and reputation of their eloquence. While he studied the law, therefore, under Scævola the augur, he frequently conversed with his wife Lælia, whose discourse, he says, was tinctured with all the elegance of her father, Lælius, the politest speaker of his age [2]: he was acquainted likewise with her daughter Mucia, who married the great orator L. Crassus; and with her grand-daughters, the two Liciniæ: one of them, the wife of L. Scipio; the other of young Marius; who all excelled in that delicacy of the Latin tongue, which was peculiar to their families, and valued themselves on preserving and propagating it to their posterity.

Thus adorned and accomplished, he offered himself to the bar about the age of twenty-six; not as others generally did, raw and ignorant of their business, and wanting to be formed to it by use and experience [3], but finished, and qualified at once to sustain any cause, which should be committed to him. It has been controverted both by the ancients and moderns,

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[1] Ac mea quidem sententia, nemo poterit esse omni laude cumulatus orator, nisi erit omnium rerum magnarum, atque artium, scientiam consecutus. De Orat. l. 6. 2. 2.

[2] Legimus epistolas Corneliæ, matris Gracchorum—auditus est nobis Lælius, Caii filiæ, sæpe sermo: ergo illam patris elegantia tinctam vidimus: et filias ejus Mucias ambas, quarum sermo mihi fuit notus, &c. Brut. 319.

[3] Brut. 433.

what was the first cause in which he was engaged; some give it for that of P. Quinctius: others for S. Roscius: but neither of them are in the right; for in his oration for Quinctius he expressly declares, that he had pleaded other causes before it; and in that for Roscius, says only, that it was the first public or criminal cause, in which he was concerned: and it is reasonable to imagine, that he had tried his strength, and acquired some credit in private causes, before he would venture upon a public one of that importance; agreeably to the advice which Quintilian gives to his young pleaders[1], whose rules are generally drawn from the practice and example of Cicero.

The cause of P. Quinctius was to defend him from an action of bankruptcy, brought against him by a creditor, who, on pretence of his having forfeited his recognizance and withdrawn himself from justice, had obtained a decree to seize his estate, and expose it to sale. The creditor was one of the public criers, who attended the magistrates, and, by his interest among them, was likely to oppress Quinctius, and had already gained an advantage against him by the authority of Hortensius, who was his advocate. Cicero entered into the cause, at the earnest desire of the famed comedian, Roscius, whose sister was Quinctius's wife[2]: he endeavoured at first to excuse himself; alleging that he should not be able to speak a word against Hortensius, any more than the other players could act with any spirit before Roscius; but Roscius would take no excuse, having formed such a judgment of him, as to think no man so capable of supporting a desperate cause, against a crafty and powerful adversary.

After he had given a specimen of himself to the city, in this, and several other private causes, he undertook the celebrated defence of S. Roscius of Ameria, in his 27th year; the same age, as the learned have observed, in which Demosthenes first began to distinguish himself in Athens; as if in these geniuses of the first magnitude, that was the proper season of blooming towards maturity. The case of Roscius was this:—his father was killed in the late proscription of Sylla; and his estate, worth about 60,000*l.* sterling, was sold among the confiscated estates of the proscribed, for a trifling sum, to L. Cornelius Chrysogonus, a young favourite slave, whom Sylla had made free; who, to secure his possession of it, accused the son of the murder of his father, and had provided evidence to convict him; so that the young man was like to be deprived, not only of his fortunes, but, by a more villainous cruelty, of his honour also and his life. All the old advocates refused to defend him, fearing the power of the prosecutor, and

[1] Quintil. 12. 6. [2] Pro Quinct. 24.

the resentment of Sylla [1]; since Roscius's defence would necessarily lead them into many complaints on the times, and the oppressions of the great; but Cicero readily undertook it, as a glorious opportunity of enlisting himself into the service of his country, and giving a public testimony of his principles and zeal for that liberty, to which he had devoted the labours of his life. Roscius was acquitted, to the great honour of Cicero; whose courage and address in defending him was applauded by the whole city; so that from this moment, he was looked upon as an advocate of the first class, and equal to the greatest causes [2].

Having occasion, in the course of his pleading, to mention that remarkable punishment which their ancestors had contrived for the murder of a parent, of sewing the criminal alive in a sack, and throwing him into the river, he says, "that the meaning of it was, to strike him at once, as it were, out of the system of nature, by taking from him the air, the sun, the water, and the earth; that he, who had destroyed the author of his being, should lose the benefit of those elements, whence all things derive their being. They would not throw him to the beasts, lest the contagion of such wickedness should make the beasts themselves more furious: they would not commit him naked to the stream, lest he should pollute the very sea, which was the purifier of all other pollutions: they left him no share of any thing natural, how vile or common soever; for what is so common as breath to the living, earth to the dead, the sea to those who float, the shore to those who are cast up? Yet these wretches live so, as long as they can, as not to draw breath from the air; die so, as not to touch the ground; are so tossed by the waves, as not to be washed by them; so cast out upon the shore, as to find no rest even on the rocks [3]." This passage was received with acclamations of applause: yet, speaking of it afterwards himself, he calls it, "the redundancy of a juvenile fancy, which wanted the correction of his sounder judgment; and, like all the compositions of young men, was not applauded so much for its own sake, as for the hopes it gave of his more improved and ripened talents [4]."

The popularity of his cause, and the favour of the audience gave him such spirits, that he exposed the insolence and villainy of the favourite Chrysogonus with great gaiety; and ventured even to mingle several bold strokes at Sylla himself;

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[1] Ita loqui homines;—huic patronos propter Chrysogoni gratiam defuturos,—ipso nomine parricidii et atrocitate criminis fore, ut hic nullo negotio tolleretur, cum a nullo defensus esset.—Patronos huic defuturos putaverunt; desunt. Qui libere dicat, qui cum fide defendat, non deest profecto, Judices.—Pro Roscio Amer. 10. 11.

[2] Prima causa publica, pro S. Roscio dicta, tantum commendationis habuit, ut non esset, quæ non nostro digna patrocinio videretur. Deinceps inde multæ. Brut. 434.

[3] Pro Rosc. 26.

[4] Orat. 258. ed. Lamb.

which he took care however to palliate, by observing, "that through the multiplicity of Sylla's affairs, who reigned as absolute on earth, as Jupiter did in heaven, it was not possible for him to know, and necessary even to connive at many things, which his favourites did against his will[1]. He would not complain," he says, "in times like those, that an innocent man's estate was exposed to public sale; for were it allowed to him to speak freely on that head, Roscius was not a person of such consequence, that he should make a particular complaint on his account; but he must insist upon it, that by the law of the proscription itself, whether it was Flaccus's, the interrex, or Sylla's, the dictator, for he knew not which to call it, Roscius's estate was not forfeited, nor liable to be sold[2]." In the conclusion, he puts the judges in mind, "that nothing was so much aimed at by the prosecutors in this trial, as, by the condemnation of Roscius, to gain a precedent for destroying the children of the proscribed: he conjures them, therefore, by all the gods, not to be the authors of reviving a second proscription, more barbarous and cruel than the first: that the senate refused to bear any part in the first, lest it should be thought to be authorized by the public council: that it was their business by this sentence to put a stop to that spirit of cruelty, which then possessed the city, so pernicious to the Republic, and so contrary to the temper and character of their ancestors."——

As by this defence he acquired a great reputation in his youth, so he reflects upon it with pleasure in old age, and recommends it to his son, as the surest way to true glory and authority in his country; to defend the innocent in distress, especially when they happened to be oppressed by the power of the great; as I have often done, says he, in other causes, but particularly in that of Roscius, against Sylla himself, in the height of his power[3]. A noble lesson to all advocates, to apply their talents to the protection of innocence and injured virtue; and to make justice, not profit, the rule and end of their labours.

Plutarch says, "that presently after this trial, Cicero took occasion to travel abroad, on pretence of his health, but in reality to avoid the effects of Sylla's displeasure;" but there seems to be no ground for this notion: for Sylla's revenge was now satiated, and his mind wholly bent on restoring the public tranquillity; and, it is evident, that Cicero continued a year after this in Rome without any apprehension of danger,

[1] Pro Rosc. 45. [2] Ibid. 43.

[3] Ut nos et sæpe alias et adolescentes, contra L. Sullæ dominantis opes, pro S. Roscio Amerino fecimus; quæ, ut scis, exstat Oratio. De Offic. 2. 14.

engaged, as before, in the same task of pleading causes [1]; and in one especially, more obnoxious to Sylla's resentment, even than that of Roscius; for in the case of a woman of Arretium, he defended the right of certain towns of Italy to the freedom of Rome, though Sylla himself had deprived them of it by an express law; maintaining it to be one of those natural rights which no law or power on earth could take from them: in which also he carried his point, in opposition to Cotta, an orator of the first character and abilities, who pleaded against him [2].

But we have a clear account from himself of the real motive of his journey: "My body," says he, "at this time was exceedingly weak and emaciated; my neck long and small; which is a habit thought liable to great risk of life, if engaged in any fatigue or labour of the lungs; and it gave the greater alarm to those who had a regard for me, that I used to speak without any remission or variation, with the utmost stretch of my voice, and great agitation of my body: when my friends therefore and physicians advised me to meddle no more with causes, I resolved to run any hazard, rather than quit the hopes of glory, which I proposed to myself from pleading; but when I considered, that by managing my voice, and changing my way of speaking, I might both avoid all danger, and speak with more ease, I took a resolution of travelling into Asia, merely for an opportunity of correcting my manner of speaking: so that, after I had been two years at the bar, and acquired a reputation in the Forum, I left Rome [3]," &c.

He was twenty-eight years old when he set forward upon his travels to Greece and Asia; the fashionable tour of all those, who travelled either for curiosity or improvement: his first visit was to Athens, the capital seat of arts and sciences; where, some writers tell us, that he spent three years [4], though in truth it was but six months: he took up his quarters with Antiochus, the principal philosopher of the old academy; and, under this excellent master, renewed, he says, those studies which he had been fond of from his earliest youth. Here he met with his school-fellow, T. Pomponius, who from his love to Athens, and his spending a great part of his days in it, obtained the surname of Atticus [5]; and here they revived and

[1] Prima causa publica pro S. Roscio dicta—deinceps inde multæ—itaque cum essem biennium versatus in causis. Brut. p. 434. 437.

[2] Populus Romanus, L. Sulla Dictatore ferente, comitiis centuriatis, municipiis civitatem ademit: ademit iisdem agros: de agris ratum est: fuit enim populi potestas: de civitate ne tamdiu quidem valuit, quamdiu illa Sullani temporis arma valuerunt. Atque ego hanc adolescentulus causam cum agerem, contra hominem disertissimum contradicente Cotta, et Sulla vivo, judicatum est. Pro Dom. ad Pontif. 30. Pro Cæcina.

[3] Brut. 437.

[4] Eusebii Chron.

[5] Pomponius—ita enim se Athenis collocavit, ut sit pæne unus ex Atticis, et id etiam cognomine videatur habiturus. De Fin. 5. 2.

confirmed that memorable friendship, which subsisted between them through life, with so celebrated a constancy and affection. Atticus, being an Epicurean, was often drawing Cicero from his host Antiochus to the conversation of Phædrus and old Zeno, the chief professors of that sect, in hopes of making him a convert; on which subject they used to have many disputes between themselves; but Cicero's view in these visits was but to convince himself more effectually of the weakness of that doctrine, by observing how easily it might be confuted, when explained even by the ablest teachers [1]. Yet he did not give himself up so entirely to philosophy, as to neglect his rhetorical exercises, which he performed still every day very diligently, with Demetrius the Syrian, an experienced master of the art of speaking [2].

It was in this first journey to Athens, that he was initiated most probably into the Eleusinian mysteries: for though we have no account of the time, yet we cannot fix it better than in a voyage undertaken both for the improvement of his mind and body. The reverence with which he always speaks of these mysteries, and the hints that he has dropped of their end and use, seems to confirm what a very learned and ingenious writer has delivered of them, that they were contrived to inculcate the unity of God, and the immortality of the soul [3]. As for the first, after observing to Atticus, who was also one of the initiated, how the gods of the popular religions were all but deceased mortals, advanced from earth to heaven, he bids him remember the doctrine of the mysteries, in order to recollect the universality of that truth: and, as to the second, he declares his initiation to be in fact, what the name itself implied, a real beginning of life to him; as it taught the way, not only of living with greater pleasure, but of dying also with a better hope [4].

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[1] De Fin. 1. 5. De Nat. Deor. 1. 21.

[2] Eodem tamen tempore apud Demetrium Syrum, veterem et non ignobilem dicendi magistrum, studiose exerceri solebam. Brut. 437.

[3] See Mr. Warburton's Divine Legation of Moses, Vol. I.

[4] Ipsi illi, majorum gentium Dii qui habentur, hinc a nobis in cœlum profecti reperientur—reminiscere, quoniam es initiatus, quæ tradantur mysteriis; tum denique, quam hoc late pateat, intelliges. Tusc. Quæst. 1. 13.

Initiaque, ut appellantur, ita revera principia vitæ cognovimus; neque solum cum lætitia vivendi rationem accepimus, sed etiam cum spe meliore moriendi. De Leg. 2. 14.

N. B. These mysteries were celebrated at stated seasons of the year, with solemn shows, and a great pomp of machinery, which drew a mighty concourse to them from all countries. L. Crassus, the great orator, happened to come two days after they were over, and would gladly have persuaded the magistrates to renew them, but not being able to prevail, left the city in disgust *; which shows how cautious they were of making them too cheap, when they refused the sight of them out of the proper season, to one of the first senators of Rome. The shows are supposed to have exhibited a representa-

* Diutius essem moratus, nisi Atheniensibus, quod mysteria non referrent, ad quæ biduo serius veneram, succensuissem. De Orat. 3. 20.

From Athens he passed into Asia, where he gathered about him all the principal orators of the country, who kept him company through the rest of his voyage; and with whom he constantly exercised himself in every place, where he made any stay. "The chief of them," says he, "was Menippus of Stratonica, the most eloquent of all the Asiatics; and if to be neither tedious, nor impertinent, be the characteristic of an Attic orator, he may justly be ranked in that class: Dionysius also of Magnesia, Æschylus of Cnidos, and Xenocles of Adramyttus, were continually with me, who were reckoned the first rhetoricians of Asia: nor yet content with these, I went to Rhodes, and applied myself again to Molo, whom I had heard before at Rome; who was both an experienced pleader, and a fine writer, and particularly expert in observing the faults of his scholars, as well as in his method of teaching and improving them: his greatest trouble with me was to restrain the exuberance of a juvenile imagination, always ready to overflow its banks, within its due and proper channel [1].

But as at Athens, where he employed himself chiefly in philosophy, he did not intermit his oratorical studies, so at Rhodes, where his chief study was oratory, he gave some share also of his time to philosophy with Posidonius, the most esteemed and learned stoic of that age; whom he often speaks of with honour, not only as his master, but as his friend [2]. It was his

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tion of Heaven, Hell, Elysium, Purgatory, and all that related to the future state of the dead; being contrived to inculcate more sensibly, and exemplify the doctrines delivered to the initiated: and as they were a proper subject for poetry, so they are frequently alluded to by the ancient poets. Cicero, in one of his letters to Atticus, begs of him, at the request of Chilius, an eminent poet of that age, to send them a relation of the Eleusinian rites, which were designed probably for an episode or embellishment to some of Chilius's works *. This confirms also the probability of that ingenious comment, which the same excellent writer has given on the sixth book of the Æneid, where Virgil, as he observes, in describing the descent into hell, is but tracing out, in their genuine order, the several scenes of the Eleusinian shows †.

[1] Brut. 437.

[2] He mentions a story of this Posidonius, which Pompey often used to tell; that after the Mithridatic war, as he was returning from Syria towards Rome, he called at Rhodes on purpose to hear him; but being informed, on his arrival there, that he was extremely ill of the gout, he had a mind however to see him; and in his visit when, after the first compliments, he began to express his concern for finding him so ill, that he could not have the pleasure to hear him, "But you can hear me," replied Posidonius, "nor shall it be said, that, on account of any bodily pain, I suffered so great a man to come to me in vain." Upon which he entered presently into an argument, as he lay upon his bed, and maintained, with great eloquence, that nothing was really good, but what was honest: and being all the while in exquisite torture, he often cried out "O pain, thou shalt never gain thy point; for be as vexatious as thou wilt, I will never own thee to be an evil." This was the perfection of stoical heroism, to defy sense and nature to the last: while another poor stoic, Dionysius, a scholar of Zeno, the founder of the sect, when, by the torture of the stone, he was forced to confess, that what his master had taught him was false, and that he felt pain to be an evil, is treated by all their writers as a poltroon and base deserter. Which shews that all their boasted firmness was owing rather to a false notion of honour and reputation, than to any real principle or conviction of reason. Nat. Deor. 2. 24. De Fin. 5. 31.

* Chilius te rogat, et ego ejus rogatu, Εὐμολπιδῶν πατριά. Ad Att. 1. 9.

† See Div. Legat. of Moses, p. 182.

constant care, that the progress of his knowledge should keep pace with the improvement of his eloquence; he considered the one as the foundation of the other, and thought it in vain to acquire ornaments, before he had provided necessary furniture; he declaimed here in Greek, because Molo did not understand Latin; and, upon ending his declamation, while the rest of the company were lavish of their praises, Molo, instead of paying any compliment, sat silent a considerable time, till observing Cicero somewhat disturbed at it, he said, "As for you, Cicero, I praise and admire you, but pity the fortune of Greece, to see arts and eloquence, the only ornaments which were left to her, transplanted by you to Rome [1]." Having thus finished the circuit of his travels, he came back again to Italy, after an excursion of two years, extremely improved, and changed as it were into a new man: the vehemence of his voice and action was moderated; the redundancy of his style and fancy corrected; his lungs strengthened; and his whole constitution confirmed [2].

This voyage of Cicero seems to be the only scheme and pattern of travelling from which any real benefit is to be expected: he did not stir abroad, till he had completed his education at home; for nothing can be more pernicious to a nation, than the necessity of a foreign one; and after he had acquired in his own country whatever was proper to form a worthy citizen and magistrate of Rome, he went, confirmed by a maturity of age and reason against the impressions of vice, not so much to learn, as to polish what he had learnt, by visiting those places where arts and sciences flourished in their greatest perfection. In a tour the most delightful of the world, he saw every thing that could entertain a curious traveller, yet staid no where any longer than his benefit, not his pleasure, detained him. By his previous knowledge of the laws of Rome, he was able to compare them with those of other cities, and to bring back with him whatever he found useful, either to his country or to himself. He was lodged, wherever he came, in the houses of the great and the eminent; not so much for their birth and wealth, as for their virtue, knowledge, and learning; men honoured and reverenced in their several cities, as the principal patriots, orators, and philosophers, of the age: these he made the constant companions of his travels; that he might not lose the opportunity, even on the road, of profiting by their advice and experience; and, from such a voyage, it is no wonder, that he brought back every accomplishment, which could improve and adorn a man of sense.

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[1] Plut. Life of Cic. [2] Brut. 438.

Pompey returned about this time victorious from Afric; where he had greatly enlarged the bounds of the empire, by the conquest and addition of many new countries to the Roman dominion. He was received with great marks of respect by the dictator, Sylla, who went out to meet him at the head of the nobility, and saluted him by the title of Magnus, or the Great; which, from that authority, was ever after given to him by all people. But his demand of a triumph disgusted both Sylla and the senate; who thought it too ambitious in one, who had passed through none of the public offices, nor was of age to be a senator, to aspire to an honour, which had never been granted, except to consuls or prætors: but Pompey, insisting on his demand, extorted Sylla's consent, and was the first whose triumphal car is said to have been drawn by elephants, and the only one of the equestrian order who had ever triumphed; which gave an unusual joy to the people, to see a man of their own body obtain so signal an honour; and much more, to see him descend again from it to his old rank and private condition among the knights [1].

While Pompey, by his exploits in war, had acquired the surname of the Great, J. Cæsar, about six years younger, was giving proofs likewise of his military genius, and serving as a volunteer at the siege of Mitylene; a splendid and flourishing city of Lesbos, which had assisted Mithridates in the late war, and perfidiously delivered up to him M. Aquilius, a person of consular dignity, who had been sent ambassador to that king, and, after the defeat of the Roman army, had taken refuge in Mitylene, as in a place of the greatest security. Mithridates is said to have treated him with the last indignity; carrying him about in triumph, mounted upon an ass, and forcing him to proclaim every where aloud, that he was Aquilius, who had been the chief cause of the war. But the town now paid dear for that treachery, being taken by storm, and almost demolished, by Q. Thermus: though Pompey restored it afterwards to its former beauty and liberty, at the request of his favourite freedman, Theophanes. In this siege Cæsar obtained the honour of a civic crown; which, though made only of oaken leaves, was esteemed the most reputable badge of martial virtue; and never bestowed, but for saving the life of a citizen, and killing, at the same time, an enemy [2].

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[1] Bellum in Africa maximum confecit, victorem exercitum deportavit. Quid vero tam inauditum, quam Equitem Rom. triumphare? Pro Leg. Man. 21. Africa vero tota subacta—Magnique nomine, spolio inde capto, Eques Romanus, id quod antea nemo, curru triumphali invectus est. [Plin. Hist. Nat. 7. 26.] Romæ primum juncti elephantes subiêre currum Pompeii Magni, Africano triumpho. Ib. 8. 2. Plut. in Pomp.

[2] Quid Mitylenæ? quæ certe vestræ, Quirites, belli lege, et victoriæ jure factæ sunt: Urbs et natura et situ, et descriptione ædificiorum et pulchritudine imprimis no-

Sylla died while Cicero was at Athens, after he had laid down his dictatorship, and restored liberty to the Republic, and, with an uncommon greatness of mind, lived many months as a private senator, and with perfect security, in that city where he had exercised the most bloody tyranny: but nothing was thought to be greater in his character, than that, during the three years, in which the Marians were masters of Italy, he neither dissembled his resolution of pursuing them by arms, nor neglected the war which he had upon his hands; but thought it his duty first to chastise a foreign enemy, before he took his revenge upon citizens [1]. His family was noble and patrician, which yet, through the indolency of his ancestors, had made no figure in the republic for many generations, and was almost sunk into obscurity, till he produced it again into light, by aspiring to the honours of the state. He was a lover and patron of polite letters, having been carefully instituted himself in all the learning of Greece and Rome; but, from a peculiar gaiety of temper, and fondness for the company of mimics and players, was drawn, when young, into a life of luxury and pleasure; so that, when he was sent quæstor to Marius in the Jugurthine war, Marius complained, that, in so rough and desperate a service, chance had given him so soft and delicate a quæstor. But whether roused by the example, or stung by the reproach of his general, he behaved himself in that charge with the greatest vigour and courage, suffering no man to outdo him in any part of military duty or labour, making himself equal and familiar even to the lowest of the soldiers, and obliging them all by his good offices and his money; so that he soon acquired the favour of the army, with the character of a brave and skilful commander; and lived to drive Marius himself, banished and proscribed, into that very province, where he had been contemned by him at first as his quæstor [2]. He had a wonderful faculty of concealing his passions and purposes, and was so different from himself in different circumstances, that he seemed as it were to be two men in one: no man was ever more mild and moderate before

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bilis. [De Leg. Agrar. 2. 16.] A Thermo in expugnatione Mitylenarum corona civica donatus est. [Sueton. J. Cæs. 2.] Hinc civicæ coronæ, militum virtutis insigne clarissimum. Plin. Hist. Nat. 16. 4. Vell. Pat. 2. 18. Vid. Appian. Bell. Mithrid. p. 184. Val. Max. 9. 13.

[1] Vix quidquam in Syllæ operibus clarius duxerim, quam quod, cum per triennium Cinnanæ Marianæque partes Italiam obsiderent, neque illaturum se bellum eis dissimulavit, nec quod erat in manibus omisit; existimavitque ante frangendum hostem, quam ulciscendum civem. Vell. Pat. 2. 24.

[2] Gentis Patriciæ nobilis fuit; familia prope jam extincta majorum ignavia: litteris Græcis atque Latinis juxta atque doctissime eruditus.—[Sallust. Bell. Jugurth. 95.] Usque ad Quæsturæ suæ comitia, vitam libidine, vino, ludicræ artis amore, inquinatam perduxit. Quapropter C. Marium consulem moleste tulisse traditur, quod sibi, asperrimum in Africa bellum gerenti, tam delicatus Quæstor sorte obvenisset, &c. [Val. Max. 6. 9.] Sallust. ib.

victory; none more bloody and cruel after it [1]. In war he practised the same art, that he had seen so successful to Marius, of raising a kind of enthusiasm and contempt of danger in his army, by the forgery of auspices and Divine admonitions: for which end he carried always about with him a little statue of Apollo taken from the temple of Delphi; and whenever he had resolved to give battle, used to embrace it in sight of the soldiers, and beg the speedy confirmation of its promises to him [2]. From an uninterrupted course of success and prosperity, he assumed a surname, unknown before to the Romans, of Felix, or the Fortunate; and would have been fortunate indeed, says Velleius, if his life had ended with his victories [3]. —Pliny calls it a wicked title, drawn from the blood and oppression of his country; for which posterity would think him more unfortunate, even than those whom he had put to death [4]. He had one felicity, however, peculiar to himself, of being the only man in history, in whom the odium of the most barbarous cruelties was extinguished by the glory of his great acts. Cicero, though he had a good opinion of his cause, yet detested the inhumanity of his victory, and never speaks of him with respect, nor of his government but as a proper tyranny; calling him a master of three most pestilent vices, luxury, avarice, cruelty [5]. He was the first of his family, whose dead body was burnt: for having ordered Marius's remains to be taken out of his grave, and thrown into the river Anio, he was apprehensive of the same insult upon his own, if left to the usual way of burial [6]. A little before his death he made his own epitaph, the sum of which was, "that no man had ever gone beyond him in doing good to his friends, or hurt to his enemies [7]."

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[1] Ad simulanda negotia altitudo ingenii incredibilis—[Sallust. ib.] quæ tam diversa, tamque inter se contraria, si quis apud animum suum expendere velit, duos in uno homine Syllas fuisse crediderit. [Val. Max. 6. 9.] Adeo enim Sylla fuit dissimilis bellator ac victor, ut dum vincit justissimo lenior, post victoriam audito fuerit crudelior —ut in eodem homine duplicis ac diversissimi animi conspiceretur exemplum. Vell. Pat. 2. 25.

[2] Quoties prælium committere destinabat, parvum Apollinis signum Delphis sublatum, in conspectu militum complexus, orabat, uti promissa maturaret. Val. Max. 1. 2. de Div. 1. 33.

[3] Quod quidem usurpasset justissime, si eundem et vincendi et vivendi finem habuisset. Vell. Pat. 2. 27.

[4] Unus hominum ad hoc ævi Felicis sibi cognomen asseruit, civili nempe sanguine, ac patriæ oppugnatione adoptatum, &c. Plin. Hist. Nat. 7. 43.

[5] Qui trium pestiferorum vitiorum, luxuriæ, avaritiæ, crudelitatis magister fuit. De Fin. 3. 22. de Offic. 2. 8.

[6] Quod haud scio an timens suo corpori, primus e Patriciis Corneliis igne voluit cremari. De Leg. 2. 22. Val. Max. 9. 2.

[7] Plut. in Sylla.

The following votive inscription was found in Italy, in the year 1723, near Cicero's Arpinum, between Atina and Soro, which had been dedicated probably by Sylla, about

As soon as Sylla was dead, the old dissensions, that had been smothered awhile by the terror of his power, burst out again into a flame between the two factions, supported severally by the two consuls, Q. Catulus and M. Lepidus, who were wholly opposite to each other in party and politics.—Lepidus resolved, at all adventures, to rescind the acts of Sylla, and recall the exiled Marians; and began openly to solicit the people to support him in that resolution: but his attempt, though plausible, was factious and unseasonable, tending to overturn the present settlement of the Republic, which, after its late wounds and loss of civil blood, wanted nothing so much as rest and quiet, to recover a tolerable degree of strength. Catulus's father, the ablest statesman of his time, and the chief assertor of the aristocratical interest, had been condemned to die by Marius: the son, therefore, who inherited his virtue, as well as principles, and was confirmed in them by a resentment of that injury, vigorously opposed and effectually disappointed all the designs of his colleague; who, finding himself unable to gain his end without recurring to arms, retired to his government of Gaul, with intent to raise a force sufficient to subdue all opposition: where the fame of his levies and military preparations gave such umbrage to the senate, that they soon abrogated his command. Upon this he came forward into Italy, at the head of a great army, and having possessed himself of Etruria without opposition, marched in an hostile manner towards the city, to the demand of a second consulship. He had with him several of the chief magistrates, and the good wishes of all the tribunes, and hoped, by the authority of the Marian cause, which was always favoured by the populace, to advance himself into Sylla's place, and usurp the sovereign power of Rome. Catulus, in the mean time, upon the expiration of his office, was invested with proconsular authority, and charged with the defence of the government: and Pompey, also, by a decree of the senate, was joined with him in the same commission; who having united their forces before Lepidus could reach the city, came to an engagement with him near the Milvian bridge, within a mile or two from the walls, where they totally routed and dispersed his whole army. But the Cisalpine Gaul, being still in the possession of his lieutenant, M. Brutus, the father of

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the time of his assuming the surname of Felix, soon after his first success, and defeat of the chiefs who were in arms against him at home.

IOVI
QVOD PERICVLVM
FELICITER EVASERIT
L. SVLLA
V. S. LA.

him who afterwards killed Cæsar, Pompey marched forward to reduce that province: where Brutus, after sustaining a siege in Modena, surrendered himself into his hands; but being conducted, as he desired, by a guard of horse to a certain village upon the Po, he was there killed by Pompey's orders. This act was censured as cruel and unjust, and Pompey generally blamed for killing a man of the first quality, who had surrendered himself voluntarily, and on the condition of his life: but he acted, probably, by the advice of Catulus, in laying hold of the pretext of Brutus's treason, to destroy a man, who, from his rank and authority, might have been a dangerous head to the Marian party, and capable of disturbing that aristocracy, which Sylla had established, and which the senate, and all the better sort were very desirous to maintain. Lepidus escaped into Sardinia, where he died soon after of grief, to see his hopes and fortunes so miserably blasted: and thus ended the civil war of Lepidus, as the Roman writers call it, which, though but short-lived, was thought considerable enough by Sallust to be made the subject of a distinct history, of which several fragments are still remaining [1].

As Cicero was returning from his travels towards Rome, full of hopes and aspiring thoughts, his ambition was checked, as Plutarch tells us, by the Delphic oracle; for, upon consulting Apollo, by what means he might arrive at the height of glory, he was answered, "by making his own genius, and not the opinion of the people, the guide of his life;" upon which he carried himself after his return with great caution, and was very shy of pretending to public honours. But though the rule be very good, yet Cicero was certainly too wise, and had spent too much of his time with philosophers, to fetch it from an oracle, which, according to his own account, had been in the utmost contempt for many ages, and was considered by all men of sense as a mere imposture [2]. But if he really went to Delphi, of which we have not the least hint in any of his writings, we must impute it to the same motive that draws so many travellers at this day to the holy house of Loretto; the curiosity of seeing a place so celebrated through the world for its sanctity and riches. After his return, however, he was so far from observing that caution which Plutarch speaks of,

[1] M. Lepido, Q. Catulo Coss. civile bellum pæne citius oppressum est, quam inciperet —fax illius motus ab ipso Syllæ rogo exarsit. Cupidus namque rerum novarum per insolentiam Lepidus, acta tanti viri rescindere parabat, nec immerito, si tamen posset sine magna clade Reipub. &c. Flor. 3. 27. Vid. Plut. in Pomp. Appian. l. 1. 416. Sallust. Fragment. Hist. l. 1. Val. Max. 6. 2. Pigh. Annal. A. U. 676.

[2] Pyrrhi temporibus jam Apollo versus facere desierat—cur isto modo jam oracula non eduntur, non modo nostra ætate, sed jam diu, ut modo nihil possit esse contemptius? Quomodo autem ista vis evanuit? an postquam homines minus creduli esse cœperunt? De Div. 2. 56, 57.

that he freely and forwardly resumed his former employment of pleading; and after one year more spent at the bar, obtained in the next the dignity of quæstor.

Among the causes which he pleaded before his quæstorship was that of the famous comedian Roscius, whom a singular merit in his art had recommended to the familiarity and friendship of the greatest men in Rome[1]. The cause was this: one Fannius had made over to Roscius a young slave, to be formed by him to the stage, on condition of a partnership in the profits which the slave should acquire by acting: the slave was afterwards killed, and Roscius prosecuted the murderer for damages, and obtained, by a composition, a little farm worth about eight hundred pounds, for his particular share: Fannius also sued separately and was supposed to have gained as much; but, pretending to have recovered nothing, sued Roscius for the moiety of what he had received. One cannot but observe, from Cicero's pleading, the wonderful esteem and reputation in which Roscius then flourished, of whom he draws a very amiable picture.——"Has Roscius, then," says he, "defrauded his partner? Can such a stain stick upon such a man? who, I speak it with confidence, has more integrity than skill, more veracity than experience: whom the people of Rome know to be a better man than he is an actor; and while he makes the first figure on the stage for his art, is worthy of the senate for his virtue[2]." In another place he says of him, "that he was such an artist, as to seem the only one fit to come upon the stage; yet such a man, as to seem the only one unfit to come upon it at all[3]: and that his action was so perfect and admirable, that when a man excelled in any other profession, it was grown into a proverb to call him a Roscius[4]." His daily pay for acting is said to have been about thirty pounds sterling[5]. Pliny computes his yearly profit at four thousand pounds[6]; but Cicero seems to rate it at five thousand. He was generous, benevolent, and a contemner of money; and after he had raised an ample fortune from the stage, gave his pains to the public for many years without any pay: whence Cicero urges it as incredible, that he, who in ten years past might honestly have gained fifty thousand pounds, which he refused,

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[1] Nec vulgi tantum favorem, verum etiam principum familiaritates amplexus est. Val. Max. 8. 7.

[2] Quem pop. Rom. meliorem virum, quam histrionem esse arbitratur; qui ita dignissimus est scena, propter artificium, ut dignissimus sit curia, propter abstinentiam. Pro Q. Rosc. 6.

[3] Pro Quinct. 25.

[4] Ut in quo quisque artificio excelleret, is in suo genere Roscius diceretur. De Orat. 1. 28.

[5] Ut mercedem diurnam de publico mille denarios solus acceperit. Macrob. Saturn. 2. 10.

[6] HS. quingenta annua meritasse prodatur. Plin. Hist. Nat. 7. 39.

should be tempted to commit a fraud for the paltry sum of four hundred [1].

At the time of Cicero's return from Greece, there reigned in the Forum two orators of noble birth and great authority, Cotta and Hortensius, whose glory inflamed him with an emulation of their virtues. Cotta's way of speaking was calm and easy, flowing with great elegance and propriety of diction: Hortensius's sprightly, elevated, and warming both by his words and actions; who being the nearer to him in age, about eight years older, and excelling in his own taste and manner, was considered by him more particularly as his pattern, or competitor rather, in glory [2]. The business of pleading, though a profession of all others the most laborious, yet was not mercenary, or undertaken for any pay; for it was illegal to take money, or to accept even a present for it: but the richest, the greatest, and the noblest of Rome freely offered their talents to the service of their citizens, as the common guardians and protectors of the innocent and distressed [3]. This was a constitution as old as Romulus, who assigned the patronage of the people to the patricians or senators, without fee or reward: but, in succeeding ages, when, through the avarice of the nobles, it was become a custom for all clients to make annual presents to their patrons, by which the body of the citizens was made tributary as it were to the senate, M. Cincius, a tribune, published a law, prohibiting all senators to take money or gifts on any account, and especially for pleading causes. In the contest about this law, Cicero mentions a smart reply made by the tribune to C. Cento, one of the orators who opposed it; for when Cento asked him, with some scorn, "What is it, my little Cincius, that you are making all this stir about?" Cincius replied, "that you, Caius, may pay for what you use [4]." We must not imagine, however, that this generosity of the great was wholly disinterested, or without any expectation of fruit; for it brought the noblest which a

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[1] Decem his annis proximis HS. sexagies honestissime consequi potuit: noluit. Pro Rosc. 8.

[2] Duo tum excellebant oratores, qui me imitandi cupiditate incitarent, Cotta et Hortensius, &c. Brut. 440.

[3] Diserti igitur hominis, et facile laborantis, quodque in patriis est moribus, multorum causas et non gravate et gratuito defendentis, beneficia et patrocinia late patent. De Offic. 2. 19.

[4] Quid legem Cinciam de donis et muneribus, nisi quia vectigalis jam et stipendiaria plebs esse senatui cœperat? [Liv. 34. 4.] Consurgunt Patres legemque Cinciam flagitant, qua cavetur antiquitus, ne quis ob causam orandam pecuniam donumve accipiat, [Tacit. Annal. 11. 5.] M. Cincius, quo die legem de donis et muneribus tulit, cum C. Cento prodiisset, et satis contumeliose, quid fers Cinciole? quæsisset; ut emas, inquit, Cai, si uti velis. Cic. de Orat. 2. 71.

This Cincian law was made in the year of Rome 549, and recommended to the people, as Cicero tells us, by Q. Fabius Maximus, in the extremity of his age. De Senect. 4. Vid. Pigh. Annal. tom. 2. p. 218.

liberal mind could receive, the fruit of praise and honour from the public voice of their country; it was the proper instrument of their ambition, and the sure means of advancing them to the first dignities of the state; they gave their labours to the people, and the people repaid them with the honours and preferments which they had the power to bestow: this was a wise and happy constitution, where, by a necessary connexion between virtue and honour, they served mutually to produce and perpetuate each other; where the reward of honours excited merit, and merit never failed to procure honours; the only policy which can make a nation great and prosperous.

Thus the three orators just mentioned, according to the custom and constitution of Rome, were all severally employed this summer in suing for the different offices, to which their different age and rank gave them a right to pretend; Cotta for the consulship, Hortensius the ædileship, Cicero the quæstorship; in which they all succeeded: and Cicero especially had the honour to be chosen the first of all his competitors by the unanimous suffrage of the tribes; and in the first year in which he was capable of it by law, the thirty-first of his age [1].

The quæstors were the general receivers or treasurers of the Republic; whose number had been gradually enlarged with the bounds and revenues of the empire from two to twenty, as it now stood from the last regulation of Sylla. They were sent annually into the several provinces, one with every proconsul or governor, to whom they were next in authority, and had the proper equipage of magistrates, the lictors carrying the fasces before them: which was not, however, allowed to them at Rome. Besides the care of the revenues, it was their business also to provide corn and all sorts of grain, for the use of the armies abroad, and the public consumption at home.

This was the first step in the legal ascent and gradation of public honours, which gave an immediate right to the senate, and after the expiration of the office, an actual admission into it during life: and though, strictly speaking, none were held to be complete senators, till they were enrolled at the next lustrum in the list of the censors, yet that was only a matter of form, and what could not be denied to them, unless for the charge and notoriety of some crime, for which every other senator was equally liable to be degraded. These quæstors, therefore, chosen annually by the people, were the regular and ordinary supply of the vacancies of the senate, which consisted, at this time, of about five hundred: by which excellent institution, the way to the highest order of the state

[1] Me cum quæstorem in primis—cunctis suffragiis populus Romanus faciebat. In Pis. 1. Brut. 440.

was laid open to the virtue and industry of every private citizen; and the dignity of this sovereign council maintained by a succession of members, whose distinguished merit had first recommended them to the notice and favour of their country [1].

The consuls of this year were Cn. Octavius and C. Scribonius Curio; the first was Cicero's particular friend, a person of singular humanity and benevolence, but cruelly afflicted with the gout; whom Cicero therefore urges as an example against the Epicureans, to shew, that a life supported by innocence could not be made miserable by pain [2]. The second was a professed orator, or pleader at the bar, where he sustained some credit, without any other accomplishment of art or nature, than a certain purity and splendour of language, derived from the institution of a father who was esteemed for his eloquence: his action was vehement, with so absurd a manner of waving his body from one side to the other, as to give occasion to a jest upon him, that he had learned to speak in a boat. They were both of them, however, good magistrates; such as the present state of the Republic required; firm to the interests of the senate, and the late establishment made by Sylla, which the tribunes were labouring by all their arts to overthrow. These consuls, therefore, were called before the people by Sicinius, a bold and factious tribune, to declare their opinion about the revocation of Sylla's acts, and the restoration of the tribunician power, which was now the only question that engaged the zeal and attention of the city: Curio spoke much against it with his usual vehemence and agitation of body; while Octavius sat by, crippled with the gout, and wrapped up in plaisters and ointments. When Curio had done, the tribune, a man of humourous wit, told Octavius,

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[1] Quæstura, primus gradus honoris—[In Verr. Acc. 1. 4.] Populum Romanum, cujus honoribus in amplissimo concilio, et in altissimo gradu dignitatis, atque in hac omnium terrarum arce collocati sumus. [Post red. ad Sen. 1.] Ita magistratus annuos creaverunt, ut concilium senatus reip. proponerent sempiternum; deligerentur autem in id concilium ab universo populo, aditusque in illum summum ordinem omnium civium industriæ ac virtuti paterent. Pro Sext. 65.

This account of the manner of filling up the senate is confirmed by many other passages of Cicero's works: for example; when Cicero was elected ædile, the next superior magistrate to the quæstor, and before his entrance into that office, he took a journey into Sicily, to collect evidence against Verres; in the account of which voyage, he says, that he went at his own charges, though a senator, into that province, where he had before been quæstor. [In Verr. 1. 1. 6.] Again; when the government of Cilicia was allotted to him, he begged of young Curio, as he did of all his friends in the senate, not to suffer it to be prolonged to him beyond the year. In his absence, Curio, who, before, had been only quæstor, was elected tribune; upon which, Cicero, in a congratulatory letter to him on that promotion, taking occasion to renew his former request, says, that he asked it of him before as of a senator of the noblest birth, and a youth of the greatest interest; but now of a tribune of the people, who had the power to grant him what he asked. Epist. Fam. 2. 7.

[2] De Fin. 2. 28.

that he could never make amends to his colleague for the service of that day; for if he had not taken such pains to beat away the flies, they would certainly have devoured him [1]. But while Sicinius was pursuing his seditious practices, and using all endeavours to excite the people to some violence against the senate, he was killed by the management of Curio, in a tumult of his own raising [2].

We have no account of the precise time of Cicero's marriage; which was celebrated most probably in the end of the preceding year, immediately after his return to Rome, when he was about thirty years old: it cannot be placed later, because his daughter was married the year before his consulship, at the age only of thirteen; though we suppose her to be born this year on the fifth of August, which is mentioned to be her birth-day [3]. Nor is there any thing certain delivered of the family and condition of his wife Terentia; yet from her name, her great fortune, and her sister Fabia's being one of the vestal virgins [4], we may conclude, that she was nobly descended. This year, therefore, was particularly fortunate to him, as it brought an increase, not only of issue, but of dignity into his family, by raising it from the equestrian to the senatorian rank; and, by this early taste of popular favour, gave him a sure presage of his future advancement to the superior honours of the Republic.

SECTION II.

THE provinces of the quæstors being distributed to them always by lot, the island of Sicily happened to fall to Cicero's share [5]. This was the first country, which, after the reduction of Italy, became a prey to the power of Rome [6], and was then thought considerable enough to be divided into two provinces, of Lilybeum and Syracuse; the former of which was allotted to Cicero: for though they were both united at this time

[1] Curio copia nonnulla verborum, nullo alio bono, tenuit oratorum locum. [Brut. 350. it. 323.] Motus erat is, quem C. Julius in perpetuum notavit, cum ex eo, in utramque partem toto corpore vacillante, quæsivit, quis loqueretur e lintre——— Nunquam, inquit, Octavi, collegæ tuo gratiam referes; qui nisi se suo more jactavisset, hodie te istic muscæ comedissent. Ibid. 324.

[2] Vid. Sallust. Fragm. Hist. l. 3. Orat. Macri. Pigh. Ann. 677.

[3] Nonis Sextil. ad Att. 4. 1. [4] Ascon. Orat. in Tog. cand.

[5] Me quæstorem Siciliensis excepit annus. Brut. 440.

[6] Prima omnium, id quod ornamentum Imperii est, provincia est appellata. In Verr. 1. 3. 1.

under one prætor, or supreme governor, S. Peducæus, yet they continued still to have, each of them, a distinct quæstor[1]. He received this office not as a gift, but a trust; and considered it, he says, as a public theatre, in which the eyes of the world were turned upon him; and, that he might act his part with the greater credit, resolved to devote his whole attention to it, and to deny himself every pleasure, every gratification of his appetites, even the most innocent and natural, which could obstruct the laudable discharge of it[2].

Sicily was usually called the granary of the Republic[3]; and the quæstor's chief employment in it was, to supply corn and provisions for the use of the city: but there happening to be a peculiar scarcity this year at Rome, it made the people very clamorous, and gave the tribunes an opportunity of inflaming them the more easily, by charging it to the loss of the tribunician power, and their being left a prey by that means to the oppressions of the great[4]. It was necessary, therefore, to the public quiet, to send out large and speedy supplies from Sicily, by which the island was like to be drained; so that Cicero had a difficult task to furnish what was sufficient for the demands of the city, without being grievous at the same time to the poor natives; yet he managed the matter with so much prudence and address, that he made very great exportations, without any burden upon the province; shewing great courtesy all the while to the dealers, justice to the merchants, generosity to the inhabitants, humanity to the allies: and, in short, doing all manner of good offices to every body, by which he gained the love and admiration of all the Sicilians, who decreed greater honours to him, at his departure, than they had ever decreed before to any of their chief governors[5]. During his residence in the country, several young Romans of quality, who served in the army, having committed some great disorder and offence against martial discipline, ran away to Rome for fear of punishment; where, being seized by the magistrates, they were sent back to be tried before the prætor in Sicily: but Cicero undertook their defence, and pleaded for them so well, that he got them all acquitted[6]; and by that means obliged many considerable families of the city.

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[1] Quæstores utriusque provinciæ, qui isto prætore fuerunt. Ib. 4.

[2] Ita quæstor sum factus, ut mihi honorem illum non solum datum, sed etiam creditum, ut me quæsturamque meam quasi in aliquo terrarum orbis theatro versari existimarem; ut omnia semper quæ jucunda videntur esse, non modo his extraordinariis cupiditatibus, sed etiam ipsi naturæ ac necessitati denegarem. In Verr. 1. 5. 14.

[3] Ille M. Cato sapiens, cellam penariam Reipublicæ, nutricem plebis Romanæ Siciliam nominavit. In Verr. 1. 2. 2.

[4] Vid. Orat. Cottæ in fragment. Sallust.

[5] Frumenti in summa caritate maximum numerum miseram: negociatoribus comis, mercatoribus justus, municipibus liberalis, sociis abstinens, omnibus eram visus in omni officio diligentissimus: excogitati quidam erant a Siculis honores in me inauditi. Pro Planc. 26.

[6] Plutarch's Life of Cic.

In the hours of leisure from his provincial affairs, he employed himself very diligently, as he used to do at Rome, in his rhetorical studies; agreeably to the rule which he constantly inculcates, never to let one day pass without some exercise of that kind: so that, on his return from Sicily, his oratorical talents were, according to his own judgment, in their full perfection and maturity [1]. The country itself, famous of old for its school of eloquence, might afford a particular invitation to the revival of those studies: for the Sicilians, as he tells us, being a sharp and litigious people, and after the expulsion of their tyrants, having many controversies among themselves about property, which required much pleading, were the first who invented rules, and taught an art of speaking, of which Corax and Tysias were the first professors; an art which, above all others, owes its birth to liberty, and can never flourish but in a free air [2].

Before he left Sicily, he made the tour of the island, to see every thing in it that was curious, and especially the city of Syracuse, which had always made the principal figure in its history. Here his first request to the magistrates, who were shewing him the curiosities of the place, was, to let him see the tomb of Archimedes, whose name had done so much honour to it; but, to his surprise, he perceived that they knew nothing at all of the matter, and even denied that there was any such tomb remaining: yet, as he was assured of it beyond all doubt, by the concurrent testimony of writers, and remembered the verses inscribed, and that there was a sphere with a cylinder engraved on some part of it, he would not be dissuaded from the pains of searching it out. When they had carried him therefore to the gate, where the greatest number of their old sepulchres stood, he observed, in a spot overgrown with shrubs and briars, a small column, whose head just appeared above the bushes, with a figure of the sphere and cylinder upon it; this, he presently told the company, was the thing that they were looking for; and sending in some men to clear the ground of the brambles and rubbish, he found the inscription also which he expected, though the latter part of all the verses was effaced. "Thus," says he, "one of the noblest cities of Greece, and once likewise the most learned, had known nothing of the monument of its most deserving and

[1] Jam videbatur illud in me, quicquid esset, esse perfectum, et habere maturitatem quandam suam. Brut. 440.

[2] Cum sublatis in Sicilia tyrannis res privatæ longo intervallo judiciis repeterentur, tum primum, quod esset acuta illa gens et controversa natura, artem et præcepta Siculos Coracem et Tysiam conscripsisse. Brut. 75. Hæc una res in omni libero populo, maximeque in pacatis tranquillisque civitatibus semper floruit, semperque dominata est. De Orat. 1. 8.

ingenious citizen, if it had not been discovered to them by a native of Arpinum[1]." At the expiration of his year, he took leave of the Sicilians by a kind and affectionate speech, assuring them of his protection in all their affairs at Rome; in which he was as good as his word, and continued ever after their constant patron, to the great benefit and advantage of the province.

He came away extremely pleased with the success of his administration; and flattering himself, that all Rome was celebrating his praises, and that the people would readily grant him every thing that he desired: in which imagination he landed at Puteoli, a considerable port adjoining to Baiæ, the chief seat of pleasure in Italy, where there was a perpetual resort of all the rich and the great, as well for the delights of its situation, as the use of its baths and hot waters. But here, as he himself pleasantly tells the story, he was not a little mortified by the first friend whom he met; who asked him, "How long he had left Rome, and what news there?" when he answered, "That he came from the provinces." "From Africa, I suppose," says another: and upon his replying with some indignation, "No; I come from Sicily:" a third, who stood by, and had a mind to be thought wiser, said presently, "How! did you not know that Cicero was quæstor of Syracuse?" Upon which, perceiving it in vain to be angry, he fell into the humour of the place, and made himself one of the company who came to the waters. This mortification gave some little check to his ambition, or taught him rather how to apply it more successfully; "and did him more good," he says, "than if he had received all the compliments that he expected: for it made him reflect, that the people of Rome had dull ears, but quick eyes; and that it was his business to keep himself always in their sight; nor to be so solicitous how to make them hear of him, as to make them see him: so that, from this moment, he resolved to stick close to the Forum, and to live perpetually in the view of the city; nor to suffer either his porter or his sleep to hinder any man's access to him[2]."

At his return to Rome, he found the consul, L. Lucullus, employing all his power to repel the attempts of a turbulent tribune, L. Quinctius, who had a manner of speaking peculiarly adapted to inflame the multitude, and was perpetually exerting it, to persuade them to reverse Sylla's acts[3]. These acts were odious to all who affected popularity, especially to the tribunes, who could not brook with any patience the dimi-

[1] Tusc. Quæst. 5. 3. [2] Pro Planc. 26.

[3] Homo cum summa potestate præditus, tum ad inflammandos animos multitudinis accommodatus. Pro Cluent. 29. Plut. in Lucull.

nution of their ancient power; yet all prudent men were desirous to support them, as the best foundation of a lasting peace and firm settlement of the Republic. The tribune Sicinius made the first attack upon them soon after Sylla's death, but lost his life in the quarrel; which, instead of quenching, added fuel to the flame; so that C. Cotta, one of the next consuls, a man of moderate principles, and obnoxious to neither party, made it his business to mitigate these heats, by mediating between the senate and the tribunes, and remitting a part of the restraint that Sylla had laid upon them, so far as to restore them to a capacity of holding the superior magistracies. But a partial restitution could not satisfy them; they were as clamorous still as ever, and thought it a treachery to be quiet, till they had recovered their whole rights; for which purpose, Quinctius was now imitating his predecessor, Sicinius, and exciting the populace to do themselves justice against their oppressors, nor suffer their power and liberties to be extorted from them by the nobles. But the vigour of Lucullus prevented him from gaining any farther advantage, or making any impression this year to the disturbance of the public peace [1].

C. Verres, of whom we shall have occasion to say more hereafter, was now also prætor of the city, or the supreme administrator of justice; whose decrees were not restrained to the strict letter of the law, but formed usually upon the principles of common equity; which, while it gives a greater liberty of doing what is right, gives a greater latitude withal of doing wrong; and the power was never in worse hands, or more corruptly administered than by Verres: "For there was not a man in Italy," says Cicero, "who had a lawsuit at Rome, but knew, that the rights and properties of the Roman people were determined by the will and pleasure of his whore [2]."

There was a very extraordinary commission granted this year to M. Antonius, the father of the triumvir; the inspection and command of all the coasts of the Mediterranean: "a boundless power," as Cicero calls it [3], which gave him an opportunity of plundering the provinces, and committing all kinds of outrage on the allies. He invaded Crete without any declaration of war, on purpose to enslave it, and with such an assurance of victory, that he carried more fetters with him than

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[1] Nisi forte C. Cotta, ex factione media consul, aliter quam metu jura quædam tribunis pleb. restituit; et quanquam L. Sicinius, primus de potestate tribunicia loqui ausus, mussitantibus vobis circumventus erat.—Lucullus superiore anno quantis animis ierit in L. Quinctium, vidistis.—Vid. Sallust. Hist. Fragm. l. 3. Orat. Macri Licinii. Plut. in Lucull.

[2] Ut nemo tam rusticanus homo Romam ex ullo municipio vadimonii causa venerit, quin sciret jura omnia prætoris urbani nutu atque arbitrio Chelidonis mercetriculæ gubernari. In Verr. 5. 13.

[3] M. Antonii infinitum illud imperium. Ib. 2. 3.

arms[1]. But he met with the fate that he deserved: for the Cretans totally routed him in a naval engagement, and returned triumphant into their ports, with the bodies of their enemies hanging on their masts. Antonius died soon after this disgrace, infamous in his character, "nor in any respects a better man," says Asconius, "than his son[2]." But Metellus made the Cretans pay dear for their triumph, by the entire conquest of their country: "in which war," as Florus says, "if the truth must be told, the Romans were the aggressors; and though they charged the Cretans with favouring Mithridates, yet their real motive was, the desire of conquering so noble an island[3]."

Mithridates had also now renewed the war against Rome; encouraged to it by the diversion which Sertorius was giving at the same time in Spain to their best troops and ablest generals, Metellus and Pompey: so that Lucullus, who, on the expiration of his consulship, had the province of Asia allotted to him, obtained with it, of course, the command of this war. But while their arms were thus employed in the different extremities of the empire, an ugly disturbance broke out at home, which, though contemptible enough in its origin, began, in a short time, to spread terror and consternation through all Italy. It took its rise from a few gladiators, scarce above thirty at the first, who broke out of their school at Capua, and, having seized a quantity of arms, and drawn a number of slaves after them, posted themselves on Mount Vesuvius: here they were presently surrounded by the prætor, Clodius Glaber, with a good body of regular troops; but, forcing their way through them with sword in hand, they assaulted and took his camp, and made themselves masters of all Campania.—From this success their numbers presently increased to the size of a just army of forty thousand fighting men; with which they made head against the Roman legions, and sustained a vigorous war for three years in the very bowels of Italy; where they defeated several commanders of consular and prætorian rank; and, puffed up with their victories, began to talk of attacking Rome. But M. Crassus, the prætor, to whom the war was committed, having gathered about him all the forces which were near home, chastised their insolence, and drove them before him to the extremity of Rhegium; where, for want of vessels to make

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[1] Primus invasit insulam M. Antonius, cum ingenti quidem victoriæ spe atque fiducia, adeo ut plures catenas in navibus, quam arma portaret. Flor. 3. 7.

[2] Antonium, cum multa contra sociorum salutem, multa contra utilitatem provinciarum et faceret et cogitaret, in mediis ejus injuriis et cupiditatibus mors oppressit. In Verr. 3. 91.

[3] Creticum bellum, si vera volumus noscere, nos fecimus sola vincendi nobilem insulam cupiditate. Flor. ib.

their escape, the greatest part was destroyed, and among them their general, Spartacus, fighting bravely to the last at the head of his desperate troops [1]. This was called the servile war, for which Crassus had the honour of an ovation; it being thought beneath the dignity of the Republic to grant a full triumph for the conquest of slaves: but to bring it as near as possible to a triumph, Crassus procured a special decree of the senate, to authorize him to wear the laurel crown, which was the proper ornament of the triumph, as myrtle was of the ovation [2].

The Sertorian war happened to be finished also fortunately near the same time. The author of it, Sertorius, was bred under C. Marius, with whom he had served in all his wars, with a singular reputation, not only of martial virtue, but of justice and clemency; for though he was firm to the Marian party, he always disliked and opposed their cruelty, and advised a more temperate use of their power. After the death of Cinna, he fell into Sylla's hands, along with the consul Scipio, when the army abandoned them: Sylla dismissed him with life, on the account, perhaps, of his known moderation; yet, taking him to be an utter enemy to his cause, he soon after proscribed and drove him to the necessity of seeking his safety in foreign countries. After several attempts on Africa, and the coasts of the Mediterranean, he found a settlement in Spain, whither all who fled from Sylla's cruelty resorted to him, of whom he formed a senate, which gave laws to the whole province.—Here by his great credit and address, he raised a force sufficient to sustain a war of eight years against the whole power of the Republic; and to make it a question, whether Rome or Spain should possess the empire of the world. Q. Metellus, an old experienced commander, was sent against him singly at first; but was so often baffled and circumvented by his superior vigour and dexterity, that the people of Rome were forced to send their favourite Pompey to his assistance, with the best troops of the empire. Sertorius maintained his ground against them both; and, after many engagements, in which he generally came off equal, often superior, was basely murdered at a private feast, by the treachery of Perperna: who, being the next to him in command, was envious of his glory, and wanted to usurp his power. Perperna was of noble birth, and had been prætor of Rome, where he took up arms with the consul Lepidus, to reverse the acts of Sylla, and recall the proscribed Marians, and, after their defeat, carried off the best part of their troops

[1] Vid. Flor. 3. 20.

[2] Plut. in Crass.—Crasse, quid est, quod, confecto formidolosissimo bello, coronam illam lauream tibi tantopere decerni volueris? In Pison. 24.

to the support of Sertorius [1]: but instead of gaining what he expected from Sertorius's death, he ruined the cause, of which he had made himself the chief, and put an end to a war that was wholly supported by the reputation of the general; for the revolted provinces presently submitted; and the army having no confidence in their new leader, was easily broken and dispersed, and Perperna himself taken prisoner.

Pompey is celebrated on this occasion for an act of great prudence and generosity; for when Perperna, in hopes of saving his life, offered to make some important discoveries, and to put into his hands all Sertorius's papers, in which were several letters from the principal senators of Rome, pressing him to bring his army into Italy, for the sake of overturning the present government, he ordered the papers to be burnt, without reading them, and Perperna to be killed without seeing him [2]. He knew that the best way of healing the discontents of the city, where faction was perpetually at work to disturb the public quiet, was to ease people of those fears which a consciousness of guilt would suggest, rather than push them to a necessity of seeking their security from a change of affairs, and the overthrow of the state [3]. As he returned into Italy, at the head of his victorious army, he happened to fall in luckily with the remains of those fugitives, who, after the destruction of Spartacus, had escaped from Crassus, and were making their way in a body towards the Alps, whom he intercepted, and entirely cut off, to the number of five thousand; and, in a letter upon it to the senate, said, that Crassus, indeed, had defeated the gladiators, but that he had plucked up the war by the roots [4]. Cicero, likewise, from a particular dislike to Crassus, affected in his public speeches to give Pompey the honour of finishing this war, declaring, that the very fame of his coming had broken the force of it, and his presence extinguished it [5].

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[1] Sylla et Consulem, ut prædiximus, exarmatumque Sertorium, proh quanti mox belli facem! et multos alios dimisit incolumes. Vell. Pat. 2. 25. 29.

Jam Africæ, jam Balearibus Insulis fortunam expertus, missusque in oceanum—tandem Hispaniam armavit.——Satis tanto hosti uno imperatore resistere res Romana non potuit: additus Metello Cn. Pompeius. Hi copias viri diu, et ancipiti semper acie, attrivere: nec tamen prius bello, quam suorum scelere et insidiis, extinctus est. Flor. 3. 22.

Illa in tantum Sertorium armis extulit, ut per quinquennium dijudicari non potuerit, Hispanis Romanisve in armis plus esset roboris, et uter populus alteri pariturus foret. Vell. Pat. 2. 90.

A M. Perperna et aliis conjuratis in convivio interfectus est, octavo ducatus sui anno; magnus dux, et adversus duos Imperatores, Pompeium et Metellum, sæpe par, frequentius victor. Epit. Liv. 96. Vid. etiam Plut. in Sertorio et Pomp. Appian. p. 418.

[2] Plut. in Pomp. Appian. 423.

[3] In tanto civium numero, magna multitudo est eorum, qui propter metum pœnæ, peccatorum suorum conscii, novos motus conversionesque Reip. quærunt. Pro Sext. 46.

[4] Plut. ibid.

[5] Quod bellum expectatione Pompeii attenuatum atque imminutum est; adventu sublatum et sepultum. Pro Leg. Manil. xi. it.—Qui etiam servitia virtute victoriaque domuisset. Pro Sext. 31.

For this victory in Spain, Pompey obtained a second triumph, while he was still only a private citizen, and of the equestrian rank: but the next day he took possession of the consulship, to which he had been elected in his absence; and, as if he had been born to command, made his first entry into the senate in the proper post to preside in it. He was not yet full thirty-six years old; but the senate, by a decree, dispensed with the incapacity of his age and absence, and qualified him to hold the highest magistracy, before he was capable, by law, of pretending even to the lowest; and by his authority M. Crassus was elected also for his colleague [1].

Crassus's father and elder brother lost their lives in the massacres of Marius and Cinna; but he himself escaped into Spain, and lay there concealed till Sylla's return to Italy, whither he presently resorted to him, in hopes to revenge the ruin of his fortunes and family on the opposite faction. As he was attached to Sylla's cause, both by interest and inclination, so he was much considered in it; and, being extremely greedy and rapacious, made use of all his credit to enrich himself by the plunder of the enemy and the purchase of confiscated estates, which Cicero calls his harvest. By these methods he raised an immense wealth, computed at many millions, gathered from the spoils and calamities of his country. He used to say, that no man could be reckoned rich who was not able to maintain an army out of his own rents [2]: and, if the accounts of antiquity be true, the number of his slaves was scarce inferior to that of a full army; which instead of being a burthen, made one part of his revenue; being all trained to some useful art or profession, which enabled them not only to support themselves, but to bring a share of profit to their master. Among the other trades in his family, he is said to have had above five hundred masons and architects, constantly employed in building or repairing the houses of the city [3]. He had contracted an early envy to Pompey, for his superior credit both with Sylla and the people; which was still aggravated by Pompey's late attempt to rob him of the honour of ending the servile war; but finding himself wholly unequal to his rival in military fame, he applied himself to the arts of peace and eloquence; in which he obtained the character of a good speaker, and, by

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[1] Pompeius hoc quoque triumpho, adhuc Eques Romanus, ante diem quam Consulatum iniret, curru urbem invectus est.—Vell. Pat. 2. 30.

Quid tam singulare, quam ut ex S. C. legibus solutus, Consul ante fieret, quam ullum alium Magistratum per leges capere licuisset? Quid tam incredibile, quam ut iterum Eques Romanus S. C. triumpharet? Pro Leg. Man. 21. Vid. Plut. in Pomp.

[2] Illam Syllani temporis messem——Parad. 6. 2.

Multi ex te audierunt, cum diceres, neminem esse divitem, nisi qui exercitum alere posset suis fructibus. Ib. 1.

[3] Plut. in Crass.

his easy and familiar address, and a readiness to assist all who wanted either his protection or his money, acquired a great authority in all the public affairs; so that Pompey was glad to embrace and oblige him, by taking him for his partner in the consulship.

Five years were now almost elapsed, since Cicero's election to the Quæstorship; which was the proper interval prescribed by law, before he could hold the next office of tribune or ædile; and it was necessary to pass through one of these in his way to the superior dignities: he chose therefore to drop the tribunate, as being stripped of its ancient power by the late ordinance of Sylla, and began to make interest for the ædileship, while Hortensius at the same time was suing for the consulship. He had employed all this interval in a close attendance on the Forum, and a perpetual course of pleading [1], which greatly advanced his interest in the city; especially when it was observed, that he strictly complied with the law, by refusing not only to take fees, but to accept even any presents, in which the generality of patrons were less scrupulous [2]. Yet all his orations within this period are lost; of which number were those for M. Tullius and L. Varenus, mentioned by Quintilian and Priscian, as extant in their time.

Some writers tell us, that he improved and perfected his action by the instructions of Roscius and Æsopus; the two most accomplished actors in that, or perhaps in any other age; the one in comedy, the other in tragedy [3]. He had a great esteem indeed for them both, and admired the uncommon perfection of their art: but though he condescended to treat them as friends, he would have disdained to use them as masters. He had formed himself upon a nobler plan, drawn his rules of action from nature and philosophy, and his practice from the most perfect speakers then living in the world; and declares the theatre to be an improper school for the institution of an orator, as teaching gestures too minute and unmanly, and labouring more about the expression of words, than of things [4]: nay, he laughs sometimes at Hortensius for an action too foppish and theatrical [5], who used to be rallied on that very account, by the other pleaders, with the title of "the player;"

[1] Cum igitur essem in plurimis causis, et in principibus patronis quinquennium fere versatus. Brut. p. 440.

[2] Plut. Cic. [3] Ibid.

[4] Quis neget opus esse Oratori in hoc oratorio motu, statuque, Roscii gestum?—tamen nemo suaserit studiosis dicendi adolescentibus in gestu discendo histrionum more elaborare. De Orat. L. 59. Vid. Tusc. Disp. 4. 25.

Omnes autem hos motus subsequi debet gestus; non hic verba exprimens, scenicus, sed universam rem et sententiam; non demonstratione sed significatione declarans, laterum inflectione hac forti ac virili, non ab scena et histrionibus. Ib. 3. 59.

[5] Putamus Patronum tuum—cerviculam jactaturum. In Verr. L. 3. 19.

so that, in the cause of P. Sylla, Torquatus, a free speaker on the other side, called him, by way of ridicule, Dionysia, an actress of those times, in great request for her dancing [1]. Yet Hortensius himself was so far from borrowing his manner from the stage, that the stage borrowed from him; and the two celebrated actors just mentioned, Roscius and Æsopus, are said to have attended all the trials in which he pleaded, in order to perfect the action of the theatre by that of the Forum; which seems indeed to be the more natural method of the two, that they who act in feigned life should take their pattern from the true; not those who represent the true copy from that which is feigned [2]. We are told, however, by others, what does not seem wholly improbable, that Cicero used to divert himself sometimes with Roscius, and make it an exercise, or trial of skill between them, which could express the same passion the most variously, the one by words, the other by gestures [3].

As he had now devoted himself to a life of business and ambition, so he omitted none of the usual arts of recommending himself to popular favour, and facilitating his advancement to the superior honours. He thought it absurd, "that when every little artificer knew the name and use of all his tools, a statesman should neglect the knowledge of men, who were the proper instruments with which he was to work: he made it his business therefore to learn the name, the place, and the condition of every eminent citizen; what estate, what friends, what neighbours he had; and could readily point out their several houses, as he travelled through Italy [4]." This knowledge, which is useful in all popular governments, was peculiarly necessary at Rome; where the people, having much to give, expected to be much courted; and where their high spirits and privileges placed them as much above the rank of all other citizens, as the grandeur of the Republic exceeded that of all other states: so that every man, who aspired to any public dignity, kept a slave or two in his family, whose sole business it was to learn the names, and know the persons of every citizen at sight, so as to be able to whisper them to his master, as he passed through the streets, that he might be

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[1] L. Torquatus, subagresti homo ingenio et infestivo—non jam histrionem illum diceret, sed gesticulariam, Dionysiamque eum notissimæ saltatriculæ nomine appellaret. Aul. Gell. l. 5.

[2] Genus hoc totum Oratores, qui sunt veritatis ipsius actores, reliquerunt; imitatores autem veritatis, histriones, occupaverunt.—At sine dubio in omni re vincit imitationem veritas. De Orat. 3. 56.

[3] Satis constat, contendere eum cum ipso histrione solitum; utrum ille sæpius eandem sententiam variis gestibus efficeret, an ipse per eloquentiæ copiam sermone diverso pronunciaret. Macrob. Saturn. 2. x.

[4] Plut. in Cic.

ready to salute them all familiarly, and shake hands with them, as his particular acquaintance [1].

Plutarch says, "that the use of these nomenclators was contrary to the laws; and that Cato, for that reason, in suing for the public offices, would not employ any of them, but took all that trouble upon himself [2]." But that notion is fully confuted by Cicero, who, in his oration for Murena, rallies the absurd rigour of Cato's stoical principles, and their inconsistency with common life, from the very circumstance of his having a nomenclator—"What do you mean," says he, "by keeping a nomenclator? The thing itself is a mere cheat: for if it be your duty to call the citizens by their names, it is a shame for your slave to know them better than yourself.—Why do you not speak to them before he has whispered you? Or, after he has whispered, why do you salute them, as if you knew them yourself? Or, when you have gained your election, why do you grow careless about saluting them at all? All this, if examined by the rules of social life, is right; but if by the precepts of your philosophy, very wicked [3]." As for Cicero himself, whatever pains he is said to have taken in this way, it appears from several passages in his letters, that he constantly had a nomenclator at his elbow on all public occasions [4].

He was now in his thirty-seventh year, the proper age for holding the ædileship, which was the first public preferment that was properly called a magistracy; the quæstorship being an office only or place of trust, without any jurisdiction in the city, as the ædiles had [5]. These ædiles, as well as all the inferior officers, were chosen by the people voting in their tribes; a manner of electing of all the most free and popular: in which Cicero was declared ædile, as he was before elected quæstor, by the unanimous suffrage of all the tribes, and preferably to all his competitors [6].

There were originally but two ædiles, chosen from the body of the people, on pretence of easing the tribunes of a share of

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[1] Vid. de petitione Consulat. xi.

Mercemur servum, qui dictet nomina: lævum
Qui fodiat latus, et cogat trans pondera dextram
Porrigere. Hic multum in Fabia valet, ille Velina;
Cuilibet hic fasces dabit, &c.—Hor. Epist. 1. 6.

[2] Plut. in Cato.

[3] Pro Murena, 36.

[4] Ut nemo nullius ordinis homo nomenclatori notus fuerit, qui mihi obviam non venerit. Ad Att. 4. 1.

[5] This will explain what Cicero says above of Pompey's entering upon the consulship, at an age when he was incapable even of the lowest magistracy. But, though strictly speaking, the ædileship was the first which was called a magistracy; yet Cicero himself, and all the old writers, give the same title also to the tribunate and quæstorship.

[6] Me cum quæstorem in primis, ædilem priorem—cunctis suffragiis populus Romanus faciebat. In Pison. 1.

their trouble: whose chief duty, from which the name itself was derived, was to take care of the edifices of the city; and to inspect the markets, weights, and measures; and regulate the shows and games, which were publicly exhibited on the festivals of their gods [1]. The senate afterwards, taking an opportunity when the people were in good humour, prevailed to have two more created from their order, and of superior rank, called curule ædiles, from the arm-chair of ivory, in which they sat [2]. But the tribunes presently repented of their concession, and forced the senate to consent, that these new ædiles should be chosen indifferently from the patrician or plebeian families [3]. But whatever difference there might be at first between the curule and plebeian ædiles, their province and authority seem, in later times, to be the same, without any distinction but what was nominal; and the two, who were chosen the first, were probably called the curule ædiles, as we find Cicero to be now styled. This magistracy gave a precedence in the senate, or a priority of voting and speaking next after the consuls and prætors; and was the first that qualified a man to have a picture or statue of himself, and consequently ennobled his family [4]: for it was from the number of these statues of ancestors, who had borne curule offices, that the families of Rome were esteemed the more or less noble.

After Cicero's election to the ædileship, but before his entrance into office, he undertook the famed prosecution of C. Verres, the late prætor of Sicily, charged with many flagrant acts of injustice, rapine, and cruelty, during his triennial government of that island. And since this was one of the memorable transactions of his life, and for which he is greatly celebrated by antiquity, it will be necessary to give a distinct and particular relation of it.

The public administration was, at this time, in every branch of it, most infamously corrupt: the great, exhausted by their luxury and vice, made no other use of their governments, than to enrich themselves by the spoils of the foreign provinces: their business was to extort money abroad, that they might purchase offices at home, and to plunder the allies in order to corrupt the citizens. The oppressed, in the meanwhile, found it in vain to seek relief at Rome, where there was none who

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[1] Dionys. Hal. l. 6. 411.

[2] ——dabit, eripietque curule
Cui volet importunus ebur——Hor. Ep. 1. 6.

Signa quoque in sella nossem formata curuli,
Et totum Numidæ sculptile dentis opus.—Ovid. de Pont. 4. 9.

[3] Liv. l. 6. ad fin.

[4] Antiquiorem in senatu sententiæ dicendæ locum—Jus imaginis ad memoriam, posteritatemque prodendam. In Verr. 5. 14.

cared either to impeach or to condemn a noble criminal; the decision of all trials being in the hands of men of the same condition, who were usually involved in the same crimes, and openly prostituted their judgment, on these occasions, for favour or a bribe. This had raised a general discontent through the empire, with a particular disgust to that change made by Sylla, of transferring the right of judicature from the equestrian to the senatorian order, which the people were now impatient to get reversed; the prosecution, therefore, of Verres, was both seasonable and popular, as it was likely to give some check to the oppressions of the nobility, as well as comfort and relief to the distressed subjects.

All the cities of Sicily concurred in the impeachment excepting Syracuse and Messana; for these two being the most considerable of the province, Verres had taken care to keep up a fair correspondence with them. Syracuse was the place of his residence, and Messana the repository of his plunder, whence he exported it all to Italy: and though he would treat even these, on certain occasions, very arbitrarily, yet in some flagrant instances of his rapine, that he might ease himself of a part of the envy, he used to oblige them with a share of the spoil[1]: so that, partly by fear, and partly by favour, he held them generally at his devotion: and at the expiration of his government procured ample testimonials from them both, in praise of his administration. All the other towns were zealous and active in the prosecution, and, by a common petition to Cicero, implored him to undertake the management of it; to which he consented, out of regard to the relation which he had borne to them as quæstor, and his promise made at parting, of his protection in all their affairs. Verres, on the other hand, was supported by the most powerful families of Rome, the Scipios, and the Metelli, and defended by Hortensius, who was the reigning orator at the bar, and usually styled the king of the Forum[2]: yet the difficulty of the cause, instead of discouraging, did but animate Cicero the more, by the greater glory of the victory.

He had no sooner agreed to undertake it, than an unexpected rival started up, one Q. Cæcilius, a Sicilian by birth, who had been quæstor to Verres; and, by a pretence of personal injuries received from him, and a particular knowledge of his crimes, claimed a preference to Cicero in the task of accusing him, or at least to bear a joint share in it.—But this

[1] Ergo, inquiet aliquis, donavit populo Syracusano istam hereditatem, &c. In Verr. 2. 18.
Messana tuorum adjutrix scelerum, libidinum testis, prædarum ac furtorum receptrix, &c. In Verr. 3. 8. it. 11.

[2] In foro ob eloquentiam Rege causarum. Ascon. Argum. in Divinat.

pretended enemy was in reality a secret friend, employed by Verres himself, to get the cause into his hands, in order to betray it: his pretensions, however, were to be previously decided by a kind of process called divination, on account of its being wholly conjectural; in which the judges, without the help of witnesses, were to divine, as it were, what was fit to be done: but in the first hearing Cicero easily shook off this weak antagonist, rallying his character and pretensions with a great deal of wit and humour, and showing, that the proper patron of such a cause could not be one who offered himself forwardly, but who was drawn to it unwillingly from the mere sense of his duty; one whom the prosecutors desired, and the criminal dreaded; one qualified by his innocence, as well as experience, to sustain it with credit; and whom the custom of their ancestors pointed out and preferred to it. In this speech, after opening the reasons why, contrary to his former practice, and the rule which he had laid down to himself, of dedicating his labours to the defence of the distressed, he now appeared as an accuser, he adds, "the provinces are utterly undone; the allies and tributaries so miserably oppressed, that they have lost even the hopes of redress, and seek only some comfort in their ruin: those who would have the trials remain in the hands of the senate, complain, that there are no men of reputation to undertake impeachments, no severity in the judges: the people of Rome, in the meanwhile, though labouring under many other grievances, yet desire nothing so ardently as the ancient discipline and gravity of trials. For the want of trials, the tribunician power is called for again; for the abuse of trials, a new order of judges is demanded; for the scandalous behaviour of judges, the authority of the censors, hated before as too rigid, is now desired, and grown popular. In this licence of profligate criminals, in the daily complaints of the Roman people, the infamy of trials, the disgrace of the whole senatorian order, as I thought it the only remedy to these mischiefs, for men of abilities and integrity to undertake the cause of the Republic and the laws, so I was induced the more readily, out of regard to our common safety, to come to the relief of that part of the administration which seemed the most to stand in need of it [1]."

This previous point being settled in favour of Cicero, a hundred and ten days were granted to him by law for preparing the evidence; in which he was obliged to make a voyage to Sicily, in order to examine witnesses, and collect facts to support the indictment. He was aware, that all Verres's art would be employed to gain time, in hopes to tire

[1] Divinat. 3.

out the prosecutors, and allay the heat of the public resentment: so that, for the greater dispatch, he took along with him his cousin L. Cicero, to ease him of a part of the trouble, and finished his progress through the island in less than half the time which was allowed to him [1].

In all journeys of this kind, the prosecutor's charges used to be publicly defrayed by the province, or the cities concerned in the impeachment: but Cicero, to show his contempt of money, and disinterestedness in the cause, resolved to put the island to no charge on his account: and in all the places to which he came, took up his quarters with his particular friends and acquaintance in a private manner, and at his own expense [2].

The Sicilians received him every where with all the honours due to his uncommon generosity, and the pains which he was taking in their service: but at Syracuse he met with some little affronts from the influence of the prætor, Metellus, who employed all his power to obstruct his inquiries, and discourage the people from giving him informatiom. He was invited, however, by the magistrates, with great respect, into their senate, where, after he had expostulated with them a little for the gilt statue of Verres, which stood there before his face, and the testimonial which they had sent to Rome in his favour, they excused themselves to him in their speeches, and alleged, that what they had been induced to do on that occasion was the effect of force and fear, obtained by the intrigues of a few, against the general inclination; and, to convince him of their sincerity, delivered into his hands the authentic accounts of many robberies and injuries which their own city had suffered from Verres, in common with the rest of the province.—As soon as Cicero retired, they declared his cousin Lucius the public guest and friend of the city, for having signified the same good-will towards them, which Cicero himself had always done; and, by a second decree, revoked the public praises which they had before given to Verres. Here Cicero's old antagonist, Cæcilius, appealed against them to the prætor; which provoked the populace to such a degree, that Cicero could hardly restrain them from doing him violence: the prætor dismissed the senate, and declared their act to be irregular, and would not suffer a copy of it to be given to Cicero; whom he reproached, at the same time, for betraying the dignity of Rome, by submitting not only to speak in a foreign

[1] Ego Siciliam totam quinquaginta diebus sic obii. In Verr. Act. 1. 2.

[2] In Siciliam sum inquirendi causa profectus, quo in negotio—ad hospites meos, ac necessarios, causæ communis defensor diverti potius, quam ad eos, qui a me consilium petivissent. Nemini meus advcntus labori aut sumptui, neque publice neque privatim fuit. In Verr. l. 1. 6.

senate, but in a foreign language, and to talk Greek among Grecians [1]. But Cicero answered him with such spirit and resolution, urging the sanction of the laws, and the penalty of contemning them, that the prætor was forced at last to let him carry away all the vouchers and records which he required [2].

But the city of Messana continued obstinate to the last, and firm in its engagements with Verres; so that when Cicero came thither, he received no compliments from the magistrates, no offer of refreshments or quarters; but was left to shift for himself, and to be taken care of by private friends. An indignity, he says, which had never been offered before to a senator of Rome; whom there was not a king or city upon earth, that was not proud to invite and accommodate with a lodging. But he mortified them for it severely at the trial, and threatened to call them to an account before the senate, as for an affront of the whole order [3]. After he had finished his business in Sicily, having reason to apprehend some danger in returning home by land, not only from the robbers, who infested all those roads, but from the malice and contrivance of Verres, he chose to come back by sea, and arrived at Rome, to the surprise of his adversaries, much sooner than he was expected [4], and full charged with most manifest proofs of Verres' guilt.

On his return he found, what he suspected, a strong cabal formed to prolong the affair by all the arts of delay which interest or money could procure [5], with design to throw it off, at least to the next year, when Hortensius and Metellus were to be consuls, and Metellus's brother a prætor, by whose united authority the prosecution might easily be baffled: and they had already carried the matter so far, that there was not time enough left within the current year to go through the cause in the ordinary forms. This put Cicero upon a new

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[1] Ait indignum facinus esse, quod ego in senatu Græco verba fecissem: quod quidem apud Græcos Græce locutus essem, id ferri nullo modo posse. In Verr. 4. 66. Vid. 62, 63, 64.

Valerius Maximus says, that the Roman magistrates were anciently so jealous of the honour of the Republic, that they never gave an answer to foreigners but in Latin; and obliged the Greeks themselves to speak to them always by an interpreter, not only in Rome, but in Greece and Asia; in order to inculcate a reverence for the Latin tongue through all nations. [Lib. 2. 2.] But this piece of discipline had long been laid aside; and the Greek language had obtained such a vogue in Rome itself, that all the great and noble were obliged not only to learn, but ambitious every where to speak it.

[2] Vid. in Verr. l. 4. 62—65.

[3] Ecquæ civitas est—Rex denique ecquis est, qui senatorem populi Romani tecto ac domo non invitet? &c. In Verr. 4. 11.

[4] Non ego a Vibone Veliam parvulo navigio inter fugitivorum, prædonum, ac tua tela venissem—omnis illa mea festinatio fuit cum periculo capitis. In Verr. l. 2. 40. Vid. Ascon. Argum. in Divinat.

[5] Reperio, judices, hæc ab istis consilia inita et constituta, ut, quacunque opus esset ratione, res ita duceretur, ut apud M. Metellum Prætorem causa diceretur. In Verr. Act. l. 9.

project, of shortening the method of the proceeding [1], so as to bring it to an issue, at any rate, before the present prætor M. Glabrio and his assessors, who were like to be equal judges [2]. Instead, therefore, of spending any time in speaking, or employing his eloquence, as usual, in enforcing and aggravating the several articles of the charge, he resolved to do nothing more than produce his witnesses, and offer them to be interrogated: when the novelty of the thing, and the notoriety of the guilt, which appeared, at once, from the very recital of the depositions, so confounded Hortensius, that he had nothing to say for his client; who, despairing of all defence, submitted, without expecting the sentence, to a voluntary exile [3].

From this account it appears, that of the seven excellent orations, which now remain on the subject of this trial, the two first only were spoken, the one called the Divination, the other the First Action, which is nothing more than a general preface to the whole cause: the other five were published afterwards, as they were prepared and intended to be spoken, if Verres had made a regular defence; for as this was the only cause in which Cicero had yet been engaged, or ever designed to be engaged, as an accuser, so he was willing to leave these orations as a specimen of his abilities in that way, and the pattern of a just and diligent impeachment of a great and corrupt magistrate [4].

In the first contest with Cæcilius, he estimates the damage of the Sicilians at above eight hundred thousand pounds [5]; but this was a computation at large, before he was distinctly informed of the facts; for after he had been in Sicily, and seen what the proofs actually amounted to, he charges them at somewhat less than half that sum [6]; and though the law, in these causes, gave double damages, yet no more seems to have been allowed in this than the single sum; which gave occasion, as Plutarch intimates, to a suspicion of some corruption, or connivance in Cicero, for suffering so great an abatement of the fine: but if there was any abatement at all, it must needs have been made by the consent of all parties, out of regard, perhaps, to Verres'

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[1] Cicero summo consilio videtur in Verrem vel contrahere tempora dicendi maluisse, quam in eum annum, quo erat Q. Hortensius consul futurus, incidere. Quintil. 6. 5.

[2] Mihi certum est non committere, ut in hac causa prætor nobis consiliumque mutetur. Act. 1. 18.

[3] Faciam hoc—ut utar testibus statim. Ib.—Sed tantummodo citaret testes—et eos Hortensio interrogandos daret: qua arte ita est fatigatus Hortensius, ut nihil, contra quod diceret, inveniret: ipse etiam Verres, desperato patrocinio, sua sponte discederet in exilium. Argum. Asconii in Act. 1.

[4] In ceteris orationibus defensor futurus, accusationis officium his libris, qui Verrinarum nomine nuncupantur, compensare decrevit; et—in una causa vim hujus artis et eloquentiæ demonstrare. Ascon. Argum. in Lib. et in Verr.

[5] Quo nomine abs te, C. Verres, sestertiûm millies ex lege repeto. Divin. in Cæcil. 5.

[6] Dicimus C. Verrem—quadringenties sestertiûm ex Sicilia contra leges abstulisse. Act. 1. 18.

submission, and shortening the trouble of the prosecutors: for it is certain, that so far from leaving any imputation of that sort upon Cicero, it highly raised the reputation, both of his abilities and integrity, as of one, whom neither money could bribe nor power terrify, from prosecuting a public oppressor; and the Sicilians ever after retained the highest sense of his services, and on all occasions, testified the utmost zeal for his person and interests.

From the conclusion of these orations, we may observe, that Cicero's vigour in this cause had drawn upon him the envy and ill-will of the nobility: which was so far, however, from moving him, that, in open defiance of it he declares, "that the nobles were natural enemies to the virtue and industry of all new men; and, as if they were of another race and species, could never be reconciled or induced to favour them, by any observance, or good offices whatsoever; that, for his part, therefore, like many others before him, he would pursue his own course, and make his way to the favour of the people, and the honours of the state, by his diligence and faithful services, without regarding the quarrels to which he might expose himself.—That if, in this trial, the judges did not answer the good opinion which he had conceived of them, he was resolved to prosecute, not only those who were actually guilty of corruption; but those too who were privy to it; and if any should be so audacious as to attempt, by power or artifice, to influence the bench, and screen the criminal, he would call him to answer for it before the people, and show himself more vigorous in pursuing him, than he had been even in prosecuting Verres [1]."

But, before I dismiss the cause of Verres, it will not be improper to add a short account of some of his principal crimes, in order to give the reader a clearer notion of the usual method of governing provinces, and explain the grounds of those frequent impeachments and public trials, which he will meet with in the sequel of this history; for, though few of their governors ever came up to the full measure of Verres' iniquity, yet the greatest part were guilty, in some degree, of every kind of oppression, with which Verres himself was charged. This Cicero frequently intimates in his pleading, and urges the necessity of condemning him for the sake of the example, and to prevent such practices from growing too general to be controlled [2].

[1] Proinde siqui sunt, qui in hoc reo aut potentes, aut audaces, aut artifices ad corrumpendum judicium velint esse, ita sint parati, ut disceptante populo Romano mecum sibi rem videant futuram, &c. in Verr. 5. 71.

[2] Quid igitur dicet? fecisse alios.—Sunt quædam omnino in te singularia—quædam tibi cum multis communia. Ergo ut omittam tuos peculatus, ut ob jus dicundum pecunias acceptas—quæ forsitan alii quoque fecerint, &c. In Verr. l. 3. 86.

The accusation was divided into four heads: 1. Of corruption in judging causes; 2. Of extortion in collecting the tithes and revenues of the Republic; 3. Of plundering the subjects of their statues and wrought plate, which was his peculiar taste; 4. Of illegal and tyrannical punishments. I shall give a specimen or two of each from the great number that Cicero has collected, which yet, as he tells us, was but a small extract from an infinitely greater, of which Verres had been actually guilty.

There was not an estate in Sicily, of any considerable value, which had been disposed of by will for twenty years past, where Verres had not his emissaries at work to find some flaw in the title, or some omission in executing the conditions of the testator, as a ground of extorting money from the heir. Dio of Halesa, a man of eminent quality, was in quiet possession of a great inheritance, left to him by the will of a relation, who had enjoined him to erect certain statues in the square of the city, on the penalty of forfeiting the estate to the Erycinian Venus. The statues were erected according to the will; yet Verres, having found some little pretence for cavilling, suborned an obscure Sicilian, one of his own informers, to sue for the estate in the name of Venus; and when the cause was brought before him, forced Dio to compound with him for about nine thousand pounds, and to yield to him also a famous breed of mares, with all the valuable plate and furniture of his house [1].

Sopater, an eminent citizen of Haliciæ, had been accused before the late prætor, C. Sacerdos, of a capital crime, of which he was honourably acquitted; but when Verres succeeded to the government, the prosecutors renewed their charge, and brought him to a second trial before their new prætor; to which Sopater, trusting to his innocence, and the judgment of Sacerdos, readily submitted without any apprehension of danger. After one hearing, the cause was adjourned, when Timarchides, the freedman and principal agent of Verres, came to Sopater, and admonished him, as a friend, not to depend too much on the goodness of his cause, and his former absolution, for that his adversaries had resolved to offer money to the prætor, who would rather take it for saving, than destroying a criminal, and was unwilling likewise to reverse the judgment of his predecessor. Sopater, surprised at this intimation, and not knowing what answer to make, promised to consider of it; but declared himself unable to advance any

[1] Hic est Dio—de quo multis primariis viris testibus satisfactum est, H-S undecies numeratum esse, ut eam causam, in qua ne tenuissima quidem suspicio posset esse, isto cognoscente obtineret: præterea greges nobilissimarum equarum abactos: argenti vestisque stragulæ domi quod fuerit esse direptum. In Verr. l. 2. 7.

large sum. Upon consulting his friends, they all advised him to take the hint, and make up the matter; so that, in the second meeting with Timarchides, after alleging his particular want of money, he compounded the money for about seven hundred pounds, which he paid down upon the spot[1]. He now took all his trouble to be over: but, after another hearing, the cause was still adjourned; and Timarchides came again to let him know, that his accusers had offered a much larger sum than what he had given, and advised him, if he was wise, to consider well what he had to do. But Sopater, provoked by a proceeding so impudent, had not the patience even to hear Timarchides, but flatly told him, that they might do what they pleased, for he was determined to give no more. All his friends were of the same mind, imagining, that whatever Verres himself might intend to do, he would not be able to draw the other judges into it, being all men of the first figure in Syracuse, who had judged the same cause already, with the late prætor, and acquitted Sopater. When the third hearing came on, Verres ordered Petilius, a Roman knight, who was one of the bench, to go and hear a private cause, which was appointed for that day, and of which he was likewise the judge. Petilius refused, alleging that the rest of his assessors would be engaged in the present trial. But Verres declared, that they might all go with him too if they pleased, for he did not desire to detain them; upon which they all presently withdrew, some to sit as judges, and some to serve their friends in the other cause. Minucius, Sopater's advocate, seeing the bench thus cleared, took it for granted, that Verres would not proceed in the trial that day, and was going out of the court along with the rest; when Verres called him back, and ordered him to enter upon the defence of his client. "Defend him!" says he, "before whom?" "Before me," replied Verres, "if you think me worthy to try a paltry Greek and Sicilian." "I do not dispute your worthiness," says Minucius, "but wish only that your assessors were present, who are so well acquainted with the merits of the cause." "Begin, I tell you," says Verres, "for they cannot be present." "No more can I," replied Minucius; "for Petilius begged of me also to go, and sit with him on the other trial." And when Verres, with many threats, required him to stay, he absolutely refused to act, since the bench was dimissed, and so left the court, together with all the rest of Sopater's friends.—This somewhat discomposed Verres; but after he had been whispered several

[1] Post ad amicos retulit. Qui cum ei fuissent auctores redimendæ salutis, ad Timarchidem venit. Expositis suis difficultatibus, hominem ad H-S LXXX perducit, eamque ei pecuniam numerat. In Verr. l. 2. 28.

times by his clerk Timarchides, he commanded Sopater to speak what he had to say in his own defence. Sopater implored him, by all the gods, not to proceed to sentence till the rest of the judges could be present; but Verres called for the witnesses, and, after he had heard one or two of them, in a summary way, without their being interrogated by any one, put an end to the trial, and condemned the criminal[1].

Among the various branches of Verres' illegal gains, the sale of offices was a considerable article; for there was not a magistracy of any kind to be disposed of, either by lot or a free vote, which he did not arbitrarily sell to the best bidder. The priesthood of Jupiter, at Syracuse, was of all others the most honourable: the method of electing into it was to chuse three by a general vote out of three several classes of the citizens, whose names were afterwards cast into an urn, and the first of them that was drawn out obtained the priesthood. Verres had sold it to Theomnastus, and procured him to be named in the first instance among the three: but as the remaining part was to be decided by lot, people were in great expectation to see how he would manage that which was not so easily in his power. He commanded, therefore, in the first place, that Theomnastus should be declared priest, without casting lots; but when the Syracusians remonstrated against it, as contrary to their religion, and the law, he called for the law, which ordered, "that as many lots should be made as there were persons nominated, and that he, whose name came out the first, should be the priest." He asked them, "How many were nominated?" they answered, "Three;"—"And what more then," says he, "is required by the law, than that three lots should be cast, and one of them drawn out?" They answered, "Nothing:" upon which he presently ordered three lots, with Theomnastus's name upon every one of them, to be cast into the urn, and so, by drawing out any one, the election was determined in his favour[2].

The tenth of the corn of all the conquered towns in Sicily belonged to the Romans, as it had formerly done to their own princes, and was always gathered in kind, and sent to Rome: but as this was not sufficient for the public use, the prætors had an appointment also of money from the treasury for the current year. Now the manner of collecting and ascertaining the

[1] Tum repente iste testes citari jubet. Dicit unus et alter breviter. Nihil interrogatur. Præco dixisse pronuntiat. Iste—properans de sella exiluit: hominem innocentem, a C. Sacerdote absolutum, indicta causa, de sententia scribæ, medici, haruspicisque condemnavit. Ib. 30.

[2] Numquid igitur oportet nisi tres sortes conjici, unam educi? Nihil. Conjici jubet tres, in quibus omnibus scriptum esset nomen Theomnasti. Fit clamor maximus—ita Jovis illud sacerdotium amplissimum per hanc rationem Theomnasto datur. Ib. 51.

quantity of tithes, was settled by an old law of king Hiero, the most moderate and equitable of all their ancient tyrants: but Verres, by a strange sort of edict, ordered, that the owner should pay whatever the collector demanded; but if he exacted more than his due, that he should be liable to a fine of eight times the value [1]. By this edict, he threw the property, as it were of the island, into the power of his officers, to whom he had farmed out the tithes: who, in virtue of the new law, seized into their hands the whole crop of every town, and obliged the owners to give them whatever share of it, or composition in money, they thought fit; and if any refused, they not only plundered them of all their goods, but even tortured their persons, till they had forced them to a compliance [2]. By this means, Verres having gathered a sufficient quantity of corn from the very tithes, to supply the full demands of Rome, put the whole money, that he had received from the treasury, into his own pocket [3]; and used to brag, that he had got enough from this single article to screen him from any impeachment: and not without reason, since one of his clerks, who had the management of this corn-money, was proved to have got above ten thousand pounds from the very fees which were allowed for collecting it [4]. The poor husbandmen, in the mean time, having no remedy, were forced to run away from their houses, and desert the tillage of the ground; so that from the registers, which were punctually kept in every town, of all the occupiers of arable lands in the island, it appeared, that, during the three years government of Verres, above two-thirds of the whole number had entirely deserted their farms, and left their lands uncultivated [5].

Apronius, a man of infamous life and character, was the principal farmer of the tithes: who, when reproached with the cruelty of his exactions, made no scruple to own, that the chief share of the gain was placed to the account of the prætor. These words were charged upon him in the presence of Verres and the magistrates of Syracuse, by one Rubrius, who offered a wager and trial upon the proof of them; but Verres, without

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[1] Tota Hieronica lege—rejecta et repudiata—edictum, judices, audite præclarum: quantum decumanus edidisset aratorem sibi decumæ dare oportere, ut tantum arator decumano dare cogeretur, &c. In Verr. l. 3. 10.

[2] Apronius venit, omne instrumentum diripuit, familiam abduxit, pecus abegit—hominem corripi et suspendi jussit in oleastro, &c. Ib. 23.

[3] Jam vero ab isto omnem illam ex ærario pecuniam, quam his oportuit civitatibus pro frumento dari, lucrifactam videtis. Ib. 75, &c.

[4] Tu ex pecunia publica H-S tredecies scribam tuum permissu tuo cum abstulisse fateare, reliquam tibi ullam defensionem putas esse? Ib. 80.

[5] Agyrinensis ager—ducentos quinquaginta aratores habuit primo anno Prætoræ tuæ. Quid tertio anno? Octoginta—hoc peræque in omni agro decumano reperietis. Ib. 51, 52, &c.

showing any concern or emotion at it, privately took care to hush up the matter, and prevent the dispute from proceeding any farther [1].

The same wager was offered a second time, and in the same public manner, by one Scandilius, who loudly demanded judges to decide it: to which Verres, not being able to appease the clamour of the man, was forced to consent, and named them presently out of his own band, Cornelius his physician, Volusius his soothsayer, and Valerius his crier; to whom he usually referred all disputes, in which he had any interest. Scandilius insisted to have them named out of the magistrates of Sicily, or that the matter should be referred to Rome: but Verres declared, that he would not trust a cause, in which his own reputation was at stake, to any but his own friends; and when Scandilius refused to produce his proofs before such arbitrators, Verres condemned him in the forfeiture of his wager which was forty pounds, to Apronius [2].

C. Heius was the principal citizen of Messana, where he lived very splendidly in the most magnificent house of the city, and used to receive all the Roman magistrates with great hospitality. He had a chapel in his house, built by his ancestors, and furnished with certain images of the gods, of admirable sculpture, and inestimable value. On one side stood a Cupid, of marble, made by Praxiteles: on the other, a Hercules of brass, by Myron; with a little altar before each god, to denote the religion and sanctity of the place. There were likewise two other figures, of brass, of two young women, called Canephoræ, with baskets on their heads, carrying things proper for sacrifice, after the manner of the Athenians—the work of Polycletus. These statues were an ornament not only to Heius, but to Messana itself, being known to every body at Rome, and constantly visited by all strangers, to whom Heius's house was always open. The Cupid had been borrowed by C. Claudius, for the decoration of the Forum in his ædileship, and was carefully sent back to Messana; but Verres, while he was Heius's guest, would never suffer him to rest, till he had stript his chapel of his gods, and the Canephoræ; and, to cover the act from an appearance of robbery, forced Heius

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[1] Eorum omnium, qui decumani vocabantur, princeps erat Q. ille Apronius, quem videtis : de cujus improbitate singulari gravissimarum legationum querimonias audistis Ib. 9.

Cum palam Syracusis, te audiente, maximo conventu, P. Rubrius Q. Apronium sponsione lacessivit, ni Apronius dictitaret, te sibi in decumis esse socium, &c. Ib. 57.

[2] Hic tu medicum et haruspicem, et præconem tuum recuperatores dabis? [Ib. 60.] Iste viros optimos recuperatores dat, eundem illum medicum Cornelium, et haruspicem Volusianum, et Valerium præconem. Ib. 21. it. 11.

Scandilius postulare de conventu recuperatores. Tum iste negat se de existimatione sua cuiquam, nisi suis, commissurum—cogit Scandilium quinque illa millia nummûm dare atque adnumerare Apronio. Ib. 60.

to enter them into his accounts, as if they had been sold to him for fifty pounds; whereas, at a public auction in Rome, as Cicero says, they had known one single statue of brass, of a moderate size, sold, a little before, for a thousand [1]. Verres had seen, likewise, at Heius's house, a suit of curious tapestry, reckoned the best in Sicily, being of the kind which was called Attalic, richly interwoven with gold: this he resolved also to extort from Heius, but not till he had secured the statues. As soon, therefore, as he left Messana, he began to urge Heius, by letters, to send him the tapestry to Agrigentum, for some particular service which he pretended; but, when he had once got it into his hands, he never restored it [2]. Now Messana, as it is said above, was the only city of Sicily that persevered to the last in the interest of Verres; and, at the time of the trial, sent a public testimonial in his praise, by a deputation of its eminent citizens, of which this very Heius was the chief. Yet, when he came to be interrogated, and cross-examined by Cicero, he frankly declared, that, though he was obliged to perform what the authority of his city had imposed upon him, yet that he had been plundered by Verres of his gods, which were left to him by his ancestors, and which he never would have parted with, on any conditions whatsoever, if it had been in his power to keep them [3].

Verres had in his family two brothers, of Cilicia, the one a painter, the other a sculptor, on whose judgment he chiefly relied, in his choice of pictures and statues, and all other pieces of art. They had been forced to fly from their country, for robbing a temple of Apollo, and were now employed to hunt out every thing that was curious and valuable in Sicily, whether of public or private property. These brothers having given Verres notice of a large silver ewer, belonging to Pamphilus, of Lilybeum, of most elegant work, made by Boethus [4], Verres immediately sent for it, and seized it to his own use: and, while Pamphilus was sitting pensive at home, lamenting the loss of his rich vessel, the chief ornament of his sideboard, and the pride of his feasts, another messenger came running to

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[1] Erat apud Heium sacrarium magna cum dignitate in ædibus, a majoribus traditum, perantiquum: in quo signa pulcherrima quatuor, summo artificio, summa nobilitate, &c. [In Verr. l. 4. 2.] C. Claudius, cujus Ædilitatem magnificentissimam scimus fuisse, usus est hoc Cupidine tam diu, dum forum Diis immortalibus, populoque Romano habuit ornatum.—Hæc omnia, quæ dixi, signa ab Heio, de sacrario Verres abstulit, &c. ib. 3. Ita jussisti, opinor, ipsum in tabulas referre. [ib. 6.] In auctione signum æneum non magnum H-S cxx. millibus venire non vidimus? Ib. 7.

[2] Quid? illa Attalica, tota Sicilia nominata, ab eodem Heio peripetasmata emere oblitus es?—At quomodo abstulit? &c. Ib. 12.

[3] Quid enim poterat Heius respondere?———Primo dixit, se illum publice laudare, quod sibi ita mandatum esset: deinde neque se illa habuisse venalia, neque ulla conditione, si utrum vellet liceret, adduci unquam potuisse, ut venderet illa, &c. In Verr. 4. 7.

[4] A celebrated Carthaginian sculptor, who left many famous works behind him. Vid. Plin. Hist. Nat. lib. 33. 12. it. lib. 34. 8.

him, with orders to bring two silver cups also, which he was known to have, adorned with figures in relief, to be shown to the prætor. Pamphilus, for fear of greater mischief, took up his cups, and carried them away himself: when he came to the palace, Verres happened to be asleep, but the brothers were walking in the hall, and waiting to receive him; who, as soon as they saw him, asked for the cups, which he accordingly produced. They commended the work; whilst he, with a sorrowful face, began to complain, that if they took his cups from him, he should have nothing, of any value, left in his house. The brothers, seeing his concern, asked how much he would give to preserve them; in a word, they demanded forty crowns; he offered twenty: but while they were debating, Verres awaked, and called for the cups; which being presently shown to him, the brothers took occasion to observe, that they did not answer to the account that had been given of them, and were but of paltry work, not fit to be seen among his plate: to whose authority Verres readily submitted, and so Pamphilus saved his cups[1].

In the city of Tyndaris there was a celebrated image of Mercury, which had been restored to them from Carthage by Scipio, and was worshipped by the people with singular devotion, and an annual festival. This statue Verres resolved to have, and commanded the chief magistrate, Sopater, to see it taken down, and conveyed to Messana. But the people were so inflamed and mutinous upon it, that Verres did not persist in his demand at that time; but when he was leaving the place, renewed his orders to Sopater, with severe threats, to see his command executed. Sopater proposed the matter to the senate, who universally protested against it: in short, Verres returned to the town, and inquired for the statue; but was told by Sopater, that the senate would not suffer it to be taken down, and had made it capital for any one to meddle with it without their orders. "Do not tell me," says Verres, "of your senate, and your orders; if you do not presently deliver the statue, you shall be scourged to death with rods." Sopater, with tears, moved the affair again to the senate, and related the prætor's threats; but in vain; they broke up in disorder, without giving any answer. This was reported by Sopater to Verres, who was sitting in his tribunal: it was the midst of winter, the weather extremely cold, and it rained very heavily, when Verres ordered Sopater to be stripped, and carried into the

[1] Cibyratæ sunt fratres—quorum alterum fingere opinor e cera solitum esse, alterum esse pictorem.—Canes venaticos diceres, ita odorabantur omnia, et pervestigabant. In Verr. 4. 13.

Memini Pamphilum Lilybætanum—mihi narrare, cum iste ab sese hydriam Boethi manu factam, præclaro opere et grandi pondere, per potestatem abstulisset; se sane tristem et conturbatum domum revertisse, &c. Ib. 14.

market-place, and there to be tied upon an equestrian statue of C. Marcellus, and exposed, naked as he was, to the rain, and the cold, and stretched, in a kind of torture, upon the brazen horse; where he must necessarily have perished, if the people of the town, out of compassion to him, had not forced their senate to grant the Mercury to Verres [1].

Young Antiochus, king of Syria, having been at Rome, to claim the kingdom of Egypt, in right of his mother, passed through Sicily, at this time, on his return home, and came to Syracuse; where Verres, who knew that he had a great treasure with him, received him with a particular civility; made him large presents of wine, and all refreshments for his table, and entertained him most magnificently at supper. The king, pleased with this compliment, invited Verres, in his turn, to sup with him, when his side-board was dressed out in a royal manner, with his richest plate, and many vessels of solid gold, set with precious stones, among which there was a large jug of wine, made out of an entire gem, with a handle of gold to it. Verres greedily surveyed and admired every piece, and the king rejoiced to see the Roman prætor so well satisfied with his entertainment. The next morning, Verres sent to the king, to borrow some of his choicest vessels, and, particularly the jug, for the sake of shewing them, as he pretended, to his own workmen; all which the king, having no suspicion of him, readily sent. But, besides these vessels of domestic use, the king had brought with him a large candlestick, or branch for several lights, of inestimable value, all made of precious stones, and adorned with the richest jewels, which he had designed for an offering to Jupiter Capitolinus: but finding the repairs of the Capitol not finished, and no place yet ready for the reception of his offering, he resolved to carry it back, without showing it to any body, that the beauty of it might be new, and the more surprising, when it came to be first seen in that temple. Verres, having got intelligence of this candlestick, sent again to the king, to beg by all means, that he would favour him with a sight of it, promising, that he would not suffer any one else to see it. The king sent it presently by his servants, who, after they had uncovered, and shown it to Verres, expected to carry it back with them to the king; but Verres declared, that he could not sufficiently admire the beauty of the work, and must have more time to contemplate it: and obliged them,

[1] Tum iste: Quam mihi religionem narras? quam pœnam? quem senatum? Vivum te non relinquam: moriere virgis, nisi signum traditur—Erat hiems summa, tempestas, ut ipsum Sopatrum dicere audistis, perfrigida; imber maximus, cum ipse imperat lictoribus, ut Sopatrum—præcipitem in Forum dejiciant, nudumque constituant—cum esset vinctus nudus in ære, in imbri, in frigore. Neque tamen finis huic injuriæ crudelitatique fiebat, donec populus atque universa multitudo, atrocitate rei commota, senatum clamore coegit, ut ei simulacrum illud Mercurii polliceretur. Ib. 39, 40.

therefore, to go away, and leave it with him. Several days passed, and the king heard nothing from Verres; so that he thought proper to remind him, by a civil message, of sending back the vessels: but Verres ordered the servants to call again some other time. In short, after a second message, with no better success, the king was forced to speak to Verres himself: upon which Verres earnestly entreated him to make him a present of the candlestick. The king affirmed it to be impossible, on the account of his vow to Jupiter, to which many nations were witnesses. Verres than began to drop some threats; but, finding them of no more effect than his entreaties, he commanded the king to depart, instantly, out of his province, declaring, that he had received intelligence of certain pirates, who were coming, from his kingdom, to invade Sicily. The poor king, finding himself thus abused, and robbed of his treasure, went into the great square of the city, and, in a public assembly of the people, calling upon the gods and men to bear testimony to the injury, made a solemn dedication to Jupiter of the candlestick, which he had vowed and designed for the Capitol, and which Verres had, forcibly, taken from him[1].

When any vessel, richly laden, happened to arrive in the ports of Sicily, it was generally seized by his spies and informers, on pretence of its coming from Spain, and being filled with Sertorius's soldiers; and, when the commanders exhibited their bills of lading, with a sample of their goods, to prove themselves to be fair traders, who came from different quarters of the world, some producing Tyrian purple, others Arabian spices, some jewels and precious stones, others Greek wines and Asiatic slaves; the very proof, by which they hoped to save themselves, was their certain ruin: Verres declared their goods to have been acquired by piracy, and seizing the ships, with their cargoes, to his own use, committed the whole crew to prison, though the greatest part of them, perhaps, were Roman citizens. There was a famous dungeon in Syracuse, called the Latomiæ, of a vast and horrible depth, dug out of a solid rock, which, having originally been a quarry of stone, was converted to a prison by Dionysius, the tyrant. Here Verres kept great numbers of Roman citizens in chains, whom he had first injured to a degree that made it necessary to destroy them; whence few or none ever saw the light again, but were commonly strangled by his orders[2].

One Gavius, however, a Roman citizen of the town of Cosa,

[1] Rex maximo conventu Syracusis in foro—flens, ac Deos hominesque contestans clamare cœpit, candelabrum factum e gemmis, quod in Capitolium missurus esset—id sibi C. Verrem abstulisse.—Id etsi antea jam mente et cogitatione sua consecratum, tamen tum se in illo conventu civium Romanorum dare, donare, dicare, consecrare Jovi Opt. Max. &c. Ib. 28, 29.

[2] Quæcunque navis ex Asia—venerat, statim certis indicibus et custodibus tenebatur:

happened to escape from this dreadful place, and ran away to Messana: where, fancying himself out of danger, and being ready to embark for Italy, he began to talk of the injuries which he had received, and of going straight to Rome, where Verres should be sure to hear of him. But he might as well have said the words in the prætor's palace, as at Messana: for he was presently seized, and secured till Verres' arrival, who, coming thither soon after, condemned him as a spy of the fugitives, first to be scourged in the market-place, and then nailed to a cross, erected for the purpose, on a conspicious part of the shore, and looking towards Italy, that the poor wretch might have the additional misery of suffering that cruel death in sight, as it were, of his home [1].

The coasts of Sicily being much infested by pirates, it was the custom of all prætors to fit out a fleet every year, for the protection of its trade and navigation. This fleet was provided by a contribution of the maritime towns, each of which usually furnished a ship with a certain number of men and provisions: but Verres, for a valuable consideration, sometimes remitted the ship, and always discharged as many of the men as were able to pay for it. A fleet, however, was equipped, of seven ships; but for show rather than service, without their complement, either of men or stores, and wholly unfit to act against an enemy; and the command of it was given by him, not to his quæstor, or one of his lieutenants, as it was usual, but to Cleomenes, a Syracusan, whose wife was his mistress, that he might enjoy her company the more freely at home, while her husband was employed abroad. For, instead of spending the summer, as other governors used to do, in a progress through his province, he quitted the palace of Syracuse, and retired to a little island adjoining to the city, to lodge in tents, or rich pavilions, pitched close by the fountain of Arethusa; where, forbidding the approach of men, or business to disturb him, he passed two of the hot months in the company of his favourite women, and all the delicacy of pleasure that art and luxury could invent [2].

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vectores omnes in Latomias conjiciebantur: onera atque merces in prætoriam domum deferebantur—eos Sertorianos milites esse, atque a Dianio fugere dicebat, &c. In Verr. 5. 56.

Latomias Syracusanas omnes audistis. Opus est ingens, magnificum, regum ac tyrannorum. Totum est ex saxo mirandam in altitudinem depresso—nihil tam clausum ad exitus, nihil tam tutum ad custodias, nec fieri nec cogitari potest. [Ib. 27.] Carcer ille qui est a crudelissimo tyranno Dionysio factus, quæ Latomiæ vocantur, in istius imperio domicilium civium Romanorum fuit. Ib. 55.

[1] Gavius hic, quem dico, Cosanus, cum in illo numero civium ab isto in vincla conjectus esset, et nescio qua ratione clam e Latomiis profugisset—loqui Messanæ cœpit, et queri, se civem Romanum in vincla conjectum, sibi recta iter esse Romam, Verri se præsto advenienti futurum, &c. Ib. 61.

[2] Erat et Nice, facie eximia, uxor Cleomenis Syracusani—iste autem, cum vir esset Syracusis, uxorem ejus parum poterat animo soluto ac libero tot in acta dies secum ha-

The fleet, in the mean time, sailed out of Syracuse, in great pomp, and saluted Verres and his company as it passed; when the Roman prætor, says Cicero, who had not been seen before for many days, showed himself at last to the sailors, standing on the shore in slippers, with a purple cloak and vest flowing down to his heels, and leaning on the shoulder of a girl, to view this formidable squadron [1]: which instead of scouring the the seas, sailed no farther, after several days, than into the port of Pachynus. Here as they lay peaceably at anchor, they were surprised with an account of a number of pirate frigates, lying in another harbour very near to them: upon which the admiral Cleomenes cut his cables in a great fright, and with all the sail that he could make, fled away towards Pelorus, and escaped to land: the rest of the ships followed him as fast as they could; but two of them, which sailed the slowest, were taken by the pirates, and one of the captains killed; the other captains quitted their ships, as Cleomenes had done, and got safe to land. The pirates, finding the ships deserted, set fire to them all that evening, and the next day sailed boldly into the port of Syracuse, which reached into the very heart of the town; where, after they had satisfied their curiosity, and filled the city with a general terror, they sailed out again at leisure, and in good order, in a kind of triumph over Verres, and the authority of Rome [2].

The news of a Roman fleet burnt, and Syracuse insulted by pirates, made a great noise through all Sicily. The captains, in excuse of themselves, were forced to tell the truth; that their ships were scandalously unprovided both with men and stores, and in no condition to face an enemy; each of them relating how many of their sailors had been discharged by Verres' particular orders, on whom the whole blame was justly laid. When this came to his ears, he sent for the captains, and after threatening them very severely for talking in that manner, forced them to declare, and to testify it also in writing, that every one of their ships had its full complement of all things necessary: but finding, after all, that there was no way

bere. Itaque excogitat rem singularem. Naves, quibus legatus præfuerat, Cleomeni tradit. Classi populi Romani Cleomenem Syracusanum præcsse jubet. Hoc eo facit, ut non solum ille abesset a domo—Nam æstate summa, quo tempore ceteri prætores obire provinciam, et concursare consueverunt—eo tempore ad luxuriem, libidinesque suas—tabernacula—carbaseis intenta velis, collocari jussit in littore, &c. In Verr. lb. 31.

[1] Ipse autem, qui visus multis diebus non esset, tum se tamen in conspectum nautis paullisper dedit. Stetit solcatus prætor populi Romani cum pallio purpureo, tunicaque talari, muliercula nixus in litore. Ib. 33.

Quintilian greatly admires this short description, as placing the very scene and fact before our eyes, and suggesting still much more than is expressed by it; [l. 8. 3.] but the concise elegance and expressive brevity, in which its beauty consists, cannot possibly be preserved in a translation.

[2] Tunc prædonum dux Heracleo repente præter spem, non sua virtute—victor, classem pulcherrimam populi Romani in littus expulsam et ejectam, cum primum advesperasceret, inflammari incendique jussit, &c. Ib 35. 36.

of stifling the clamour, and that it would necessarily reach Rome, he resolved, for the extenuation of his own crime, to sacrifice the poor captains, and put them all to death, except the admiral Cleomenes, the most criminal of them all, and, at his request, the commander also of his ship. In consequence of this resolution, the four remaining captains, after fourteen days from the action, when they suspected no danger, were arrested, and clapt into irons. They were all young men, of the principal families of Sicily, some of them the only sons of aged parents, who came presently, in great consternation, to Syracuse, to solicit the prætor for their pardon. But Verres was inexorable; and having thrown them into his dungeon, where nobody was suffered to speak with them, condemned them to lose their heads; whilst all the service that their unhappy parents could do for them, was to bribe the executioner to dispatch them with one stroke, instead of more, which he brutally refused to do, unless he was paid for it, and to purchase of Timarchides, the liberty of giving them burial[1].

It happened, however, before this loss of the fleet, that a single pirate ship was taken by Verres' lieutenants, and brought into Syracuse; which proved to be a very rich prize, and had on board a great number of handsome young fellows. There was a band of musicians among them, whom Verres sent away to Rome, a present to a friend; and the rest, who had either youth or beauty, or skill in any art, were distributed to his clerks and dependents, to be kept for his use; but the few who were old and deformed, were committed to the dungeon, and reserved for punishment[2]. The captain of these pirates had long been a terror to the Sicilians: so that they were all eager to see his person, and to feed their eyes with his execution: but, being rich, he found means to redeem his head, and was carefully kept out of sight, and conveyed to some private custody, till Verres could make the best market of him. The people, in the mean time, grew impatient and clamorous for the death of the pirates, whom all other prætors used to execute as soon as taken; and knowing the number of them to be great, could not be satisfied with the few old and decrepit, whom Verres willingly sacrificed to their resentment. He

[1] Cleomenem et navarchos ad se vocari jubet; accusat eos, quod hujusmodi de se sermones habuerint: rogat ut id facere desistant, et in sua quisque navi dicat se tantum habuisse nautarum, quantum oportuerit—Illi se ostendunt quod vellet esse facturos—Iste in tabulas refert; obsignat signis amicorum—Iste hominibus miseris innocentibusque injici catenas jubet—Veniunt Syracusas parentes propinquique miserorum adolescentium, &c. In Verr. Ib. 39, 40, &c.

[2] Erat ea navis plena juventutis formosissimæ, plena argenti facti atque signati, multa cum stragula veste—siqui senes aut deformes erant, eos in hostium numero ducit: qui aliquid formæ, ætatis, artificiique habebant, abducit omnes, nonnullos scribis suis, filio, cohortique distribuit. Symphoniacos homines sex cuidam amico suo Romam muneri misit, &c. Ib. 25, &c.

took this opportunity therefore to clear the dungeon of those Roman citizens, whom he had reserved for such an occasion, and now brought out to execution as a part of the piratical crew: but to prevent the imprecations and cries, which citizens used to make of their being free Romans, and to hinder their being known also to any other citizens there present, he produced them all with their heads and faces so muffled up, that they could neither be heard nor seen, and in that cruel manner destroyed great numbers of innocent men [1]. But to finish at last this whole story of Verres: After he had lived many years in a miserable exile, forgotten and deserted by all his friends, he is said to have been relieved by the generosity of Cicero [2]; yet was proscribed and murdered after all by Marc Antony, for the sake of his fine statues and Corinthian vessels, which he refused to part with [3]: "happy only," as Lactantius says, "before his death, to have seen the more deplorable end of his old enemy and accuser, Cicero [4]."

But neither the condemnation of this criminal, nor the concessions already made by the senate, were able to pacify the discontents of the people: they demanded still, as loudly as ever, the restoration of the tribunician power, and the right of judicature to the equestrian order; till, after various contests and tumults, excited annually on that account by the tribunes, they were gratified this year in them both; in the first by Pompey the consul, in the second by L. Cotta, the prætor [5]. The tribunes were strenuously assisted in all this struggle by J. Cæsar [6], and as strenuously opposed by all who wished well to the tranquillity of the city; for long experience had shown, that they had always been, not only the chief disturbers of the public peace, by the abuse of their extravagant power, but the constant tools of all the ambitious, who had any designs of advancing themselves above the laws [7]: for, by corrupting one or more of the tribunes, which they were sure to effect by paying their full price, they could either obtain from the people whatever they wanted, or obstruct at least whatever should be attempted against them: so that this act was generally disliked by the better sort, and gave a suspicion of no good intentions in Pompey; who, to remove all jealousies

[1] Archipiratam ipsum vidit nemo—cum omnes, ut mos est, concurrerent, quærerent, videre cuperent, &c. [ib. 26.] Cum maximus numerus deesset, tum iste in eorum locum, quos domum suam de piratis abduxerat, substituere cœpit cives Romanos, quos in carcerem antea conjecerat—Itaque alii cives Romani ne cognoscerentur, capitibus obvolutis e carcere ad palum atque necem rapiebantur, &c. Ib. 28, &c.

Quid de multitudine dicemus eorum, qui capitibus involutis in piratarum captivorumque numero producebantur, ut securi ferirentur? Ib. 60.

[2] Seneca. l. 6. Suasor. 6. [3] Plin. Hist. R. l. 34. 2. [4] Lactan. 2. 4.

[5] Hoc consulatu Pompeius tribuniciam potestatem restituit cujus imaginem Sylla sine re reliquerat. Vell. Pat. 2. 30.

[6] Auctores restituendæ tribuniciæ potestatis enixissime juvit. Sueton. J. Cæs. 5.

[7] De Leg. 3. 9.

against him, on this, or any other account, voluntarily took an oath, that, on the expiration of his consulship, he would accept no public command or government, but content himself with the condition of a private senator [1].

Plutarch speaks of this act, as the effect of Pompey's gratitude to the people, for the extraordinary honours which they had heaped upon him; but Cicero makes the best excuse for it, after Pompey's death, which the thing itself would bear, by observing, that a statesman must always consider not only what is best, but what is necessary to the times; that Pompey well knew the impatience of the people; and that they would not bear the loss of the tribunician power much longer; and it was the part, therefore, of a good citizen, not to leave to a bad one, the credit of doing what was too popular to be withstood [2]. But whatever were Pompey's views, in the restitution of this power, whether he wanted the skill or the inclination to apply it to any bad purpose, it is certain, that he had cause to repent of it afterwards, when Cæsar, who had a better head, with a worse heart, took advantage of it, to his ruin; and, by the help of the tribunes, was supplied both with the power and the pretext for overturning the Republic [3].

As to the other dispute, about restoring the right of judging to the knights, it was thought the best way of correcting the insolence of the nobles, to subject them to the judicature of an inferior order, who, from a natural jealousy and envy towards them, would be sure to punish their oppressions with proper severity. It was ended, however, at last, by a compromise, and a new law was prepared, by common consent, to vest this power jointly in the senators and the knights; from each of which orders a certain number was to be drawn annually, by lot, to sit in judgment, together with the prætor, upon all causes [4].

But, for the more effectual cure of that general licence, and corruption of morals, which had infected all orders, another remedy was also provided this year, an election of censors: it ought regularly to have been made every five years, but had now been intermitted, from the time of Sylla, for about seventeen. These censors were the guardians of the discipline and manners of the city [5], and had a power to punish vice and immorality, by some mark of infamy, in all ranks of men, from the highest to the lowest. The persons now chosen were, L.

[1] Qui cum consul laudabiliter jurasset, se in nullam provinciam ex eo magistratu iturum. Vell. Pat. 2. 31.

[2] De Leg. 3. 11.

[3] "Οτε δὴ καὶ μάλιστα τῷ Πομπηΐῳ μετεμέλησε τὴν δημαρχίαν—ἀναγαγόντι αὖθις ἐπὶ τὸ ἀρχαῖον. Appian. 2. p. 445.

[4] Per idem tempus Cotta judicandi munus, quod C. Gracchus ereptum Senatui, ad Equites, Sylla ab illis ad Senatum transtulerat, æqualiter inter utrumque ordinem partitus est. Vell. Pat. 2. 32.

[5] Tu es præfectus moribus, magister veteris disciplinæ ac severitatis. Pro Cluen. 46.

Gellius and Cn. Lentulus; both of them mentioned by Cicero as his particular acquaintance, and the last, as his intimate friend [1]. Their authority, after so long an intermission, was exercised with that severity which the libertinism of the times required: for they expelled above sixty-four from the senate, for notorious immoralities, the greatest part for the detestable practice of taking money for judging causes [2], and, among them, C. Antonius, the uncle of the triumvir; subscribing their reasons for it, that he had plundered the allies, declined a trial, mortgaged his lands, and was not master of his estate [3]: yet this very Antonius was elected ædile and prætor, soon after, in his proper course, and within six years, advanced to the consulship: which confirms what Cicero says of this censorian animadversion, that it was become merely nominal, and had no other effect than of putting a man to the blush [4].

From the impeachment of Verres, Cicero entered upon the ædileship, and, in one of his speeches, gives us a short account of the duty of it: "I am now chosen ædile," says he, "and am sensible of what is committed to me by the Roman people: I am to exhibit, with the greatest solemnity, the most sacred sports to Ceres, Liber, and Libera; am to appease and conciliate the mother Flora to the people and city of Rome, by the celebration of the public games; am to furnish out those ancient shows, the first which were called Roman, with all possible dignity and religion, in honour of Jupiter, Juno, Minerva; am to take care, also, of all the sacred edifices, and, indeed, of the whole city [5]," &c. The people were passionately fond of all these games and diversions; and the public allowance for them being but small, according to the frugality of the old Republic, the ædiles supplied the rest at their own cost, and were often ruined by it. For every part of the empire was ransacked for what was rare and curious, to adorn the splendour of their shows: the Forum, in which they were exhibited, was usually beautified with porticos, built for the purpose, and filled with the choicest statues and pictures which Rome and Italy afforded. Cicero reproaches Appius for draining Greece, and the islands, of all their furniture, of this kind, for the ornament of his ædileship [6]: and Verres is said to have

[1] Nam mihi—cum ambobus est amicitia: cum altero vero—magnus usus et summa necessitudo. Pro Cluen. 42.

[2] Quos autem duo censores, clarissimi viri furti et captarum pecuniarum nomine notaverunt; ii non modo in Senatum redierunt, sed etiam illarum ipsarum rerum judiciis absoluti sunt. Ib. Vid. Pigh. Annal. ad A. U. 683.

[3] Asconius in Orat. in Tog. cand.

[4] Censoris judicium nihil fere damnato affert præter ruborem. Itaque quod omnis ea judicatio versatur tantummodo in nomine, animadversio illa ignominia dicta est. Fragment. e lib. 4. de Repub. ex Nonio.

[5] In Verr. 5. 14.

[6] Omnia signa, tabulas, ornamentorum quod superfuit in fanis et communibus locis, tota e Græcia atque Insulis omnibus, honoris populi Rom. causa—deportavit. Pro Dom. ad Pont. 43.

supplied his friends, Hortensius and Metellus, with all the fine statues of which he had plundered the provinces [1].

Several of the greatest men of Cicero's time had distinguished themselves by an extraordinary expense and magnificence in this magistracy; Lucullus, Scaurus, Lentulus, Hortensius [2], and C. Antonius, who, though expelled so lately from the senate, entertained the city, this year, with stage-plays, whose scenes were covered with silver; in which he was followed, afterwards, by Muræna [3]: yet J. Cæsar outdid them all; and in the sports exhibited for his father's funeral, made the whole furniture of the theatre of solid silver, so that wild beasts were then first seen to tread on that metal [4]: but the excess of his expense was but in proportion to the excess of his ambition; for the rest were only purchasing the consulship; he the empire.—Cicero took the middle way, and observed the rule, which he prescribed afterwards to his son, of an expense agreeable to his circumstances [5]; so as neither to hurt his character, by a sordid illiberality, nor his fortunes, by a vain ostentation of magnificence; since the one, by making a man odious, deprives him of the power of doing good; the other, by making him necessitous, puts him under the temptation of doing ill: thus Mamercus, by declining the ædileship, through frugality, lost the consulship [6]; and Cæsar, by his prodigality, was forced to repair his own ruin, by ruining the Republic.

But Cicero's popularity was built on a more solid foundation, the affection of his citizens, from a sense of his merit and services; yet, in compliance with the custom and humour of the city, he furnished the three solemn shows above-mentioned, to the entire satisfaction of the people: an expense which he calls little, in respect to the great honours which he had received from them [7]. The Sicilians, during his ædileship, gave him effectual proofs of their gratitude, by supplying him largely with all manner of provisions, which their island afforded, for the use of his table and the public feasts, which he was obliged to provide in this magistracy: but, instead of making any private advantage of their liberality, he applied the whole to the benefit of the poor; and, by the help of this

[1] Asconius.

[2] De Offic. 2. 16.

[3] Ego qui trinos ludos Ædilis feceram, tamen Antonii ludis commovebar. Tibi, qui casu nullos feceras, nihil hujus istam ipsam, quam tu irrides, argenteam scenam adversatam putas? Pro Muræn. 20.

Mox, quod etiam in municipiis imitantur, C. Antonius ludos scena argentea fecit: item L. Muræna. Plin. Hist. N. 33. 3.

[4] Cæsar, qui postea Dictator fuit, primus in Ædilitate, munere patris funebri, omni apparatu arenæ argenteo usus est, ferasque argenteis vasis incessere tum primum visum. Ib.

[5] Quare si postulatur a populo————faciendum est, modo pro facultatibus: nos ipsi ut fecimus. De Offic. 2. 17.

[6] De Offic. 2. 17.

[7] Nam pro amplitudine honorum, quos cunctis suffragiis adepti sumus—sane exiguus sumtus Ædilitatis fuit. Ib.

extraordinary supply, contrived to reduce the price of victuals in the markets [1].

Hortensius was one of the consuls of this year; which produced nothing memorable, but the dedication of the Capitol, by Q. Lutatius Catulus. It had been burnt down in Sylla's time, who undertook the care of rebuilding it, but did not live to see it finished, which he lamented in his last illness, as the only thing wanting to complete his felicity [2]. By his death, that charge fell to Catulus, as being consul at the time, who dedicated it this summer with great pomp and solemnity, and had the honour to have his name inscribed on the front [3].

On the occasion of this festival, he is said to have introduced some instances of luxury, not known before in Rome, of covering the area, in which the people sat, with a purple veil, imitating the colour of the sky, and defending from the injuries of it; and of gilding the tiles of this noble fabric, which were made of copper: for though the ceilings of temples had before been sometimes gilt, yet this was the first use of gold on the outside of any building [4]. Thus the Capitol, like all ancient structures, rose the more beautiful from its ruins: which gave Cicero an opportunity of paying a particular compliment to Catulus, in Verres's trial, where he was one of the judges: for Verres having intercepted, as it is said above, the rich candlestick of king Antiochus, which was designed for the Capitol, Cicero, after he had charged him with it, takes occasion to say, "I address myself here to you, Catulus, for I am speaking of your noble and beautiful monument: it is your part to show, not only the severity of a judge, but the animosity of an ac-

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[1] Plut. in Cic.

[2] Hoc tamen felicitati suæ defuisse confessus est, quod Capitolium non dedicavisset. Plin. Hist. N. 7. 43.

Curam victor Sylla suscepit, neque tamen dedicavit: hoc unum felicitati negatum. Tacit. Hist. 3. 72.

[3] The following inscription was found in the ruins of the Capitol, and is supposed by some to be the very original which Catulus put up; where it remained, as Tacitus says, to the time of Vitellius. Tacit. Hist. 3. 72.

Q. LVTATIVS Q. F.
Q. N. CATVLVS. COS.
SVBSTRVCTIONEM. ET
TABVLARIVM. EX S. C.
FACIVNDVM. CVRAV.

[4] Quod primus omnium invenit Q. Catulus, cum Capitolium dedicaret. Plin. 19. 1. Cum sua ætas varie de Catulo existimaverit, quod tegulas æreas Capitolii inaurasset primus. Ib. 33. 3. Though Pliny calls Catulus the first inventor of these purple veils, yet Lucretius, who, as some think, died in this year, or, as others more probably, about sixteen years after, speaks of them as in common use in all the theatres.

Carbasus ut quondam magnis intenta theatris.—Lib. 6. 108.

Et volgo faciunt id lutea, russaque vela,
Et ferrugina, cum magnis intenta theatris,
Per malos volgata, trabesque trementia flutant.—Lib. 4. 73.

J. Cæsar covered the whole Forum with them, and the later emperors, the amphitheatres, in all their shows of gladiators and other sports. Dio. 1. 43.

cuser. Your honour is united with that of this temple; and by the favour of the senate, and people of Rome, your name is consecrated with it to all posterity; it must be your care, therefore, that the Capitol, as it is now restored more splendidly, may be furnished also more richly than it was before; as if the fire had been sent on purpose from heaven, not to destroy the temple of Jupiter, but to require from us one more shining and magnificent than the former [1]."

In this year Cicero is supposed to have defended Fonteius and Cæcina. Fonteius had been prætor of the Narbonese Gaul, for three years, and was afterwards accused, by the people of the province, and one of their princes, Induciomarus, of great oppression, and exactions, in his government, and, especially, of imposing an arbitrary tax on the exportation of their wines. There were two hearings in the cause, yet but one speech of Cicero's remaining, and that so imperfect, that we can hardly form a judgment either of the merit, or the issue of it. Cicero allows the charge of the wines to be a heavy one, if true [2]; and, by his method of defence, one would suspect it to be so, since his pains are chiefly employed in exciting an aversion to the accusers, and a compassion to the criminal. For, to destroy the credit of the witnesses, he represents the whole nation as a drunken, impious, faithless people; natural enemies to all religion, without any notion of the sanctity of an oath, and polluting the altars of their gods with human sacrifices. "And what faith, what piety," says he, "can you imagine to be in those, who think that the gods are to be appeased by cruelty and human blood [3]?" And, to raise, at last, the pity of the judges, he urges, in a pathetic peroration, the intercession, and tears, of Fonteius's sister, one of the vestal virgins, who was then present; opposing the piety and prayers of this holy suppliant, to the barbarity and perjuries of the impious Gauls; and admonishing the bench, of the danger and arrogance of slighting the suit of one, whose petitions, if the gods should reject, they themselves must be all undone [4], &c.

The cause of Cæcina was about the right of succession to a private estate, which depended on a subtle point of law [5], arising from the interpretation of the prætor's interdict; it shows, however, his exact knowledge and skill in the civil law, and that his public character and employment gave no interruption to his usual diligence in pleading causes.

After the expiration of his ædileship, he lost his cousin

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[1] In Verr. 4. 31. [2] Pro Fonteio, 5. [3] Ib. 10. [4] Ib. 17.

[5] Tota mihi causa pro Cæcina de verbis interdicti fuit: res involutas definiendo explicavimus. Orat. 29.

Lucius Cicero, the late companion of his journey to Sicily; whose death he laments, with all the marks of a tender affection, in the following letter to Atticus.

"You, who of all men know me the best, will easily conceive how much I have been afflicted, and what a loss I have sustained, both in my public and domestic life: for in him I had every thing which could be agreable to a man, from the obliging temper and behaviour of another. I make no doubt, therefore, but that you also are affected with it, not only for the share which you bear in my grief, but for your own loss of a relation and a friend; accomplished with every virtue; who loved you, as well from his own inclination, as from what he used to hear of you, from me [1]," &c.

What made his kinsman's death the more unlucky to him at this juncture, was the want of his help, in making interest for the prætorship, for which he now offered himself a candidate, after the usual interval of two years [2], from the time of his being chosen ædile: but the city was in such a ferment all the summer, that there was like to be no election at all: the occasion of it arose from the publication of some new laws, which were utterly disliked, and fiercely opposed by the senate. The first of them was proposed in favour of Pompey, by A. Gabinius, one of the tribunes, as a testimony of their gratitude, and the first fruits, as it were, of that power which he had restored to them. It was to grant him an extraordinary commission for quelling the pirates, who infested the coasts and navigation of the Mediterranean, to the disgrace of the empire, and the ruin of all commerce [3]; by which an absolute command was conferred upon him through all the provinces bordering on that sea, as far as fifty miles within land. These pirates were grown so strong, and so audacious, that they had taken several Roman magistrates and ambassadors prisoners, made some successful descents on Italy itself, and burnt the navy of Rome, in the very port of Ostia [4]. Yet the grant of a power so exorbitant, and unknown to the laws, was strenuously opposed by Catulus, Hortensius, and all the other chiefs of the senate, as dangerous to the public liberty, nor fit to be intrusted to any single person: they alleged, that these unusual grants were the cause of all the misery that the Republic had

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[1] Ad Att. 1. 5.

[2] Ut si Ædilis fuisses, post biennium tuus annus esset. Ep. fam. 10. 25.

[3] Quis navigavit, qui non se aut mortis aut servitutis periculo committeret, cum aut hieme aut referto prædonum mari navigaret? Pro leg. Manil. 11.

[4] Qui ad vos ab exteris nationibus venirent, captos querar, cum legati populi Romani redempti sint? Mercatoribus tutum mare non fuisse dicam, cum duodecim secures in potestatem prædonum pervenerint?—Quid ego Ostiense incommodum, atque illam labem et ignominiam Reipub. querar, cum, prope inspectantibus vobis, classis ea cui Consul populi Romani præpositus esset, a prædonibus capta atque oppressa est? Ib. 12.

suffered, from the proscriptions of Marius and Sylla, who, by a perpetual succession of extraordinary commands, were made too great to be controlled by the authority of the laws; that though the same abuse of power was not to be apprehended from Pompey, yet the thing itself was pernicious, and contrary to the constitution of Rome; that the equality of a democracy required, that the public honours should be shared alike, by all who were worthy of them; that there was no other way to make men worthy, and to furnish the city with a number and choice of experienced commanders: and if, as it was said by some, there were really none, at that time, fit to command, but Pompey, the true reason was, because they would suffer none to command but Pompey [1]. All the friends of Lucullus were particularly active in the opposition; apprehending that this new commission would encroach upon his province and command in the Mithridatic war: so that Gabinius, to turn the popular clamour on that side, got a plan of the magnificent palace, which Lucullus was building, painted upon a banner, and carried about the streets by his mob; to intimate, that he was making all that expense out of the spoils of the Republic [2].

Catulus, in speaking to the people against this law, demanded of them, if every thing must needs be committed to Pompey, what they would do if any accident should befall him? Upon which, as Cicero says, he reaped the just fruit of his virtue, when they all cried out, with one voice, that their dependence would then be upon him [3]. Pompey, himself, who was naturally a great dissembler, affected, not only an indifference, but a dislike to the employment, and begged of the people to confer it on somebody else; and, after all the fatigues, which he had undergone in their service, to give him leave to retire to the care of his domestic affairs, and spare him the trouble and odium of so invidious a commission [4]. But this seeming self-denial gave a handle only to his friends to extol his modesty and integrity the more effectually; and, since there had been a precedent for the law, a few years before, in favour of a man, much inferior, both in merit and interest, M. Antonius [5], it was carried against the united authority of all the magistrates, but with the general inclination of the people: when, from the greatest scarcity of provisions which had been known for a long time in Rome, the credit of Pompey's name

[1] Dio. l. 36. p. 15.

[2] Tugurium ut jam videatur esse illa villa, quam ipse Tribunus plebis pictam olim in concionibus explicabat, quo fortissimum ac summum civem—in invidiam vocaret. Pro Sext. 43.

[3] Qui cum ex vobis quæreret, si in uno Cn. Pompeio omnia poneretis, si quid eo factum esset, in quo spem essetis habituri: cepit magnum suæ virtutis fructum, cum omnes una prope voce, in eo ipso vos spem habituros esse dixistis. Pro leg. Man. 20.

[4] Dio. l. 36. p. 11.

[5] Sed idem hoc ante biennium in M. Antonii prætura decretum. Vell. Pat. 2. 31.

sunk the price of them at once, as if plenty had been actually restored [1]. But though the senate could not hinder the law, yet they had their revenge on Gabinius, the author of it, by preventing his being chosen one of Pompey's lieutenants, which was what he chiefly aimed at, and what Pompey himself solicited [2]: though Pompey probably made him amends for it in some other way; since, as Cicero says, he was so necessitous at this time, and so profligate, that, if he had not carried his law, he must have turned pirate himself [3]. Pompey had a fleet of five hundred sail allowed for this expedition, with twenty-four lieutenants, chosen out of the senate [4]; whom he distributed so skilfully through the several stations of the Mediterranean, that, in less than fifty days, he drove the pirates out of all their lurking holes, and, in four months, put an end to the whole war: for he did not prepare for it till the end of winter, set out upon it in the beginning of spring, and finished it in the middle of summer [5].

A second law was published by L. Otho, for the assignment of distinct seats, in the theatres, to the equestrian order, who used, before, to sit promiscuously with the populace: but, by this law, fourteen rows of benches, next to those of the senators, were to be appropriated to their use; by which he secured to them, as Cicero says, both their dignity and their pleasure [6]. The senate obtained the same privilege, of separate seats, about an hundred years before, in the consulship of Scipio Africanus, which highly disgusted the people, and gave occasion, says Livy, as all innovations are apt to do, to much debate and censure: for many of the wiser sort, condemned all such distinctions in a free city, as dangerous to the public peace; and Scipio himself afterwards repented, and blamed himself for suffering it [7]. Otho's law, we may imagine, gave still greater offence, as it was a greater affront to the people, to be removed yet farther from what, of all things, they were fondest

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[1] Quo die a vobis maritimo bello præpositus est imperator, tanta repente vilitas annonæ ex summa inopia et caritate rei frumentariæ consecuta est, unius hominis spe et nomine, quantam vix ex summa ubertate agrorum diuturna pax efficere potuisset. Pro leg. Man. 15.

[2] Ne legaretur A. Gabinius Cn. Pompeio expetenti ac postulanti. Ib. 19.

[3] Nisi rogationem de piratico bello tulisset, profecto egestate ac improbitate coactus piraticam ipse fecisset. Post redit. in Senat. 5.

[4] Plut. in Pomp.

[5] Ipse autem, ut a Brundisio profectus est, undequinquagesimo die totam ad imperium populi Romani Ciliciam adjunxit—ita tantum bellum—Cn. Pompeius extrema hieme apparavit, ineunte vere suscepit, media æstate confecit. Pro leg. Man. 12.

[6] L. Otho, vir fortis meus necessarius, equestri ordini restituit non solum dignitatem, sed etiam voluptatem. Pro Mur. 19.

[7] P. Africanus ille superior, ut dicitur, non solum a sapientissimis hominibus, qui tum erant, verum etiam a seipso sæpe accusatus est, quod cum consul esset—passus esset tum primum a populari consessu senatoria subsellia separari. Pro Cornel. I. Fragment. ex Asconio. [Liv. l. 34. 54.] Ea res avertit vulgi animum et favorem Scipionis vehementer quassavit. Val. Max. 2. 4.

of, the sight of plays and shows: it was carried, however, by the authority of the tribune, and is frequently referred to, by the classic writers, as an act, very memorable [1], and what made much noise in its time.

C. Cornelius, also, another tribune, was pushing forward a third law, of a graver kind, to prohibit bribery in elections, by the sanction of the severest penalties: the rigour of it highly displeased the senate, whose warm opposition raised great disorders in the city: so that all other business was interrupted, the elections of magistrates adjourned, and the consuls forced to have a guard. The matter, however, was compounded, by moderating the severity of the penalties, in a new law offered by the consuls, which was accepted by Cornelius, and enacted, in proper form, under the title of the Calpurnian law, from the name of the consul C. Calpurnius Piso [2]. Cicero speaks of it still as rigorously drawn [3]; for, besides a pecuniary fine, it rendered the guilty incapable of any public office or place in the senate. This Cornelius seems to have been a brave and honest tribune, though somewhat too fierce and impetuous in asserting the rights of the citizens: he published another law, to prohibit any man's being absolved from the obligation of the laws, except by the authority of the people; which, though a part of the old constitution, had long been usurped by the senate, who dispensed with the laws by their own decrees, and those often made clandestinely, when a few only were privy to them. The senate, being resolved not to part with so valuable a privilege, prevailed with another tribune to inhibit the publication of it, when it came to be read; upon which Cornelius took the book from the clerk, and read it himself. This was irregular, and much inveighed against, as a violation of the rights of the tribunate; so that Cornelius was, once more, forced to compound the matter by a milder law, forbidding the senate to pass any such decrees, unless when two hundred senators were present [4]. These disturbances, however, proved the occasion of an unexpected honour to Cicero, by giving him a more ample and public testimony of the people's affection; for, in three different assemblies, convened for the choice of prætors, two of which were dissolved without effect, he was declared, every time, the first prætor, by the suffrages of all the centuries [5].

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[1] ——— sedilibusque magnus in primis eques
Othone contempto sedet —— Hor. Ep. 4. 15.
Sic libitum vano, qui nos distinxit, Othoni.—Juv. 3. 159.

[2] Dio. l. 36. c. 18.

[3] Erat enim severissime scripta Calpurnia. Pro Mur. 23.

[4] Asconii argument. pro Cornelio.

[5] Nam cum propter dilationem comitiorum ter prætor primus centuriis cunctis renuntiatus sum. Pro leg. Manil. 1.

The prætor was a magistrate next in dignity to the consuls, created originally as a colleague or assistant to them in the administration of justice, and to supply their place also in absence [1]. At first there was but one; but as the dominion and affairs of the Republic increased, so the number of the prætors was gradually enlarged from one to eight. They were chosen, not as the inferior magistrates, by the people voting in their tribes, but in their centuries, as the consuls and censors also were. In the first method, the majority of votes in each tribe determined the general vote of the tribe, and a majority of tribes determined the election, in which the meanest citizen had as good a vote as the best: but in the second, the balance of power was thrown into the hands of the better sort, by a wise contrivance of one of their kings, Servius Tullius; who divided the whole body of the citizens into a hundred and ninety-three centuries, according to a census or valuation of their estates: and then reduced these centuries into six classes, according to the same rule, assigning to the first or richest class ninety-seven of these centuries, or a majority of the whole number: so that, if the centuries of the first class agreed, the affair was over, and the votes of all the rest insignificant [2].

The business of the prætors was to preside and judge in all causes, especially of a public or criminal kind, where their several jurisdictions were assigned to them by lot [3]; and it fell to Cicero's to sit upon actions of extortion and rapine, brought against magistrates and governors of provinces [4]; in which, as he tells us himself, he had acted as an accuser, sat as a judge, and presided as prætor [5]. In this office he acquired a great reputation of integrity, by the condemnation of Licinius Macer, a person of prætorian dignity, and great eloquence; who would have made an eminent figure at the bar, if his abilities had not been sullied by the infamy of a vicious life [6]. "This man," as Plutarch relates it, "depending upon his interest, and the influence of Crassus, who supported him with all his power, was so confident of being acquitted, that, without waiting for sentence, he went home to dress himself, and, as if already absolved, was returning towards the court in a white gown; but

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[1] Aul. Gel. 13. 15.

[2] From this division of the people into classes, the word classical, which we now apply to writers of the first rank, is derived: for it signified originally persons of the first class, all the rest being styled infra classem. Ib. 7. 13.

[3] In Verr. Act. 1. 8.

[4] Postulatur apud me prætorem primum de pecuniis repetundis. Pro Cornel. 1. fragm.

[5] Accusavi de pecuniis repetundis, judex sedi, prætor quæsivi, &c. Pro Rabir. Post. 4.

[6] Brutus, 352.

being met on his way by Crassus, and informed that he was condemned by the unanimous suffrage of the bench, he took his bed, and died immediately." The story is told differently by other writers: "That Macer was actually in the court, expecting the issue; but perceiving Cicero ready to give judgment against him, he sent one to let him know that he was dead, and stopping his breath at the same time with an handkerchief, instantly expired; so that Cicero did not proceed to sentence, by which Macer's estate was saved to his son Licinius Calvus, an orator afterwards of the first merit and eminence[1]." But, from Cicero's own account it appears, that, after treating Macer in the trial with great candour and equity, he actually condemned him, with the universal approbation of the people; and did himself much more honour and service by it, than he could have reaped, he says, by Macer's friendship and interest, if he had acquitted him[2].

Manilius, one of the new tribunes, no sooner entered into his office, than he raised a fresh disturbance in the city, by the promulgation of a law, for granting to slaves, set free, a right of voting among the tribes; which gave so much scandal to all, and was so vigorously opposed by the senate, that he was presently obliged to drop it[3]: but being always venal, as Velleius says, and the tool of other men's power, that he might recover his credit with the people, and engage the favour of Pompey, he proposed a second law, that Pompey, who was then in Cilicia, extinguishing the remains of the piratic war, should have the government of Asia added to his commission, with the command of the Mithridatic war, and of all the Roman armies in those parts[4]. It was about eight years since Lucullus was first sent to that war, in which, by a series of many great and glorious acts, he had acquired a reputation both of courage and conduct, equal to that of the greatest generals: he had driven Mithridates out of his kingdom of Pontus, and gained several memorable victories against him, though supported by the whole force of Tigranes, the most potent prince of Asia; till his army, harassed by perpetual fatigues, and debauched by his factious officers, particularly by his brother-in-law, young Clodius[5], began to grow impatient of his discipline, and to demand their discharge. Their dis-

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[1] Plut. Cic. Val. Max. 9. 12.

[2] Nos hic incredibili ac singulari populi voluntate de C. Macro transegimus; cui cum æqui fuissemus, tamen multo majorem fructum ex populi existimatione, illo damnato, cepimus, quam ex ipsius, si absolutus esset, gratia cepissemus. Ad Att. l. 4.

[3] Ascon. in Orat. pro Cornel. Dio. l. 36. 20.

[4] Semper venalis, et alienæ minister potentiæ, legem tulit, ut bellum Mithridaticum per Cn. Pompeium administraretur. Vell. Pat. 2. 33.

[5] Post, exercitu L. Luculli sollicitato per nefandum scelus, fugit illinc. De Arusp cum respons. 20. Plut. in Lucull.

affection was still increased, by the unlucky defeat of one of his lieutenants, Triarius; who, in a rash engagement with Mithridates, was destroyed with the loss of his camp, and the best of his troops: so that as soon as they heard that Glabrio, the consul of the last year, was appointed to succeed him, and actually arrived in Asia, they broke out into an open mutiny, and refused to follow him any farther, declaring themselves to be no longer his soldiers: but Glabrio, upon the news of these disorders, having no inclination to enter upon so troublesome a command, chose to stop short in Bithynia, without ever going to the army[1].

This mutinous spirit in Lucullus's troops, and the loss of his authority with them, which Glabrio was still less qualified to sustain, gave a reasonable pretext to Manilius's law; and Pompey's success against the pirates, and his being upon the spot with a great army, made it likewise the more plausible: so that, after a sharp contest and opposition from some of the best and greatest of the senate, the tribune carried his point, and got the law confirmed by the people. Cicero supported it with all his eloquence, in a speech from the rostra, which he had never mounted till this occasion: where, in displaying the character of Pompey, he draws the picture of a consummate general, with all the strength and beauty of colours, which words can give. He was now in the career of his fortunes, and in sight, as it were, of the consulship, the grand object of his ambition; so that his conduct was suspected to flow from an interested view of facilitating his own advancement, by paying this court to Pompey's power: but the reasons already intimated, and Pompey's singular character of modesty and abstinence, joined to the superiority of his military fame, might probably convince him, that it was not only safe, but necessary at this time, to commit a war, which nobody else could finish, to such a general; and a power, which nobody else ought to be entrusted with, to such a man. This he himself solemnly affirms in the conclusion of his speech: "I call the gods to witness," says he, "and especially those who preside over this temple, and inspect the minds of all who administer the public affairs, that I neither do this at the desire of any one, nor to conciliate Pompey's favour, nor to procure from any man's greatness, either a support in dangers, or assistance in honours: for as to dangers, I shall repel them as a man ought to do, by the protection of my innocence; and for honours, I shall obtain them, not from any single man, nor from this place, but from my usual laborious course of life, and the continuance of your favour. Whatever pains, therefore, I

[1] Pro leg. Manil. 2. 9. Plut. ib. Dio. l. 36. p. 7.

have taken in this cause, I have taken it all, I assure you, for the sake of the Republic; and, so far from serving any interest of my own by it, have gained the ill-will and enmity of many, partly secret, partly declared; unnecessary to myself, yet not useless perhaps to you: but, after so many favours received from you, and this very honour which I now enjoy, I have made it my resolution, citizens, to prefer your will, the dignity of the Republic, and the safety of the provinces, to all my own interests and advantages whatsoever [1]."

J. Cæsar, also, was a zealous promoter of this law; but from a different motive than the love either of Pompey, or the Republic: his design was, to recommend himself by it to the people, whose favour he foresaw would be of more use to him than the senate's, and to cast a fresh load of envy on Pompey, which, by some accident, might be improved afterwards to his hurt; but his chief view was to make the precedent familiar, that whatever use Pompey might make of it, he himself might one day make a bad one [2]. For this is the common effect of breaking through the barrier of the laws, by which many states have been ruined; when, from a confidence in the abilities and integrity of some eminent citizen, they invest him, on pressing occasions, with extraordinary powers for the common benefit and defence of the society; for though power so entrusted, may, in particular cases, be of singular service, and sometimes even necessary; yet the example is always dangerous, furnishing a perpetual pretence to the ambitious and ill-designing, to grasp at every prerogative which had been granted at any time to the virtuous, till the same power, which would save a country in good hands, oppresses it at last in bad.

Though Cicero had now full employment as prætor, both in the affairs of state and public trials, yet, he found time still to act the advocate, as well as the judge, and not only to hear causes in his own tribunal, but to plead them also at the tribunals of the other prætors. He now defended A. Cluentius, a Roman knight, of splendid family and fortunes, accused, before the prætor Q. Naso, of poisoning his father-in-law, Oppianicus, who, a few years before, had been tried and banished for an attempt to poison Cluentius. The oration, which is extant, lays open a scene of such complicated villany, by poisons, murder, incest, suborning witnesses, corrupting judges, as the poets themselves have never feigned in any one family; all contrived by the mother of Cluentius against the life and fortunes of her son: "But what a mother!" says Cicero; "one who is hurried blindfold by the most cruel and

[1] Pro leg. Manil. 24.

[2] Dio. l. 36. 21.

brutal passions; whose lust no sense of shame restrains: who, by the viciousness of her mind, perverts all the laws of men to the worst ends; who acts with such folly, that none can take her for a human creature; with such violence, that none can imagine her to be a woman; with such cruelty that none can conceive her to be a mother; one, who has confounded not only the name and the rights of nature, but all the relations of it too: the wife of her son-in-law! the step-mother of her son! the invader of her daughter's bed! in short, who has nothing left in her of the human species, but the mere form [1]."

He is supposed to have defended several other criminals this year, though the pleadings are now lost, and particularly M. Fundanius: but what gives the most remarkable proof of his industry, is, that during his prætorship, as some of the ancient writers tell us, though he was in full practice and exercise of speaking, yet he frequented the school of a celebrated rhetorician, Gnipho [2]. We cannot suppose that his design was to learn any thing new, but to preserve and confirm that perfection which he had already acquired, and prevent any ill habit from growing insensibly upon him, by exercising himself under the observation of so judicious a master. But his chief view certainly was, to give some countenance and encouragement to Gnipho himself, as well as to the art which he professed; and by the presence and authority of one of the first magistrates of Rome, to inspire the young nobles with an ambition to excel in it.

When his magistracy was just at an end, Manilius, whose tribunate expired a few days before, was accused before him of rapine and extortion: and though ten days were always allowed to the criminal to prepare for his defence, he appointed the very next day for the trial. This startled and offended the citizens, who generally favoured Manilius, and looked upon the prosecution as the effect of malice and resentment on the part of the senate, for his law in favour of Pompey. The tribunes, therefore, called Cicero to an account before the people, for treating Manilius so roughly; who, in defence of himself, said, that as it had been his practice to treat all criminals with humanity, so he had no design of acting otherwise with Manilius, but, on the contrary, had appointed that short day for the trial, because it was the only one of which he was master; and that it was not the part of those who wished well to Manilius to throw off the cause to another judge. This made a wonderful change in the minds of the audience, who, applauding his conduct, desired then that he would undertake the defence of

[1] Pro Cluent. 70.

[2] Scholam ejus claros viros frequentasse aiunt: in his M. Ciceronem, etiam cum prætura fungeretur. Sueton. de clar. Grammat. 7. Macrob. Saturn. 3. 12.

Manilius, to which he consented; and stepping up again into the rostra, laid open the source of the whole affair, with many severe reflections upon the enemies of Pompey [1]. The trial, however, was dropped, on account of the tumults which arose immediately after in the city, from some new incidents of much greater importance.

At the consular election, which was held this summer, P. Autronius Pætus, and P. Cornelius Sylla, were declared consuls; but their election was no sooner published, than they were accused of bribery and corruption by the Calpurnian law; and, being brought to trial, and found guilty, before their entrance into office, forfeited the consulship to their accusers and competitors, L. Manlius Torquatus, and L. Aurelius Cotta. Catiline, also, who, from his prætorship, had obtained the province of Afric, came to Rome this year, to appear a candidate at the election; but, being accused of extortion and rapine in that government, was not permitted by the consuls to pursue his pretensions [2].

This disgrace of men, so powerful and desperate, engaged them presently in a conspiracy against the state, in which it was resolved to kill the new consuls, with several others of the senate, and share the government among themselves: but the effect of it was prevented by some information given of the design, which was too precipitately laid to be ripe for execution. Cn. Piso, an audacious, needy, factious young nobleman was privy to it [3]; and, as Suetonius says, two more of much greater weight, M. Crassus and J. Cæsar; the first of whom was to be created dictator, the second his master of the horse: but Crassus's heart failing him, either through fear or repentance, he did not appear at the appointed time, so that Cæsar would not give the signal agreed upon, of letting his robe drop from his shoulder [4]. The senate was particularly jealous of Piso, and hoping to cure his disaffection, by making him easy in his fortunes, or to remove him at least from the cabals of his associates, gave him the government of Spain, at the instance of Crassus, who strenuously supported him as a determined enemy to Pompey. But, before his setting out,

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[1] Plut. in Cic.

[2] Qui tibi, cum L. Volcatius consul in consilio fuisset, ne petendi quidem potestatem esse voluerunt. Orat. in Tog. cand.

Catilina, pecuniarum repetundarum reus, prohibitus erat petere consulatum. Sallust. 18.

[3] Cn. Piso, adolescens nobilis, summæ audaciæ, egens, factiosus—cum hoc Catilina et Autronius—consilio communicato, parabant in Capitolio L. Cottam et L. Torquatum, Coss. interficere. Ea re cognita, rursus in Nonas Feb. consilium cædis transtulerant. Ib.

[4] Ut principio anni Senatum adorirentur, et trucidatis, quos placitum esset, Dictaturam Crassus invaderet, ipse ab eo Magister Equitum diceretur—Crassum pœnitentia vel metu diem cædi destinatum non obiisse, ideirco, ne Cæsarem quidem signum, quod ab eo dari convenerat, dedisse. Sueton. in J. Cæs. 9.

Cæsar and he are said to have entered into a new and separate engagement, that the one should begin some disturbance abroad, while the other was to prepare and inflame matters at home: but this plot also was defeated by the unexpected death of Piso; who was assassinated by the Spaniards, as some say, for his cruelty; or, as others, by Pompey's clients, and at the instigation of Pompey himself[1].

Cicero, at the expiration of his prætorship, would not accept any foreign province[2], the usual reward of that magistracy, and the chief fruit which the generality proposed from it. He had no particular love for money, nor genius for arms, so that those governments had no charms for him: the glory which he pursued, was to shine in the eyes of the city, as the guardian of its laws, and to teach the magistrates how to execute, the citizens how to obey them. But he was now preparing to sue for the consulship, the great object of all his hopes; and his whole attention was employed how to obtain it in his proper year, and without a repulse. There are two years necessarily to intervene between the prætorship and consulship; the first of which was usually spent in forming a general interest, and soliciting for it, as it were, in a private manner; the second in suing for it openly, in the proper form and habit of a candidate. The affection of the city, so signally declared for him, in all the inferior steps of honour, gave him a strong presumption of success in his present pretensions to the highest: but, as he had reason to apprehend a great opposition from the nobility, who looked upon the public dignities as a kind of birth-right, and could not brook their being intercepted, and snatched from them by new men[3]; so he resolved to put it out of their power to hurt him, by omitting no pains which could be required of a candidate, of visiting and soliciting all the citizens in person. At the election, therefore, of the tribunes, on the sixteenth of July, where the whole city was assembled in the field of Mars, he chose to make his first effort, and to mix himself with the crowd, on purpose to caress and salute them, familiarly, by name; and, as soon as there was any vacation in the Forum, which happened usually in August, he intended to make an excursion into the Cisalpine Gaul, and, in the character of a lieutenant to Piso, the governor of it, to visit the towns and colonies of that province, which was reckoned very strong in the number of its votes, and so return

[1] Pactumque, ut simul foris ille, ipse Romæ, ad res novas consurgerent. Ib.
Sunt, qui dicant, imperia ejus injusta—barbaros nequivisse pati; alii autem, equites illos, Cn. Pompeii veteres clientes, voluntate ejus Pisonem aggressos. Sallust. 19.

[2] Tu in provinciam ire noluisti: non possum id in te reprehendere, quod in meipso prætor—probavi. Pro Muræn. 20.

[3] Non idem mihi licet quod iis, qui nobili genere nati sunt, quibus omnia populi Romani beneficia dormientibus deferuntur. In Verr. 5. 70.

to Rome in January following [1]. While he was thus employed in suing for the consulship, L. Cotta, a remarkable lover of wine, was one of the censors, which gave occasion to one of Cicero's jokes, that Plutarch has transmitted to us, that happening one day to be dry with the fatigue of his task, he called for a glass of water to quench his thirst; and when his friends stood close around him, as he was drinking, "You do well," says he, "to cover me, lest Cotta should censure me, for drinking water."

He wrote about the same time to Atticus, then at Athens, to desire him to engage all that band of Pompey's dependants, who were serving under him in the Mithridatic war, and, by way of jest, bids him tell Pompey himself, that he would not take it ill of him, if he did not come, in person, to his election [2]. Atticus spent many years in this residence at Athens, which gave Cicero an opportunity of employing him, to buy a great number of statues, for the ornament of his several villas, especially that at Tusculum, in which he took the greatest pleasure [3], for its delightful situation in the neighbourhood of Rome, and the convenience of an easy retreat from the hurry and fatigues of the city: here he had built several rooms and galleries, in imitation of the schools and porticos of Athens, which he called, likewise, by their Attic names of the Academy and Gymnasium, and designed for the same use of philosophical conferences with his learned friends. He had given Atticus a general commission to purchase, for him, any piece of Grecian art or sculpture, which was elegant and curious, especially of the literary kind, or proper for the furniture of his academy [4]; which Atticus executed to his great satisfaction, and sent him, at different times, several cargoes of statues, which arrived safe at the port of Cajeta, near to his Formian villa [5]; and pleased him always so well, both in the choice and the price of them, that upon the receipt of each parcel, he still renewed his orders for more.

"I have paid," says he, "a hundred and sixty-four pounds, as you ordered, to your agent Cincius, for the Megaric statues. The Mercuries which you mentioned, of Pentelician marble, with brazen heads, give me already great pleasure: wherefore, I would have you send me as many of them as you can, and

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[1] Quoniam videtur in suffragiis multum posse Gallia, cum Romæ a judiciis forum refrixerit, excurremus mense Septembri legati ad Pisonem. Ad Att. 1. 1.

[2] Illam manum tu mihi cura ut præstes, Pompeii nostri amici. Nega me id iratum fore, si ad mea comitia non venerit. Ib.

[3] Quæ tibi mandavi, et quæ tu convenire intelliges nostro Tusculano, velim, ut scribis, cures: nos ex omnibus molestiis et laboribus uno illo in loco conquiescimus. Ib. 5.

[4] Quicquid ejusdem generis habebis, dignum academia quod tibi videbitur, ne dubitaveris mittere, et arcæ nostræ confidito. Ad Att. 1. 9. Vid. it. 5, 6. 10.

[5] Signa, quæ curasti, ea sunt ad Cajetam exposita. Ib. 3.

as soon as possible, with any other statues and ornaments which you think proper for the place, and in my taste, and good enough to please your's; but, above all, such as will suit my gymnasium and portico: for I am grown so fond of all things of that kind, that though others, probably, may blame me, yet I depend on you to assist me [1]."

Of all the pieces which Atticus sent, he seems to have been the most pleased with a sort of compound emblematical figures, representing Mercury and Minerva, or Mercury and Hercules jointly, upon one base, called Hermathenæ and Hermeraclæ: for Hercules being the proper deity of the Gymnasium, Minerva of the Academy, and Mercury common to both, they exactly suited the purpose for which he desired them [2]. But, he was so intent on embellishing this Tusculan villa with all sorts of Grecian work, that he sent over to Atticus the plans of his ceilings, which were of stucco-work, in order to bespeak pieces of sculpture, or painting, to be inserted in the compartments; with the covers of two of his wells, or fountains, which, according to the custom of those times, they used to form after some elegant pattern, and adorned with figures, in relief [3].

Nor was he less eager in making a collection of Greek books, and forming a library, by the same opportunity of Atticus's help. This was Atticus's own passion, who, having free access to all the libraries of Athens, was employing his slaves in copying the works of their best writers, not only for his own use, but for sale also, and the common profit both of the slave and the master: for Atticus was remarkable, above all men of his rank, for a family of learned slaves, having scarce a foot-boy in his house, who was not trained both to read and write for him [4]. By this advantage he had made a very large collection of choice and curious books, and signified to Cicero his design of selling them; yet seems to have intimated withal, that he expected a larger sum for them than Cicero would easily spare: which gave occasion to Cicero to beg of him, in several letters,

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[1] Ib. 8.

[2] Hermathena tua me valde delectat. Ib. 1. Quod ad me de Hermathena scribis, per mihi gratum est—quod et Hermes commune omnium, et Minerva singulare est insigne ejus gymnasii. Ib. 4. Signa nostra et Hermeraclas, cum commodissime poteris, velim imponas. Ib. 10.

The learned generally take these Hermeraclæ and Hermathenæ to be nothing more than a tall square pedestal of stone, which was the emblem of Mercury, with the head of the other deity, Minerva or Hercules, upon it, of which sort there are several still extant, as we see them described in the books of antiquities. But I am apt to think, that the heads of both the deities were sometimes also joined together upon the same pedestal, looking different ways, as we see in those antique figures which are now indiscriminately called Januses.

[3] Præterea typos tibi mando, quos in tectorio atrioli possim includere, et putealia sigillata duo. Ib.

[4] In ea erant pueri literatissimi, anagnostæ optimi, et plurimi librarii; ut ne pedisequus quidem quisquam esset, qui non utrumque horum pulchre facere posset. Corn. Nep. in vita Attici, 13.

to reserve the whole number for him, till he could raise money enough for the purchase.

"Pray keep your books," says he, "for me, and do not despair of my being able to make them mine; which if I can compass, I shall think myself richer than Crassus, and despise the fine villas and gardens of them all [1]." Again: "Take care that you do not part with your library to any man, how eager soever he may be to buy it: for I am setting apart all my little rents to purchase that relief for my old age [2]." In a third letter he says, "That he had placed all his hopes of comfort and pleasure, whenever he should retire from business, on Atticus's reserving these books for him [3]."

But to return to the affairs of the city. Cicero was now engaged in the defence of C. Cornelius, who was accused, and tried, for practices against the state, in his late tribunate, before the prætor, Q. Gallius. This trial, which lasted four days, was one of the most important in which he had ever been concerned: the two consuls presided in it; and all the chiefs of the senate, Q. Catulus, L. Lucullus, Hortensius, &c. appeared as witnesses against the criminal [4]; whom Cicero defended, as Quintilian says, not only with strong, but shining arms, and with a force of eloquence, that drew acclamations from the people [5]. He published two orations, spoken in this cause, whose loss is a public detriment to the literary world, since they were reckoned among the most finished of his compositions: he himself refers to them as such [6]: and the old critics have drawn many examples from them, of that genuine eloquence, which extorts applause, and excites admiration.

C. Papius, one of the tribunes, published a law, this year, to oblige all strangers to quit the city, as one of his predecessors, Pennus, had done likewise, many years before him. The reason, which they alleged for it, was the confusion occasioned by the multitude and insolence of foreigners, who assumed the habit, and usurped the rights of citizens: but Cicero condemns all these laws, as cruel and inhospitable, and a violation of the laws of nature and humanity [7].

Catiline was now brought to a trial, for his oppressions in

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[1] Libros tuos conserva, et noli desperare, eos me meos facere posse: quod si assequor, supero Crassum divitiis, atque omnium vicos et prata contemno. Ad Att. 1. 4.

[2] Bibliothecam tuam cave cuiquam despondeas, quamvis acrem amatorem invenerit. Ib. 10.

[3] Velim cogites, id quod mihi pollicitus es, quemadmodum bibliothecam nobis conficere possis. Omnem spem delectationis nostræ, quam cum in otium venerimus, habere volumus, in tua humanitate positam habemus. Ib. 7.

[4] Ascon. Argum.

[5] Nec fortibus modo, sed etiam fulgentibus præliatus est Cicero in causa Cornelii. Lib. 8. 3.

[6] Orat. 67. 70.

[7] Usu vero urbis prohibere peregrinos sane inhumanum est. De Offic. 3. 11.

Afric: he had been soliciting Cicero to undertake his defence; who, at one time, was much inclined, or determined rather to do it, for the sake of obliging the nobles, especially Cæsar and Crassus, or of making Catiline at least his friend, as he signifies in a letter to Atticus: "I design," says he, "at present, to defend my competitor Catiline: we have judges to our mind, yet such as the accuser himself is pleased with: I hope, if he be acquitted, that he will be the more ready to serve me, in our common petition; but if it fall out otherwise, I shall bear it with patience. It is of great importance to me, to have you here as soon as possible: for there is a general persuasion, that certain nobles of your acquaintance will be against me: and you, I know, could be of the greatest service, in gaining them over[1]." But Cicero changed his mind, and did not defend him[2]; upon a nearer view, perhaps, of his designs, and traitorous practices; to which he seems to allude, when describing the art and dissimulation of Catiline, he declares, that he himself was once almost deceived by him, so as to take him for a good citizen, a lover of honest men, a firm and faithful friend[3], &c. But it is not strange that a candidate for the consulship, in the career of his ambition, should think of defending a man of the first rank and interest in the city, when all the consular senators, and even the consul himself, Torquatus, appeared with him at the trial, and gave testimony in his favour. Whom Cicero excused, when they were afterwards reproached with it, by observing, that they had no notion of his treasons, nor suspicion, at that time, of his conspiracy; but, out of mere humanity and compassion, defended a friend in distress, and, in that crisis of danger, overlooked the infamy of his life[4].

His prosecutor was P. Clodius, a young nobleman as profligate as himself; so that it was not difficult to make up matters with such an accuser, who, for a sum of money, agreed to betray the cause, and suffer him to escape[5]: which gave occasion to what Cicero said, afterwards, in a speech against him, in the senate, while they were suing together for the consulship:—"Wretch! not to see that thou art not acquitted, but reserved only to a severer trial, and heavier punishment[6]." It was in this year, as Cicero tells us, under the consuls Cotta

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[1] Ad Att. 1. 2. [2] Ascon. in Tog. cand.

[3] Meipsum, me, inquam, quondam ille pæne decepit, cum et civis mihi bonus, et optimi cujusque cupidus, et firmus amicus et fidelis videretur. Pro Cœlio, 6.

[4] Accusati sunt uno nomine Consulares—affuerunt Catilinæ, eumque laudarunt. Nulla tum patebat, nulla erat cognita conjuratio, &c. Pro Syll. 29.

[5] A Catilina pecuniam accepit, ut turpissime prævaricaretur. De Harusp. resp. 20.

[6] O miser, qui non sentias illo judicio te non absolutum, verum ad aliquod severius judicium, ac majus supplicium reservatum. Orat. in Tog. cand.

and Torquatus, that those prodigies happened, which were interpreted to portend the great dangers and plots, that were now hatching against the state, and broke out, two years after, in Cicero's consulship; when the turrets of the Capitol, the statues of the gods, and the brazen image of the infant Romulus, sucking the wolf, were struck down by lightning [1].

Cicero, being now in his forty-third year, the proper age required by law [2], declared himself a candidate for the consulship, along with six competitors, P. Sulpicius Galba, L. Sergius Catilina, C. Antonius, L. Cassius Longinus, Q. Cornificius, C. Licinius Sacerdos. The two first were patricians, the two next plebeians, yet noble; the two last the sons of fathers, who had first imported the public honours into their families: Cicero was the only new man among them, or one born of equestrian rank [3]. Galba and Cornificius were persons of great virtue and merit; Sacerdos, without any particular blemish upon him; Cassius, lazy and weak, but not thought so wicked as he soon after appeared to be; Antonius and Catiline, though infamous in their lives and characters, yet, by intrigue and faction, had acquired a powerful interest in the city, and joined all their forces against Cicero, as their

[1] Tactus est ille etiam, qui hanc urbem condidit, Romulus: quem inauratum in Capitolio parvum atque lactantem, uberibus lupinis inhiantem fuisse meministis. In Catil. 3. 8.

This same figure, as it is generally thought, formed in brass, of the infants, Romulus and Remus, sucking the wolf, is still preserved, and shown in the Capitol, with the marks of a liquefaction, by a stroke of lightning, on one of the legs of the wolf. Cicero himself has described the prodigy in the following lines:

Hic silvestris erat Romani nominis altrix
Martia; quæ parvos Mavortis semine natos
Uberibus gravidis vitali rore rigabat.
Quæ tum cum pueris flammato fulminis ictu
Concidit, atque avulsa pedum vestigia liquit.—De Divinat. 1. 12.

It was the same statue, most probably, whence Virgil drew his elegant description:

——— Geminos huic ubera circum
Ludere pendentes pueros, et lambere matrem
Impavidos. Illam tereti cervice reflexam
Mulcere alternos, et corpora fingere lingua.—Æneid. 8. 631.

The martial twins beneath their mother lay,
And, hanging on her dugs, with wanton play,
Securely suck'd: whilst she reclin'd her head
To lick their tender limbs, and form them as they fed.

[2] Nonne tertio et tricesimo anno mortem obiit? quæ est ætas, nostris legibus, decem annis minor, quam consularis. Philip. 5. 17.

[3] The distinction of patrician, plebeian, and noble, may want a little explication. The title of patrician belonged only, in a proper sense, to those families of which the senate was composed in the earliest times, either of the kings, or the first consuls, before the commons had obtained a promiscuous admission to the public honours, and by that means into the senate. All other families, how considerable soever, were constantly styled plebeian. Patrician then, and plebeian, are properly opposed to each other, but noble common to them both; for the character of nobility was wholly derived from the curule magistracies which any family had borne; and those which could boast of the greatest number were always accounted the noblest; so that many plebeians surpassed the patricians themselves in the point of nobility. Vid. Ascon. argum. in Tog. cand.

most formidable antagonist, in which they were vigorously supported by Crassus and Cæsar [1].

This was the state of the competition; in which the practice of bribing was carried on so openly and shamefully, by Antonius and Catiline, that the senate thought it necessary to give some check to it, by a new and more rigorous law; but, when they were proceeding to publish it, L. Mucius Orestinus, one of the tribunes, put his negative upon them. This tribune had been Cicero's client, and defended by him, in an impeachment of plunder and robbery; but, having now sold himself to his enemies, made it the subject of all his harangues, to ridicule his birth and character, as unworthy of the consulship: in the debate, therefore, which arose in the senate, upon the merits of his negative, Cicero, provoked to find so desperate a confederacy against him, rose up, and, after some raillery and expostulation with Mucius, made a most severe invective on the flagitious lives and practices of his two competitors, in a speech usually called in Toga candida, because it was delivered in a white gown, the proper habit of all candidates, and from which the name itself was derived [2].

Though he had now business enough upon his hands to engage his whole attention, yet we find him employed in the defence of Q. Gallius, the prætor of the last year, accused of corrupt practices, in procuring that magistracy. Gallius, it seems, when chosen ædile, had disgusted the people, by not providing any wild beasts for their entertainment, in his public shows; so that, to put them in good humour, when he stood for the prætorship, he entertained them with gladiators, on pretence of giving them in honour of his deceased father [3]. This was his crime, of which he was accused by M. Callidius, whose father had been impeached before, by Gallius. Callidius was one of the most eloquent and accurate speakers of his time, of an easy, flowing, copious style, always delighting, though seldom warming his audience, which was the only thing wanting to make him a complete orator. Besides the public crime just mentioned, he charged Gallius with a private one against himself, a design to poison him; of which he pretended to have manifest proofs, as well from the testimony of witnesses, as of his own hand and letters: but he told his story with so much temper and indolence, that Cicero, from his coldness in opening a fact so interesting, and where his life had been attempted, formed an argument to prove that it could not

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[1] Catilina et Antonius, quanquam omnibus maxime infamis eorum vita esset, tamen multum poterant. Coierant enim ambo, ut Ciceronem consulatu dejicerent, adjutoribus usi firmissimis, M. Crasso et C. Cæsare. Ascon. argum. in Tog. cand.

[2] Ascon. argum. [3] Ascon. not. ib.

be true. "How is it possible," says he, "Callidius, for you to plead in such a manner, if you did not know the thing to be forged? How could you, who act with such force of eloquence in other men's dangers, be so indolent in your own? Where was that grief, that ardour, which was to extort cries and lamentations from the most stupid? We saw no emotion of your mind, none of your body; no striking your forehead, or your thigh; no stamping with your foot: so that, instead of feeling ourselves inflamed, we could hardly forbear sleeping, while you were urging all that part of your charge [1]." Cicero's speech is lost, but Gallius was acquitted: for we find him, afterwards, revenging himself, in the same kind, on this very Callidius, by accusing him of bribery in his suit for the consulship [2].

J. Cæsar was one of the assistant judges this year to the prætor, whose province it was to sit upon the Sicarii, that is, those who were accused of killing, or carrying a dagger with intent to kill. This gave him an opportunity of citing before him, as criminals, and condemning, by the law of assassination, all those, who, in Sylla's proscription, had been known to kill, or receive money for killing, a proscribed citizen; which money Cato also, when he was quæstor the year before, had made them refund to the treasury [3]. Cæsar's view was, to mortify the senate, and ingratiate himself with the people, by reviving the Marian cause, which had always been popular, and of which he was naturally the head, on account of his near relation to old Marius; for which purpose he had the hardiness likewise to replace in the Capitol the trophies and statues of Marius, which Sylla had ordered to be thrown down and broken to pieces [4]. But, while he was prosecuting with such severity the agents of Sylla's cruelty, he not only spared, but favoured Catiline, who was one of the most cruel in spilling the blood of the proscribed; having butchered, with his own hands, and in a manner the most brutal, C. Marius Gratidianus, a favourite of the people, nearly related both to Marius and Cicero; whose head he carried in triumph through the streets, to make a present of it to Sylla [5]. But Cæsar's zeal provoked L. Paullus to bring Catiline also under the lash of the same law, and to accuse him in form, after his repulse from the con-

[1] Brutus, p. 402. 3. [2] Epist. fam. 8. 4.

[3] Plut. in Cato. Sueton. J. Cæs. 11.

[4] Quorum auctoritatem, ut, quibus posset modis, diminueret, trophæa C. Marii—a Sylla olim disjecta, restituit. Suet. J. Cæs. 11.

[5] Qui hominem carissimum populo Romano—omni cruciatu vivum lacerarit: stanti collum gladio sua dextera secuerit, cum sinistra capillum ejus a vertice teneret, &c. Vid. de petitione Consulat. 3.

Quod caput etiam tum plenum animæ et spiritus, ad Syllam, usque a janiculo ad ædem Apollinis, manibus ipse suis detulit. In Tog. cand.

sulship, of the murder of many citizens in Sylla's proscription: of which though he was notoriously guilty, yet, contrary to all expectation, he was acquitted [1].

Catiline was suspected also, at the same time, of another heinous and capital crime, an incestuous commerce with Fabia, one of the vestal virgins, and sister to Cicero's wife. This was charged upon him so loudly by common fame, and gave such scandal to the city, that Fabia was brought to a trial for it; but, either through her innocence, or the authority of her brother Cicero, she was readily acquitted: which gave occasion to Cicero to tell him, among the other reproaches on his flagitious life, that there was no place so sacred, whither his very visits did not carry pollution, and leave the imputation of guilt, where there was no real crime subsisting [2].

As the election of consuls approached, Cicero's interest appeared to be superior to that of all the candidates: for the nobles themselves, though always envious, and desirous to depress him, yet, out of regard to the dangers which threatened the city from many quarters, and seemed ready to burst out into a flame, began to think him the only man qualified to preserve the Republic, and break the cabals of the desperate, by the vigour and prudence of his administration: for, in cases of danger, as Sallust observes, pride and envy naturally subside, and yield the post of honour to virtue [3]. The method of chusing consuls was not by an open vote, but by a kind of ballot, or little tickets of wood, distributed to the citizens, with the names of the candidates severally inscribed upon each: but, in Cicero's case, the people were not content with this secret and silent way of testifying their inclinations; but, before they came to any scrutiny, loudly and universally proclaimed Cicero the first consul; so that, as he himself declared in his speech to them, after his election, he was not chosen by the votes of particular citizens, but the common suffrage of the city; nor declared by the voice of the crier, but of the whole Roman people [4]. He was the only new man who had obtained the sovereign dignity, or, as he expresses it, had forced the entrenchments of the nobility for forty years past, from the first consulship of C. Marius, and the only one likewise who

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[1] Bis absolutum Catilinam. Ad Att. l. 16. Sallust. 31. Dio. l. 56. p. 34.

[2] Cum ita vixisti, ut non esset locus tam sanctus, quo non adventus tuus, etiam cum culpa nulla subesset, crimen afferret. Orat. in Tog. cand. Vid. Ascon. ad locum.

[3] Sed ubi periculum advenit, invidia atque superbia post fuere. Sallust. 23.

[4] Sed tamen magnificentius esse illo nihil potest, quod meis comitiis non tabellam vindicem tacitæ libertatis, sed vocem vivam præ vobis indicem vestrarum ega me voluntatum tulistis.—Itaque me non extrema tribus suffragiorum, sed primi illi vestri concursus, neque singulæ voces præconum, sed una voce universus populus Romanus consulem declaravit. De leg. Agrar. contra Rull. 2. 2. in Pison 1.

had ever obtained it in his proper year, or without a repulse[1]. Antonius was chosen his colleague by the majority of a few centuries above his friend and partner Catiline; which was effected, probably, by Cicero's management, who considered him as the less dangerous and more tractable of the two.

Cicero's father died this year, on the twenty-fourth of November[2], in a good old age, with the comfort to have seen his son advanced to the supreme honour of the city, and wanted nothing to complete the happiness of his life, but the addition of one year more, to have made him a witness of the glory of his consulship. It was in this year also, most probably, though some critics seem to dispute it, that Cicero gave his daughter Tullia in marriage, at the age of thirteen, to C. Piso Frugi, a young nobleman of great hopes, and one of the best families in Rome[3]: it is certain, at least, that his son was born in this same year, as he expressly tells us, in the consulship of L. Julius Cæsar and C. Marcius Figulus[4]. So that, with the highest honour which the public could bestow, he received the highest pleasure which private life ordinarily admits, by the birth of a son and heir to his family.

SECTION III.

Cicero was now arrived through the usual gradation of honours, at the highest which the people could regularly give, or an honest citizen desire. The offices which he had already borne, had but a partial jurisdiction, confined to particular branches of the government; but the consuls held the reins, and directed the whole machine with an authority as extensive as the empire itself[5]. The subordinate magistracies, therefore, being the steps only to this sovereign dignity, were not valued so much for their own sake, as for bringing the candidates still nearer to the principal objects of their hopes, who, through

[1] Eum locum, quem nobilitas præsidiis firmatum, atque omni ratione obvallatum tenebat, me duce rescidistis.—Me esse unum, ex omnibus novis hominibus, de quibus meminisse possumus, qui consulatum petierim, cum primum licitum sit; consul factus sim, cum primum petierim. De leg. Agrar. ib. 1. 2.

[2] Pater nobis decessit ad diem viii. Kal. Decemb. Ad Att. 1. 6.

[3] Tulliolam C. Pisoni, L. F. Frugi despondimus. Ib. 3. Is. Casaubon, rather than give up an hypothesis which he had formed about the earlier date of this letter, will hardly allow that Tullia was marriageable at this time, though Cicero himself expressly declares it. Vid. not. varior. in locum.

[4] L. Julio Cæsare et C. Marcio Figulo Coss. filiolo me auctum scito, salva Terentia. Ad Att. 1. 2.

[5] Omnes enim in consulis jure et imperio debent esse provinciæ. Philip. 4. 4. Tu summum imperium—gubernacula Reip.—orbis terrarum imperium a pop. Romano petebas. Pro Muræn. 35.

this course of their ambition, were forced to practise all the arts of popularity: to court the little as well as the great, to espouse the principles and politics in vogue, and to apply their talents to conciliate friends, rather than to serve the public [1]. But the consulship put an end to this subjection, and with the command of the state gave them the command of themselves: so that the only care left was, how to execute this high office with credit and dignity, and employ the power entrusted to them for the benefit and service of their country.

We are now therefore to look upon Cicero in a different light, in order to form a just idea of his character: to consider him, not as an ambitious courtier, applying all his thoughts and pains to his own advancement; but as a great magistrate and statesman, administering the affairs and directing the councils of a mighty empire. And, according to the accounts of all the ancient writers, Rome never stood in greater need of the skill and vigilance of an able consul than in this very year. For, besides the traitorous cabals and conspiracies of those who were attempting to subvert the whole Republic, the new tribunes were also labouring to disturb the present quiet of it; some of them were publishing laws to abolish every thing that remained of Sylla's establishment, and to restore the sons of the proscribed to their estates and honours; others to reverse the punishment of P. Sylla and Autronius, condemned for bribery, and replace them in the senate [2]: some were for expunging all debts, and others for dividing the lands of the public to the poorer citizens [3]: so that, as Cicero declared, both to the senate and the people, the Republic was delivered into his hands full of terrors and alarms; distracted by pestilent laws and seditious harangues; endangered, not by foreign wars, but intestine evils, and the traitorous designs of profligate citizens; and that there was no mischief incident to a state which the honest had not cause to apprehend, the wicked to expect [4].

What gave the greater spirit to the authors of these attempts, was Antonius's advancement to the consulship; they knew him to be of the same principles, and embarked in the same designs with themselves, which, by his authority, they now hoped to carry into effect. Cicero was aware of this; and foresaw the mischief of a colleague equal to him in power, yet opposite in views, and prepared to frustrate all his endeavours for the public service: so that his first care, after their election, was to

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[1] Jam urbanam multitudinem, et eorum studia, qui conciones tenent, adeptus es, in Pompeio orando, Manilii causa recipienda, Cornelio defendendo, &c.—Nec tamen in petendo Respub. capessenda est, neque in senatu, neque in concione: sed hæc tibi retinenda, &c. De petitione Consulat. 13.

[2] Pro Sylla, 22, 23.

[3] Dio. l. 37. p. 41.

[4] De leg. Agrar. contra Rull. l. 8, 9: 2. 3.

gain the confidence of Antonius, and to draw him from his old engagements to the interests of the Republic; being convinced that all the success of his administration depended upon it. He began therefore to tempt him by a kind of argument, which seldom fails of its effect with men of his character, the offer of power to his ambition, and of money to his pleasures: with these baits he caught him; and a bargain was presently agreed upon between them, that Antonius should have the choice of the best province, which was to be assigned to them at the expiration of their year [1]. It was the custom for the senate to appoint what particular provinces were to be distributed every year to the several magistrates, who used afterwards to cast lots for them among themselves; the prætors for the prætorian, the consuls for the consular provinces. In this partition, therefore, when Macedonia, one of the most desirable governments of the empire, both for command and wealth, fell to Cicero's lot, he exchanged it immediately with his colleague for Cisalpine Gaul, which he resigned also soon after in favour of Q. Metellus; being resolved, as he declared in his inauguration speech, to administer the consulship in such a manner, as to put it out of any man's power, either to tempt or terrify him from his duty; since he neither sought nor would accept, any province, honour, or benefit from it whatsoever: "the only way," says he, "by which a man can discharge it with gravity and freedom, so as to chastise those tribunes who wish ill to the Republic, or despise those who wish ill to himself [2]:" a noble declaration, and worthy to be transmitted to posterity, for an example to all magistrates in a free state. By this address he entirely drew Antonius into his measures, and had him ever after obsequious to his will [3]; or, as he himself expresses it, by his patience and complaisance he softened and calmed him, eagerly desirous of a province, and projecting many things against the state [4]. The establishment of this concord between them, was thought to be of such importance to the public quiet, that, in his first speech to the people, he declared it to them from the rostra, as an event the most likely to curb the insolence of the factious, and raise the spirits of the honest, and prevent the dangers with which the city was then threatened [5].

There was another project likewise which he had much at

[1] Collegam suum Antonium pactione provinciæ pepulerat, ne contra Rempublicam dissentiret. Sallust. bell. Cat. 26.

[2] Cum mihi deliberatum et constitutum sit, ita gerere consulatum, quo uno modo geri graviter et libere potest, ut neque provinciam, neque honorem, neque ornamentum aliquod, aut commodum—appetiturus sim.—Sic me geram, ut possim tribunum pleb. Reipub. iratum coercere, mihi iratum contemnere. Contra Rull. 1. 8.

[3] Plut. in his Life. [4] In Pison. 2.

[5] Quod ego et concordia, quam mihi constitui cum collega, invitissimis iis hominibus, quos in consulatu inimicos esse et animi et corporis actibus providi, omnibus prospexi sane, &c. Contra Rull. 2. 37.

heart, and made one of the capital points of his administration, to unite the equestrian order with the senate, into one common party and interest. This body of men, next to the senators, consisted of the richest and most splendid families of Rome, who, from the ease and affluence of their fortunes, were naturally well-affected to the prosperity of the Republic: and being also the constant farmers of all the revenues of the empire, had a great part of the inferior people dependent upon them. Cicero imagined, that the united weight of these two orders would always be an over-balance to any other power in the state, and a secure barrier against any attempts of the popular and ambitious upon the common liberty [1]. He was the only man in the city capable of effecting such a coalition, being now at the head of the senate, yet the darling of the knights, who considered him as the pride and ornament of their order, whilst he, to ingratiate himself the more with them, affected always in public to boast of that extraction, and to call himself an equestrian: and make it his special care to protect them in all their affairs, and to advance their credit and interest: so that, as some writers tell us, it was the authority of his consulship that first distinguished and established them into a third order of the state [2]. The policy was certainly very good, and the Republic reaped great benefit from it in this very year, through which he had the whole body of knights at his devotion, who, with Atticus at their head, constantly attended his orders, and served as a guard to his person [3]: and if the same maxim had been pursued by all succeeding consuls, it might probably have preserved, or would certainly, at least, have prolonged the liberty of the Republic.

Having laid this foundation for the laudable discharge of his consulship, he took possession of it, as usual, on the first of January. A little before his inauguration, P. Servilius Rullus, one of the new tribunes, who entered always into their office on the tenth of December, had been alarming the senate with the promulgation of an Agrarian law. These laws used to be greedily received by the populace, and were proposed, therefore, by factious magistrates, as oft as they had any point to carry with the multitude against the public good: but this law

[1] Ut multitudinem cum principibus, Equestrem ordinem cum senatu conjunxerim. In Pison. 3. Neque ulla vis tanta reperietur, quæ conjunctionem vestram, Equitumque Romanorum, tantamque conspirationem bonorum omnium perfringere possit. In Catil. 4. 10.

[2] Cicero demum stabilivit Equestre nomen in consulatu suo; ei senatum concilians, ex eo se ordine profectum celebrans, et ejus vires peculiari popularitate quærens: ab illo tempore plane hoc tertium corpus in Repub. factum est, cœpitque adjici senatui populoque Romano Equester ordo. Plin. Hist. N. l. 33. 2.

[3] Vos, Equites Romani, videte, scitis me ortum e vobis, omnia semper sensisse pro vobis, &c. Pro Rabir. Post. 6. Nunc, vero cum equitatus ille, quem ego in Clivo Capitolino, te signifero ac principe, collocaram, senatum deseruerit. Ad Att. 2. 1.

was, of all others, the most extravagant, and, by a show of granting more to the people than had ever been given before, seemed likely to be accepted. The purpose of it was, to create a decemvirate, or ten commissioners, with absolute power for five years over all the revenues of the Republic: to distribute them, at pleasure, to the citizens; to sell and buy what lands they thought fit; to determine the rights of the present possessors; to require an account from all the generals abroad, excepting Pompey, of the spoils taken in their wars; to settle colonies wheresoever they thought proper, and particularly at Capua; and in short, to command all the money and forces of the empire.

The publication of a law, conferring powers so excessive, gave a just alarm to all who wished well to the public tranquillity: so that Cicero's first business was to quiet the apprehensions of the city, and to exert all his art and authority to baffle the intrigues of the tribune. As soon, therefore, as he was invested with his new dignity, he raised the spirits of the senate, by assuring them of his resolution to oppose the law, and all its abettors, to the utmost of his power; nor suffer the state to be hurt, or its liberties to be impaired, while the administration continued in his hands. From the senate he pursued the tribune into his own dominion, the Forum; where, in an artful and elegant speech from the rostra, he gave such a turn to the inclination of the people, that they rejected this Agrarian law with as much eagerness as they had ever before received one [1].

He began by acknowledging the extraordinary obligations which he had received from them, in preference and opposition to the nobility; declaring himself the creature of their power, and of all men the most engaged to promote their interests; that they were to look upon him as the truly popular magistrate; nay, that he had declared, even in the senate, that he would be the people's consul [2]. He then fell into a commendation of the Gracchi, whose name was extremely dear to them, professing, that he could not be against all Agrarian laws, when he recollected, that those two most excellent men, who had the greatest love for the Roman people, had divided the public lands to the citizens: that he was not one of those consuls who thought it a crime to praise the Gracchi; on whose councils, wisdom, laws, many parts of the present government were founded [3]: that his quarrel was to this particular law, which, instead of being popular, or adapted to the true interests of the city, was in reality the establishment of a tyranny, and

[1] Quis unquam tam secunda concione legem Agrariam suasit, quam ego dissuasi? Contra Rull. 2. 37.
[2] Ib. 3.
[3] Ib. 5.

a creation of ten kings to domineer over them. This he displays at large, from the natural effect of that power which was granted by it [1]; and proceeds to insinuate, that it was covertly levelled against their favourite Pompey, and particularly contrived to retrench and insult his authority: "Forgive me, citizens," says he, "for my calling so often upon so great a name: you yourselves imposed the task upon me, when I was prætor, to join with you, in defending his dignity, as far as I was able: I have hitherto done all that I could do; not moved to it by my private friendship for the man, nor by any hopes of honour, and of this supreme magistracy, which I obtained from you, though with his approbation, yet without his help. Since then I perceive this law to be designed as a kind of engine to overturn his power, I will resist the attempts of these men; and, as I myself clearly see what they are aiming at, so I will take care that you shall also see, and be convinced of it too [2]." He then shows how the law, though it excepted Pompey from being accountable to the decemvirate, yet excluded him from being one of the number, by limiting the choice to those who were present at Rome; that it subjected likewise to their jurisdiction the countries just conquered by him, which had always been left to the management of the general [3]: upon which he draws a pleasant picture of the tribune Rullus, with all his train of officers, guards, lictors, and apparitors [4], swaggering in Mithridates's kingdom, and ordering Pompey to attend him by a mandatory letter, in the following strain:

"P. Servilius Rullus, tribune of the people, decemvir, to Cnæus Pompey, the son of Cnæus, greeting.

"He will not add," says he, "the title of great, when he has been labouring to take it from him by law [5].

"I require you not to fail to come presently to Sinope, and bring me a sufficient guard with you, while I sell those lands, by my law, which you have gained by your valour."

He observes, that the reason of excepting Pompey, was not from any respect to him, but for fear that he would not submit to the indignity of being accountable to their will: "But Pompey," says he, "is a man of that temper, that he thinks it his duty to bear whatever you please to impose: but if there be any thing which you cannot bear yourselves, he will take care that you shall not bear it long against your wills [6]." He proceeds to enlarge upon the dangers which this law threatened to their liberties; that instead of any good intended by it, to the body of the citizens, its purpose was to erect a power for the oppression of them; and, on pretence of planting colonies

[1] Ib. 6. 11. 13, 14. [2] Ib. 18. [3] Ib. 19.
[4] Ib. 13. [5] Ib. 20. [6] Ib. 23.

in Italy and the provinces, to settle their own creatures and dependents, like so many garrisons, in all the convenient posts of the empire, to be ready, on all occasions, to support their tyranny: that Capua was to be their head-quarters, their favourite colony; of all cities the proudest, as well as the most hostile and dangerous; in which the wisdom of their ancestors would not suffer the shadow of any power or magistracy to remain; yet now it was to be cherished and advanced to another Rome[1]: that by this law, the lands of Campania were to be sold, or given away: the most fruitful of all Italy, the surest revenue of the Republic, and their constant resource, when all other rents failed them; which neither the Gracchi, who, of all men, studied the people's benefit the most, nor Sylla, who gave every thing away, without scruple, durst venture to meddle with[2]. In the conclusion he takes notice of the great favour and approbation with which they had heard him, as a sure omen of their common peace and prosperity; and acquaints them with the concord that he had established with his colleague, as a piece of news of all other the most agreeable; and promises all security to the Republic, if they would but show the same good disposition, on future occasions, which they had signified on that day; and that he would make those very men, who had been the most envious and averse to his advancement, confess, that the people had seen farther, and judged better than they, in choosing him for their consul.

In the course of this contest, he often called upon the tribunes to come into the rostra, and debate the matter with him before the people[3]; but they thought it more prudent to decline the challenge, and to attack him rather by fictitious stories and calumnies, sedulously inculcated into the multitude: that his opposition to the law flowed from no good will to them, but an affection to Sylla's party, and to secure to them the lands which they possessed by his grant; that he was making his court by it to the seven tyrants, as they called seven of the principal senators, who were known to be the greatest favourers of Sylla's cause and the greatest gainers by it; the two Luculluses, Crassus, Catulus, Hortensius, Metellus, Philippus. These insinuations made so great an impression on the city, that he found it necessary to defend himself against them, in a second speech to the people[4], in which he declared, that he looked upon that law, which ratified all Sylla's acts, to be of all laws the most wicked, and the most

[1] Ib. 28 32. [2] Ib. 29.

[3] Si vestrum commodum spectat, veniat et coram mecum de agri Campani divisione disputet. Contra Rull. 2. 28. Commodius fecissent tribuni plebis, Quirites, si, quæ apud vos de me deferunt, ea coram potius me præsente dixissent. Contra Rull. 3. 1.

[4] Ib.

unlike to a true law, as it established a tyranny in the city; yet that it had some excuse from the times, and, in their present circumstances, seemed proper to be supported: especially by him, who, for this year of his consulship, professed himself the patron of peace[1]; but that it was the height of impudence in Rullus, to charge him with obstructing their interests, for the sake of Sylla's grants, when the very law which that tribune was then urging, actually established and perpetuated those grants; and showed itself to be drawn by a son-in-law of Valgius, who possessed more lands than any other man, by that invidious tenure, which were all, by this law, to be partly confirmed, and partly purchased of him[2]. This he demonstrates from the express words of the law, which he had studiously omitted, he says, to take notice of before, that he might not revive old quarrels, or move any argument of new dissension in a season so improper[3]: that Rullus, therefore, who accused him of defending Sylla's acts, was, of all others, the most impudent defender of them: for none had ever affirmed them to be good and legal, but to have some plea only from possession and the public quiet; but, by this law, the estates that had been granted by them were to be fixed upon a better foundation and title than any other estates whatsoever. He concludes, by renewing his challenge to the tribunes, to come and dispute with him to his face. But, after several fruitless attempts, finding themselves wholly unable to contend with him, they were forced at last to submit, and to let the affair drop, to the great joy of the senate.

This alarm being over, another accident broke out, which might have endangered the peace of the city, if the effects of it had not been prevented by the authority of Cicero. Otho's law, mentioned above, for the assignment of separate seats to the equestrian order, had highly offended the people, who could not digest the indignity of being thrust so far back from their diversions; and while the grudge was still fresh, Otho, happening to come into the theatre, was received by the populace with an universal hiss, but by the knights with loud applause and clapping: both sides redoubled their clamour with great fierceness, and from reproaches, were proceeding to blows; till Cicero, informed of the tumult, came immediately to the theatre, and, calling the people out, into the temple of Bellona, so tamed and stung them, by the power of his words, and made them so ashamed of their folly and perverseness, that, on their return to the theatre, they changed their hisses into applauses, and vied with the knights themselves in demonstrations of their respect to Otho[4]. The speech was soon after published:

[1] Ib. 3. 2. [2] Ib. 3. 1. 4. [3] Ib. 3. 2. [4] Plutarch's Life of Cicero.

though, from the nature of the thing, it must have been made upon the spot, and flowed extempore from the occasion: and, as it was much read and admired, for several ages after, as a memorable instance of Cicero's command over men's passions, so some have imagined it to be alluded to in that beautiful passage of Virgil [1].

Ac veluti magno in populo cum sæpe cŏrta est
Seditio, sævitque animis ignobile vulgus;
Jamque faces et saxa volant, furor arma ministrat:
Tum pietate gravem et meritis si forte virum quem
Aspexere, silent, arrectisque auribus adstant;
Ille regit dictis animos, et pectora mulcet.—Virg. Æn. 1. 152.

As when sedition fires th' ignoble crowd,
And the wild rabble storms and thirsts for blood;
Of stones and brands a mingled tempest flies,
With all the sudden arms that rage supplies:
If some grave sire appears amidst the strife,
In morals strict and innocence of life,
All stand attentive, while the sage controls
Their wrath, and calms the tempest of their souls.—*Mr. Pitt.*

One topic, which Cicero touched in this speech, and the only one of which we have any hint from antiquity, was to reproach the rioters, for their want of taste and good sense, in making such a disturbance, while Roscius was acting [2].

There happened, about the same time, a third instance, not less remarkable, of Cicero's great power of persuasion: Sylla had, by an express law, excluded the children of the proscribed from the senate and all public honours; which was certainly an act of great violence, and the decree rather of a tyrant, than the law of a free state [3]. So that the persons injured by it, who were many, and of great families, were now making all their efforts to get it reversed. Their petition was highly equitable, but, from the condition of the times, as highly unseasonable; for, in the present disorders of the city, the restoration of an oppressed party must needs have added strength to the old factions: since the first use that they would naturally make of the recovery of their power, would be to revenge themselves on their oppressors. It was Cicero's business, therefore, to prevent that inconvenience, and, as far as it was possible, with the consent of the sufferers themselves: on which occasion, this great commander of the human affections, as Quintilian calls him, found means to persuade those unfortunate men, that to bear their injury was their benefit; and that the government itself could not stand, if Sylla's laws were then repealed, on which the quiet and order of the Republic were

[1] Sebast. Corradi Quæstura. p. 133. Æneid. 1. 152. What gives the greater colour to this imagination, is, that Quintilian applies these lines to his character of a complete orator, which he professedly forms upon the model of Cicero. Lib. 12. 1.

[2] Macrob. Saturn. 2. 10.

[3] Exclusique paternis opibus liberi, etiam petendorum honorum jure prohiberentur Vell. Pat. 2. 28.

established; acting herein the part of a wise statesman, who will oft be forced to tolerate, and even maintain, what he cannot approve, for the sake of the common good: agreeably to what he lays down in his Book of Offices, that many things which are naturally right and just, are yet, by certain circumstances and conjunctures of times, made dishonest and unjust [1]. As to the instance before us, he declared, in a speech made several years after, that he had excluded from honours a number of brave and honest young men, whom fortune had thrown into so unhappy a situation, that if they had obtained power, they would probably have employed it to the ruin of the state [2]. The three cases just mentioned, made Pliny break out into a kind of rapturous admiration of the man, who could persuade the people to give up their bread, their pleasure, and their injuries to the charms of his eloquence [3].

The next transaction of moment, in which he was engaged, was the defence of C. Rabirius, an aged senator, accused by T. Labienus, one of the tribunes, of treason or rebellion, for having killed L. Saturninus, a tribune, about forty years before, who had raised a dangerous sedition in the city. The fact, if it had been true, was not only legal, but laudable, being done in obedience to a decree of the senate, by which all the citizens were required to take arms in aid of the consuls, C. Marius and L. Flaccus.

But the punishment of Rabirius was not the thing aimed at, nor the life of an old man worth the pains of disturbing the peace of the city, the design was to attack that prerogative of the senate, by which, in the case of a sudden tumult, they could arm the city at once, by requiring the consuls to take care that the Republic received no detriment; which vote was supposed to give a sanction to every thing that was done in consequence of it; so that several traitorous magistrates had been cut off by it, without the formalities of a trial, in the act of stirring up sedition. This practice, though in use from the earliest times, had always been complained of by the tribunes, as an infringement of the constitution, by giving to the senate an arbitrary power over the lives of citizens, which could not legally be taken away without a hearing and judgment of the whole people. But the chief grudge to it was, from its being a perpetual check to the designs of the ambitious and popular, who aspired to any power not allowed by the laws: it was not diffi-

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[1] Sic multa, quæ honesta natura videntur esse, temporibus fiunt non honesta. De Offic. 3. 25.

[2] Ego adolescentes fortes et bonos, sed usos ea conditione fortunæ, ut, si essent magistratus adepti, Reipub. statum convulsuri viderentur—comitiorum ratione privavi. In Pison. 2.

[3] Quo te, M. Tulli, piaculo taccam? &c. Plin. Hist. l. 7. 30.

cult for them to delude the multitude; but the senate was not so easily managed, who, by that single vote of committing the Republic to the consuls, could frustrate at once all the effects of their popularity, when carried to a point which was dangerous to the state: for since, in virtue of it, the tribunes themselves, whose persons were held sacred, might be taken off, without sentence or trial, when engaged in any traitorous practices, all attempts of that kind must necessarily be hazardous and desperate.

This point, therefore, was to be tried on the person of Rabirius, in whose ruin the factious of all ranks were interested. J. Cæsar suborned Labienus to prosecute him; and procured himself to be appointed one of the duumviri, or the two judges allotted by the prætor to sit upon trials of treason [1]. Hortensius pleaded his cause, and proved, by many witnesses, that the whole accusation was false, and that Saturninus was actually killed by the hand of a slave, who for that service obtained his freedom from the public [2]. Cæsar, however, eagerly condemned the old man, who appealed from his sentence to the people; "where nothing," says Suetonius, "did him so much service, as the partial and forward severity of his judge [3]."

The tribunes, in the meanwhile, employed all their power to destroy him; and Labienus would not suffer Cicero to exceed half an hour in his defence [4]; and, to raise the greater indignation against the criminal, exposed the picture of Saturninus in the rostra, as of one who fell a martyr to the liberties of the people. Cicero opened the defence with great gravity, declaring, that in the memory of man, there had not been a cause of such importance, either undertaken by a tribune, or defended by a consul; that nothing less was meant by it, than that, for the future, there should be no senate or public council in the city; no consent and concurrence of the honest, against the rage and rashness of the wicked; no resource or refuge in the extreme dangers of the Republic [5]. He implores the favour of all the gods, by whose providence their city was more signally governed, than by any wisdom of man, to make that day propitious to the security of the state, and to the life and fortunes of an innocent man. And, having possessed the minds of his audience with the sanctity of the cause, he proceeds boldly to wish, that he had been at liberty to confess, what Hortensius indeed had proved to be false, that Saturninus, the enemy of the Roman people, was killed by the hand of Rabi-

[1] Sueton. vit. J. Cæs. 12. Dio. p. 42.
[2] Pro Rabir. 6. 11.
[3] Ut ad populum provocanti nihil æque ac judicis acerbitas profuit. Sueton. ib. 12.
[4] Pro Rabir. 2.
[5] Ib.

rius [1]—that he should have proclaimed and bragged of it, as an act that merited rewards instead of punishment. Here he was interrupted by the clamour of the opposite faction; but he observes it to be the faint efforts of a small part of the assembly: and that the body of the people, who were silent, would never have made him consul, if they had thought him capable of being disturbed by so feeble an insult; which he advised them to drop, since it betrayed only their folly and the inferiority of their numbers. The assembly being quieted, he goes on to declare, that though Rabirius did not kill Saturninus, yet he took arms with intent to kill him, together with the consuls and all the best of the city; to which his honour, virtue, and duty called him. He puts Labienus in mind that he was too young to be acquainted with the merits of that cause; that he was not born when Saturninus was killed, and could not be apprised how odious and detestable his name was to all the people: that some had been banished for complaining only of his death; others, for having a picture of him in their houses [2]: that he wondered, therefore, where Labienus had procured that picture, which none durst venture to keep, even at home; and much more, that he had the hardiness to produce, before an assembly of the people, what had been the ruin of other men's fortunes—that to charge Rabirius with this crime, was to condemn the greatest and worthiest citizens whom Rome had ever bred; and though they were all dead, yet the injury was the same, to rob them of the honour due to their names and memories.—"Would C. Marius," says he, "have lived in perpetual toils and dangers, if he had conceived no hopes concerning himself and his glory beyond the limits of this life? When he defeated those innumerable enemies in Italy, and saved the Republic, did he imagine that every thing which related to him would die with him? No; it is not so, citizens; there is not one of us who exerts himself with praise and virtue in the dangers of the Republic, but is induced to it by the expectation of a futurity. As the minds of men, therefore, seem to be divine and immortal, for many other reasons, so especially for this, that in all the best and the wisest, there is so strong a sense of something hereafter, that they seem to relish nothing but what is eternal. I appeal then to the souls of C. Marius, and of all those wise and worthy citizens, who, from this life of men are translated to the honours and sanctity of the gods; I call them, I say, to witness, that I think myself bound to fight for their fame, glory, and memory, with as much zeal, as for the altars and temples of my country; and, if it

[1] Ib. 6. [2] Ib. 9.

were necessary to take arms in the defence of their praise, I should take them as strenuously, as they themselves did for the defence of our common safety [1]."

After this speech the people were to pass judgment on Rabirius by the suffrages of all the centuries: but there being reason to apprehend some violence and foul play from the intrigues of the tribunes, Metellus, the augur and prætor of that year, contrived to dissolve the assembly by a stratagem before they came to a vote [2]; and the greater affairs that presently ensued, and engaged the attention of the city, prevented the farther prosecution and revival of the cause.

But Cæsar was more successful in another case, in which he was more interested, his suit for the high priesthood, a post of the first dignity in the Republic, vacant by the death of Metellus Pius. Labienus opened his way to it by the publication of a new law, for transferring the right of electing from the college of priests to the people, agreeably to the tenor of a former law, which had been repealed by Sylla. Cæsar's strength lay in the favour of the populace, which, by immense bribes, and the profusion of his whole substance, he had gained on this occasion so effectually, that he carried this high office, before he had yet been prætor, against two consular competitors of the first authority in Rome, Q. Catulus and P. Servilius Isauricus; the one of whom had been censor, and then bore the title of Prince of the Senate; and the other been honoured with a triumph: yet he procured more votes against them, even in their own tribes, than they both had out of the whole number of the citizens [3].

Catiline was now renewing his efforts for the consulship with greater vigour than ever, and by such open methods of bribery, that Cicero published a new law against it, with the additional penalty of a ten years' exile, prohibiting, likewise, all shows of gladiators within two years from the time of suing for any magistracy, unless they were ordered by the will of a person deceased, and on a certain day therein specified [4]. Catiline, who knew the law to be levelled at himself, formed a design to kill Cicero, with some other chiefs of the senate [5], on the day of election, which was appointed for the twentieth of October; but Cicero gave information of it to the senate the day before, upon which the election was deferred, that they might have time to deliberate on an affair of so great importance: and the day following, in a full house, he called upon

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[1] Ib. 10. [2] Dio. l. 37. 42.

[3] Ita potentissimos duos competitores, multumque et ætate et dignitate antecedentes, superavit; ut plura ipse in eorum tribubus suffragia, quam uterque in omnibus tulerit. Sueton. J. Cæs. 13. Vide Pigh. Annal.

[4] Pro Muræn. 23. in Vatin. 15. [5] Dio. l. 37. 43.

Catiline to clear himself of this charge; where, without denying or excusing it, he bluntly told them, "that there were two bodies in the Republic," meaning the senate and the people, "the one of them infirm, with a weak head, the other firm without a head; which last had so well deserved of him, that it should never want a head while he lived." He had made a declaration of the same kind, and in the same place, a few days before, when, upon Cato's threatening him with an impeachment, he fiercely replied, "that if any flame should be excited in his fortunes, he would extinguish it, not with water, but a general ruin [1]."

These declarations startled the senate, and convinced them that nothing but a desperate conspiracy, ripe for execution, could inspire so daring an assurance; so that they proceeded immediately to that decree, which was the usual refuge in all cases of imminent danger, of ordering the consuls to take care that the Republic received no harm [2]. Upon this Cicero doubled his guard, and called some troops into the city; and, when the election of consuls came on, that he might imprint a sense of his own and the public danger the more strongly, he took care to throw back his gown, in the view of the people, and discovered a shining breast-plate which he wore under it [3]: by which precaution, as he told Catiline afterwards to his face, he prevented his design of killing both him and the competitors for the consulship, of whom D. Junius Silanus and L. Licinius Muræna were declared consuls elect [4].

Catiline thus a second time repulsed, and breathing nothing but revenge, was now eager and impatient to execute his grand plot: he had no other game left; his schemes were not only suspected, but actually discovered by the sagacity of the consul, and himself shunned and detested by all honest men; so that he resolved, without farther delay, to put all to the hazard, of ruining either his country or himself. He was singularly formed, both by art and nature, for the head of a desperate conspiracy; of an illustrious family, ruined fortunes, profligate mind, undaunted courage, unwearied industry; of a capacity equal to the hardiest attempt, with a tongue that

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[1] Tum enim dixit duo corpora esse Reipub.; unum debile, infirmo capite; alterum firmum, sine capite: huic, cum ita de se meritum esset, caput, se vivo, non defuturum.—Cum idem ille paucis diebus ante Catoni, judicium minitanti, respondisset, Si quod esset in suas fortunas incendium excitatum, id se non aqua, sed ruina restincturum. Pro Muræn. 25.

[2] Sallust. bell. Catil. 29. Plut. Cic.

[3] Descendi in campum—cum illa lata insignique lorica—ut omnes boni animadverterent, et cum in metu et periculo consulem viderent, id quod factum est, ad opem præsidiumque meum concurrerent. Pro Muræn. 26.

[4] Cum, proximis comitiis consularibus, me consulem in campo et competitores tuos interficere voluisti, compressi conatus tuos nefarios amicorum præsidio. In Catil. l. 5.

could explain, and a hand that could execute it [1]. Cicero gives us his just character in many parts of his works, but in none a more lively picture of him than in the following passage [2]:

"He had in him," says he, "many, though not express images, yet sketches of the greatest virtues; was acquainted with a great number of wicked men, yet a pretended admirer of the virtuous. His house was furnished with a variety of temptations to lust and lewdness, yet with several incitements also to industry and labour: it was a scene of vicious pleasures, yet a school of martial exercises. There never was such a monster on earth, compounded of passions so contrary and opposite. Who was ever more agreeable at one time to the best citizens; who more intimate at another with the worst? who a man of better principles? who a fouler enemy to this city? who more intemperate in pleasure? who more patient in labour? who more rapacious in plundering? who more profuse in squandering? He had a wonderful faculty of engaging men to his friendship, and obliging them by his observance, sharing with them in common whatever he was master of; serving them with his money, his interest, his pains, and when there was occasion, by the most daring acts of villany; moulding his nature to his purposes, and bending it every way to his will. With the morose, he could live severely; with the free, gaily; with the old, gravely; with the young, cheerfully; with the enterprising, audaciously; with the vicious, luxuriously. By a temper so various and pliable, he gathered about him the profligate and the rash from all countries, yet held attached to him, at the same time, many brave and virtuous men, by the specious show of a pretended virtue."

With these talents, if he had obtained the consulship, and with it the command of the armies and provinces of the empire, he would probably like another Cinna, have made himself the tyrant of his country; but despair and impatience, under his repeated disappointments, hurried him on to the mad resolution, of extorting by force what he could not procure by address. His scheme, however, was not without a foundation of probability, and there were several reasons for thinking the present time the most seasonable for the execution of it. Italy was drained in a manner of regular troops; Pompey at a great distance with the best army of the empire; and his old friend Antonius, on whose assistance he still depended [3], was

[1] Erat ei consilium ad facinus aptum; consilio autem neque lingua, neque manus deerat. In Catil. 3. 7.

[2] Pro Cœl. 5. 6.

[3] Inflatum tam spe militum, tum collegæ mei, ut ipse dicebat, promissis. Pro Muræn. 23.

to have the command of all the forces that remained. But his greatest hopes lay in Sylla's veteran soldiers, whose cause he had always espoused, and among whom he had been bred; who, to the number of about an hundred thousand, were settled in the different districts and colonies of Italy, in the possession of lands assigned to them by Sylla, which the generality had wasted by their vices and luxury, and wanted another civil war to repair their shattered fortunes. Among these he employed his agents and officers in all parts, to debauch them to his service; and, in Etruria, had actually enrolled a considerable body, and formed them into a little army, under the command of Manlius, a bold and experienced centurion, who waited only for his orders to take the field [1]. We must add to this, what all writers mention, the universal disaffection and discontent which possessed all ranks of the city, but especially the meaner sort, who, from the uneasiness of their circumstances, and the pressure of their debts, wished for a change of government: so that if Catiline had gained any little advantage at setting out, or come off but equal in the first battle, there was reason to expect a general declaration in his favour [2].

He called a council, therefore, of all the conspirators, to settle the plan of their work, and divide the parts of it among themselves, and fix a proper day for the execution. There were about thirty-five, whose names are transmitted to us as principals in the plot, partly of the senatorian, partly of the equestrian order, with many others from the colonies and municipal towns of Italy, men of families and interest in their several countries. The senators were P. Cornelius Lentulus, C. Cethegus, P. Autronius, L. Cassius Longinus, P. Sylla, Serv. Sylla, L. Vargunteius, Q. Curius, Q. Annius, M. Porcius Lecca, L. Bestia [3].

Lentulus was descended from a patrician branch of the Cornelian family, one of the most numerous, as well as the most splendid, in Rome. His grandfather had borne the title of Prince of the Senate, and was the most active in the pursuit and destruction of C. Gracchus, in which he received a dangerous wound [4]. The grandson, by the favour of his noble birth, had been advanced to the consulship about eight years

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[1] Castra sunt in Italia contra Rempub. in Etruriæ faucibus collocata. In Catil. 1, 2. it. 2. 6.

[2] Sed omnino cuncta plebes, novarum rerum studio, Catilinæ incepta probabat—quod si primo prælio Catilina superior, aut æqua manu discessisset, profecto magna clades, &c. Sallust. 37. 39.

[3] Sallust. 17.

[4] Num P. Lentulum, principem senatus? Complures alios summos viros, qui cum L. Opimio consule armati Gracchum in Aventinum persecuti sunt? quo in prælio Lentulus grave vulnus accepit. Philip. 8. 4. in Catil. 4. 6.

before, but was turned out of the senate soon after by the censors, for the notorious infamy of his life, till, by obtaining the prætorship a second time, which he now actually enjoyed, he recovered his former place and rank in that supreme council [1]. His parts were but moderate, or rather slow: yet the comeliness of his person, the gracefulness and propriety of his action, the strength and sweetness of his voice, procured him some reputation as a speaker [2]. He was lazy, luxurious, and profligately wicked; yet so vain and ambitious, as to expect, from the overthrow of the government, to be the first man in the Republic: in which fancy he was strongly flattered by some crafty soothsayers, who assured him, from the Sibylline books, "that there were three Corneliuses destined to the dominion of Rome; that Cinna and Sylla had already possessed it, and the prophecy wanted to be completed in him [3]." With these views he entered freely into the conspiracy, trusting to Catiline's vigour for the execution, and hoping to reap the chief fruit from its success.

Cethegus was of an extraction equally noble, but of a temper fierce, impetuous, and daring to a degree even of fury. He had been warmly engaged in the cause of Marius, with whom he was driven out of Rome; but, when Sylla's affairs became prosperous, he presently changed sides, and throwing himself at Sylla's feet, and promising great services, was restored to the city [4]. After Sylla's death, by intrigues and faction, he acquired so great an influence, that, while Pompey was abroad, he governed all things at home; procured for Antonius the command over the coasts of the Mediterranean, and for Lucullus the management of the Mithridatic war [5]. In the height of this power, he made an excursion into Spain, to raise contributions in that province, where, meeting with some opposition to his violences, he had the hardiness to insult, and even wound, the proconsul Q. Metellus Pius [6]. But the insolence of his conduct, and the infamy of his life, gradually diminished, and, at last, destroyed his credit; when finding himself controlled by the magistrates, and the particular vigilance of Cicero, he entered eagerly into Catiline's plot, and

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[1] Lentulus quoque tunc maxime prætor, &c. Flor. 4. 1. Dio. p. 43. Plut. in Cic.

[2] P. Lentulus, cujus et excogitandi et loquendi tarditatem tegebat formæ dignitas, corporis motus plenus et artis et venustatis, vocis et suavitas et magnitudo. Brut. 350.

[3] Lentulum autem sibi confirmasse ex fatis Sibyllinis, Haruspicumque responsis, se esse tertium illum Cornelium, ad quem regnum hujus urbis atque imperium pervenire esset necesse, &c. In Catil. 3. 4. it. 4. 6.

[4] Quid, Catilina, tuis natalibus, atque Cethegi
Inveniet quisquam sublimius? Juv. Sat. 8. 231. Appian. 399.

[5] Hic est M. Antonius, qui gratia Cottæ consulis, et Cethegi factione in senatu, curationem infinitam nactus, &c. Ascon. in Ver. 2. 3. Plut. in Lucull.

[6] Quis de C. Cethego, atque ejus in Hispaniam profectione, ac de vulnere Q. Metelli Pii cogitat, cui non ad illius pœnam carcer ædificatus esse videatur? Pro Syll. 25.

was entrusted with the most bloody and desperate part of it, the task of massacreing their enemies within the city. The rest of the conspirators were not less illustrious for their birth [1]. The two Syllas were nephews to the dictator of that name; Autronius had obtained the consulship, but was deprived for bribery; and Cassius was competitor for it with Cicero himself. In short, they were all of the same stamp and character; men whom disappointments, ruined fortunes, and flagitious lives, had prepared for any design against the state; and all whose hopes of ease and advancement depended on a change of affairs, and the subversion of the Republic.

At this meeting it was resolved, that a general insurrection should be raised through Italy, the different parts of which were assigned to different leaders; that Catiline should put himself at the head of the troops in Etruria; that Rome should be fired in many places at once, and a massacre begun at the same time, of the whole senate, and all their enemies; of whom none were to be be spared except the sons of Pompey, who were to be kept as hostages of their peace and reconciliation with the father; that, in the consternation of the fire and massacre, Catiline should be ready with his Tuscan army, to take the benefit of the public confusion, and make himself master of the city; where Lentulus, in the mean while, as first in dignity, was to preside in their general councils; Cassius to manage the affair of firing it; Cethegus to direct the massacre [2]. But the vigilance of Cicero being the chief obstacle to all their hopes, Catiline was very desirous to see him taken off before he left Rome; upon which two knights of the company undertook to kill him the next morning in his bed, in an early visit, on pretence of business [3]. They were both of his acquaintance, and used to frequent his house; and, knowing his custom of giving free access to all, made no doubt of being readily admitted, as C. Cornelius, one of the two, afterwards confessed [4].

The meeting was no sooner over, than Cicero had information of all that passed in it: for, by the intrigues of a woman named Fulvia, he had gained over Curius, her gallant, one of the conspirators, of senatorian rank, to send him a punctual account of all their deliberations. He presently imparted this intelligence to some of the chiefs of the city, who were as-

[1] Curii, Porcii, Syllæ, Cethegi, Antonii, Vargunteii, atque Longini: quæ familiæ? quæ Senatus insignia? &c. Flor. l. 4. 1.

[2] Cum Catilina egrederetur ad exercitum, Lentulus in urbe relinqueretur, Cassius incendiis, Cethegus cædi præponeretur. Pro Syll. 19. Vid. Plut. in Cic.

[3] Dixisti paullulum tibi esse moræ, quod ego viverem: reperti sunt duo Equites Romani, qui te ista cura liberarent, et sese illa ipsa nocte ante lucem me meo in lectulo interfecturos pollicerentur. In Catil. l. 4. it. Sallust. 28.

[4] Tunc tuus pater, Corneli, id quod tandem aliquando confitetur, illam sibi officiosam provinciam depoposcit. Pro Syll. 18.

sembled that evening, as usual, at his house; informing them, not only of the design, but naming the men who were to execute it, and the very hour when they would be at his gate: all which fell out exactly as he foretold; for the two knights came before break of day, but had the mortification to find the house well guarded, and all admittance refused to them [1].

Catiline was disappointed likewise in another affair, of no less moment, before he quitted the city; a design to surprise the town of Præneste, one of the strongest fortresses of Italy, within twenty-five miles of Rome: which would have been of singular use to him in the war, and a sure retreat in all events: but Cicero was still beforehand with him, and, from the apprehensions of such an attempt, had previously sent orders to the place to keep a special guard; so that when Catiline came in the night to make an assault, he found them so well provided, that he durst not venture upon the experiment [2].

This was the state of the conspiracy, when Cicero delivered the first of those four speeches, which were spoken on the occasion of it, and are still extant. The meeting of the conspirators was on the sixth of November, in the evening; and on the eighth he summoned the senate to the temple of Jupiter, in the Capitol, where it was not usually held but in times of public alarm [3]. There had been several debates before this on the same subject of Catiline's treasons, and his design of killing the consul; and a decree had passed, at the motion of Cicero, to offer a public reward to the first discoverer of the plot; if a slave, his liberty, and eight hundred pounds; if a citizen, his pardon, and sixteen hundred [4]. Yet Catiline, by a profound dissimulation, and the constant professions of his innocence, still deceived many of all ranks, representing the whole as the fiction of his enemy Cicero, and offering to give security for his behaviour, and to deliver himself to the custody of any whom the senate would name—of M. Lepidus, of the prætor Metellus, or of Cicero himself: but none of them would receive him; and Cicero plainly told him, "that he should never think himself safe in the same house, when he was in danger by living in the same city with him [5]:" yet he

[1] Domum meam majoribus præsidiis munivi; exclusi eos, quos tu mane ad me salutatum miseras; cum illi ipsi venissent, quos ego jam multis ac summis viris ad me id temporis venturos esse prædixeram. In Catil. l. 1. 4.

[2] Quid? eum tu Præneste Kalendis ipsis Novembribus occupaturum nocturno impetu confideres? Sensistine illam coloniam meo jussu, meis præsidiis—esse munitam? Ibid. l. 3. Præneste—natura munitum. Vell. Pat. 2. 26.

[3] Nihil hic munitissimus habendi Senatus locus. Ibid. l. 1.

[4] Si quis indicasset de conjuratione, quæ contra remp. facta erat, præmium, servo, libertatem et sestertia centum; liberto, impunitatem et sestertia cc. Sallust. 30.

[5] Cum a me id responsum tulisses, me nullo modo posse iisdem parietibus tuto esse tecum, qui magno in periculo essem, quod iisdem mœnibus contineremur. In Catil. l. 3.

still kept on the mask, and had the confidence to come to this very meeting in the Capitol; which so shocked the whole assembly, that none even of his acquaintance durst venture to salute him; and the consular senators quitted that part of the house in which he sat, and left the whole bench clear to him [1]. Cicero was so provoked by his impudence, that, instead of entering upon any business, as he designed, addressing himself directly to Catiline, he broke out into a most severe invective against him, and, with all the fire and force of an incensed eloquence, laid open the whole course of his villanies, and the notoriety of his treasons.

He put him in mind, that there was a decree already made against him, by which he could take his life [2], and that he ought to have done it long ago, since many, far more eminent and less criminal, had been taken off by the same authority, for the suspicion only of treasonable designs; that if he should order him, therefore, to be killed upon the spot, there was cause to apprehend, that it would be thought rather too late than too cruel: but there was a certain reason which yet withheld him: "Thou shalt then be put to death," says he, "when there is not a man to be found so wicked, so desperate, so like to thyself, who will deny it to be done justly. As long as there is one who dares to defend thee, thou shalt live, and live so, as thou now dost, surrounded by the guards which I have placed about thee, so as not to suffer thee to stir a foot against the Republic, whilst the eyes and ears of many shall watch thee, as they have hitherto done, when thou little thoughtest of it [3]." He then goes on to give a detail of all that had been concerted by the conspirators at their several meetings, to let him see, that he was perfectly informed of every step which he had taken, or designed to take; and observes, that he saw several at that very time in the senate, who had assisted at those meetings—he presses him, therefore, to quit the city, and, since all his councils were detected, to drop the thought of fires and massacres; that the gates were open, and nobody should stop him [4]. Then, running over the flagitious enormities of his life, and the series of his traitorous practices, he exhorts, urges, commands him to depart; and, if he would be advised by him, to go into a voluntary exile, and free them from their fears; that, if they were just ones, they might be safer; if groundless, the quieter [5]: that though he would not put the question to the house, whether they would order him into banishment, or not, yet he would let him see their sense

[1] Quis te ex hac tanta frequentia, tot ex tuis amicis ac necessariis salutavit? Quid, quod adventu tuo ista subsellia vacuefacta sunt? &c. Ibid. 1. 7.
[2] Habemus Senatus consultum in te, Catilina, vehemens et grave. Ib. 1. 1.
[3] Ibid. 2. [4] Ibid. 5. [5] Ibid. 7.

upon it, by their manner of behaving while he was urging him to it; for, should he bid any other senator of credit, P. Sextius, or M. Marcellus, to go into exile, they would all rise up against him at once, and lay violent hands on their consul: yet, when he said it to him, by their silence they approved it; by their suffering it, decreed it; by saying nothing, proclaimed their consent[1]: that he would answer likewise for the knights, who were then guarding the avenues of the senate, and were hardly restrained from doing him violence; that if he would consent to go, they would all quietly attend him to the gates. Yet, after all, if, in virtue of his command, he should really go into banishment, he foresaw what a storm of envy he should draw by it upon himself; but he did not value that, if, by his own calamity, he could avert the dangers of the Republic: but there was no hope that Catiline could ever be induced to yield to the occasions of the state, or moved with the sense of his crimes, or reclaimed by shame, or fear, or reason, from his madness[2]. He exhorts him, therefore, if he would not go into exile, to go, at least, where he was expected, into Manlius's camp, and begin the war; provided only, that he would carry out with him all the rest of his crew: that there he might riot and exult at his full ease, without the mortification of seeing one honest man about him[3]: there he might practise all that discipline to which he had been trained, of lying upon the ground, not only in pursuit of his lewd amours, but of bold and hardy enterprizes: there he might exert all that boasted patience of hunger, cold, and want, by which, however, he would shortly find himself undone. He then introduces an expostulation of the Republic with himself, for his too great lenity, in suffering such a traitor to escape, instead of hurrying him to immediate death; that it was an instance of cowardice and ingratitude to the Roman people, that he, a new man, without any recommendation from his ancestors, had been raised by them through all the degrees of honour to sovereign dignity, should, for the sake of any danger to himself, neglect the care of the public safety[4]: "To this most sacred voice of my country," says he, "and to all those who blame me after the same manner, I shall make this short answer—that if I had thought it the most advisable to put Catiline to death, I would not have allowed that gladiator the use of one moment's life: for if, in former days, our illustrious citizens, instead of sullying, have done honour to their memories, by the destruction of Saturninus, the Gracchi, Flaccus, and many others, there is no ground to fear, that, by killing this parricide, any envy would lie upon me with pos-

[1] Ibid. 8. [2] Ibid. 9. [3] Ibid. 10. [4] Ibid. 11.

terity; yet, if the greatest was sure to befal me, it was always my persuasion, that envy, acquired by virtue, was really glory, not envy: but there are some of this very order, who do not either see the dangers which hang over us, or else dissemble what they see; who, by the softness of their votes, cherish Catiline's hopes, and add strength to the conspiracy, by not believing it: whose authority influences many, not only of the wicked, but the weak; who, if I had punished this man as he deserved, would not have failed to cry out upon me for acting the tyrant[1]. Now, I am persuaded, that, when he is once gone into Manlius's camp, whither he actually designs to go, none can be so silly as not to see that there is a plot, none so wicked as not to acknowledge it: whereas, by taking him off alone, though this pestilence would be somewhat checked, it could not be suppressed: but when he has thrown himself into rebellion, and carried out his friends along with him, and drawn together the profligate and desperate from all parts of the empire, not only this ripened plague of the Republic, but the very root and seed of all our evils will be extirpated with him at once." Then applying himself again to Catiline, he concludes with a short prayer to Jupiter: "With these omens, Catiline, of all prosperity to the Republic, but of destruction to thyself, and all those who have joined themselves with thee in all kinds of parricide, go thy way then to this impious and abominable war; whilst thou, Jupiter, whose religion was established with the foundation of this city, whom we truly call Stator, the stay and prop of this empire, wilt drive this man and his accomplices from thy altars and temples, from the houses and walls of the city, from the lives and fortunes of us all; and wilt destroy, with eternal punishments, both living and dead, all the haters of good men, the enemies of their country, the plunderers of Italy, now confederated in this detestable league and partnership of villany."

Catiline, astonished by the thunder of this speech, had little to say for himself in answer to it; yet, with downcast looks and suppliant voice, he begged of the fathers, not to believe too hastily what was said against him by an enemy; that his birth and past life offered every thing to him that was hopeful; and it was not to be imagined, that a man of patrician family, whose ancestors, as well as himself, had given many proofs of their affection to the Roman people, should want to overturn the government; while Cicero, a stranger, and late inhabitant of Rome, was so zealous to preserve it. But, as he was going on to give foul language, the senate interrupted him, by a general outcry, calling him traitor and parricide: upon which

[1] Ibid. 12.

being furious and desperate, he declared again, aloud, what he had said before to Cato, that since he was circumvented and driven headlong by his enemies, he would quench the flame which was raised about him, by the common ruin; and so rushed out of the assembly [1]. As soon as he was come to his house, and began to reflect on what had passed, perceiving it in vain to dissemble any longer, he resolved to enter into action immediately, before the troops of the Republic were increased, or any new levies made; so that, after a short conference with Lentulus, Cethegus, and the rest, about what had been concerted in the last meeting, having given fresh orders and assurances of his speedy return at the head of a strong army, he left Rome that very night, with a small retinue, to make the best of his way towards Etruria [2].

He no sooner disappeared, than his friends gave out that he was gone into a voluntary exile at Marseilles [3]; which was industriously spread through the city next morning, to raise an odium upon Cicero, for driving an innocent man into banishment without any previous trial or proof of his guilt: but Cicero was too well informed of his motions, to entertain any doubt about his going to Manlius's camp, and into actual rebellion: he knew that he had sent thither already a quantity of arms, and all the ensigns of military command, with that silver eagle, which he used to keep with great superstition in his house, for its having belonged to C. Marius, in his expedition against the Cimbri [4]. But, lest the story should make an ill impression on the city, he called the people together into the Forum, to give them an account of what passed in the senate, the day before, and of Catiline's leaving Rome upon it.

He began, by congratulating with them on Catiline's flight, as on a certain victory; since the driving him from his secret plots and insidious attempts on their lives and fortunes, into open rebellion, was in effect to conquer him: that Catiline himself was sensible of it; whose chief regret, in his retreat, was not for leaving the city, but for leaving it standing [5].— "But if there be any here," says he, "who blame me for what I am boasting of, as you all, indeed, justly may, that I did not rather seize, than send away so capital an enemy; that is not my fault, citizens, but the fault of the times.

[1] Tum ille furibundus; Quoniam quidem circumventus, inquit, ab inimicis præceps agor, incendium meum ruina extinguam. Sallust. 31.
[2] Ibid. 32.
[3] At enim sunt, Quirites, qui dicunt a me in exilium ejectum esse Catilinam—Ego vehemens ille consul, qui verbo cives in exilium ejicio, &c. In Catil. 2. 6.
[4] Cum fasces, cum tubas, cum signa militaria, cum aquilam illam argenteam, cui ille etiam sacrarium scelerum domi suæ fecerat, scirem esse præmissam. Ib. Sall. 59.
[5] In Catil. 2. 1.

Catiline ought, long ago, to have suffered the last punishment: the custom of our ancestors, the discipline of the empire, and the Republic itself required it: but how many would there have been who would not have believed what I charged him with? how many who, through weakness, would never have imagined it, or, through wickedness, would have defended it?"—He observes, that if he had put Catiline to death, he should have drawn upon himself such an odium, as would have rendered him unable to prosecute his accomplices, and extirpate the remains of the conspiracy; but, so far from being afraid of him now, he was sorry only that he went off with so few to attend him[1]; that his forces were contemptible, if compared with those of the Republic, made up of a miserable, needy crew, who had wasted their substance, forfeited their bails, and would run away, not only at the sight of an army, but of the prætor's edict:—That those who had deserted his army, and staid behind, were more to be dreaded than the army itself; and the more so, because they knew him to be informed of all their designs, yet were not at all moved by it: that he had laid open all their councils in the senate the day before, upon which Catiline was so disheartened, that he immediately fled: that he could not guess what these others meant; if they imagined that he should always use the same lenity, they were much mistaken[2]: for he had now gained what he had hitherto been waiting for, to make all the people see that there was a conspiracy; that now, therefore, there was no more room for clemency, the case itself required severity: yet he would still grant them one thing, to quit the city, and follow Catiline: nay, would tell them the way; it was the Aurelian road, and, if they would make haste, they might overtake him before night. Then, after describing the profligate life and conversation of Catiline and his accomplices[3], he declares it insufferably impudent for such men to pretend to plot: the lazy against the active, the foolish against the prudent, the drunken against the sober, the drowsy against the vigilant; who, lolling at feasts, embracing mistresses, staggering with wine, stuffed with victuals, crowned with garlands, daubed with perfumes, belch, in their conversations, of massacreing the honest, and firing the city. "If my consulship," says he, "since it cannot cure, should cut off all these, it would add no small period to the duration of the Republic: for there is no nation which we have reason to fear; no king who can make war upon the Roman people; all disturbances abroad, both by land and sea, are quelled by the virtue of one man; but a domestic war still remains; the treason, the danger, the enemy is

[1] Ibid. 2. [2] Ibid. 3. [3] Ibid. 4.

within: we are to combat with luxury, with madness, with villany: in this war I profess myself your leader, and take upon myself all the animosity of the desperate: whatever can possibly be healed, I will heal; but what ought to be cut off, I will never suffer to spread to the ruin of the city [1]." He then takes notice of the report of Catiline's being driven into exile, but ridicules the weakness of it, and says, that he had put that matter out of doubt, by exposing all his treasons, the day before, in the senate [2]. He laments the wretched condition, not only of governing, but even of preserving states: "For if Catiline," says he, "baffled by my pains and counsels, should really change his mind, drop all thoughts of war, and betake himself to exile, he would not be said to be disarmed and terrified, or driven from his purpose by my vigilance: but, uncondemned and innocent, to be forced into banishment by the threats of the consul; and there would be numbers who would think him not wicked, but unhappy; and me not a diligent consul, but a cruel tyrant." He declares, that though, for the sake of his own ease or character, he should never wish to hear of Catiline's being at the head of an army, yet they would certainly hear it in three days' time: that if men were so perverse as to complain of his being driven away, what would they have said, if he had been put to death? Yet there was not one of those who talked of his going to Marseilles, but would be sorry for it, if it was true, and wished much rather to see him in Manlius's camp [3]: he proceeds to describe, at large, the strength and forces of Catiline, and the different sorts of men of which they were composed; and then, displaying and opposing to them the superior forces of the Republic, he shows it to be a contention of all sorts of virtue against all sorts of vice, in which, if all human help should fail them, the gods themselves would never suffer the best cause in the world to be vanquished by the worst [4]. He requires them, therefore, to keep a watch only in their private houses, for he had taken care to secure the public, without any tumult: that he had given notice to all the colonies and great towns of Catiline's retreat, so as to be upon their guard against him: that, as to the body of gladiators, whom Catiline always depended upon as his best and surest band, they were taken care of, in such a manner, as to be in the power of the Republic [5], though, to say the truth, even these were better affected than some part of the patricians: that he had sent Q. Metellus, the prætor, into Gaul,

[1] Ibid. 5. [2] Ibid. 6. [3] Ibid. 7, 8, 9, 10. [4] Ibid. 11.
[5] Ibid. 12. Decrevere uti familiæ gladiatoriæ Capuam et in cætera municipia distribuerentur pro cujusque opibus. Sallust. 30.

and the district of Picenum, to oppose all Catiline's motions on that side: and for settling all matters at home, had summoned the senate to meet again that morning, which, as they saw, was then assembling. As for those, therefore, who were left behind in the city, though they were now enemies, yet, since they were born citizens, he admonished them, again and again, that his lenity had been waiting only, for an opportunity of demonstrating the certainty of the plot; that, for the rest, he should never forget that this was his country, he their consul, who thought it is duty either to live with them, or die for them. "There is no guard," says he, "upon the gates, none to watch the roads; if any one has a mind to withdraw himself, he may go whenever he pleases; but if he makes the least stir within the city, so as to be caught in any overt-act against the Republic, he shall know that there are in it vigilant consuls, excellent magistrates, a stout senate:—that there are arms, and a prison, which our ancestors provided, as the avenger of manifest crimes; and all this shall be transacted in such a manner, citizens, that the greatest disorders shall be quelled without the least hurry; the greatest dangers, without any tumult; a domestic war, the most desperate of any in our memory, by me, your only leader and general, in my gown: which I will manage so, that, as far as it is possible, not one even of the guilty shall suffer punishment in the city: but if their audaciousness, and my country's danger, should necessarily drive me from this mild resolution, yet I will effect, what in so cruel and treacherous a war could hardly be hoped for, that not one honest man shall fall, but all of you be safe by the punishment of a few. This I promise, citizens, not from any confidence in my own prudence, or from any human counsels, but from the many evident declarations of the gods, by whose impulse I am led into this persuasion; who assist us, not as they used to do, at a distance, against foreign and remote enemies, but by their present help and protection, defend their temples and our houses: it is your part, therefore, to worship, implore, and pray to them, that, since all our enemies are now subdued both by land and sea, they would continue to preserve this city, which was designed by them for the most beautiful, the most flourishing, and most powerful on earth, from the most detestable treasons of its own desperate citizens."

We have no account of this day's debate in the senate, which met while Cicero was speaking to the people, and were waiting his coming to them from the rostra: but as to Catiline, after staying a few days on the road, to raise and arm the country through which he passed, and, which his agents had already been disposing to his interests, he marched directly to Manlius's camp, with the fasces and all the ensigns of military

command displayed before him. Upon this news, the senate declared both him and Manlius public enemies, with offers of pardon to all his followers, who were not condemned of capital crimes, if they returned to their duty by a certain day; and ordered the consuls to make new levies, and that Antonius should follow Catiline with the army; Cicero stay at home to guard the city [1].

It will seem strange to some, that Cicero, when he had certain information of Catiline's treason, instead of seizing him in the city, not only suffered, but urged his escape, and forced him, as it were to begin the war. But there was good reason for what he did, as he frequently intimates in his speeches; he had many enemies among the nobility, and Catiline many secret friends; and though he was perfectly informed of the whole progress and extent of the plot, yet the proofs being not ready to be laid before the public, Catiline's dissimulation still prevailed, and persuaded great numbers of his innocence; so that, if he had imprisoned and punished him, at this time, as he deserved, the whole faction were prepared to raise a general clamour against him, by representing his administration as a tyranny, and the plot as a forgery contrived to support it: whereas, by driving Catiline into rebellion, he made all men see the reality of their danger; while, from an exact account of his troops, he knew them to be so unequal to those of the Republic, that there was no doubt of his being destroyed, if he could be pushed to the necessity of declaring himself, before his other projects were ripe for execution. He knew also, that if Catiline was once driven out of the city, and separated from his accomplices, who were a lazy, drunken, thoughtless crew, they would ruin themselves by their own rashness, and be easily drawn into any trap which he should lay for them: the event showed that he judged right; and, by what happened afterwards, both to Catiline and to himself, it appeared, that, as far as human caution could reach, he acted with the utmost prudence, in regard as well to his own as to the public safety.

In the midst of all this hurry, and soon after Catiline's flight, Cicero found leisure, according to his custom, to defend L. Muræna, one of the consuls elect, who was now brought to a trial for bribery and corruption. Cato had declared in the senate, that he would try the force of Cicero's late law upon one of the consular candidates [2]: and since Catiline, whom he chiefly aimed at, was out of his reach, he resolved to fall upon Muræna; yet connived, at the same time, at the other consul,

[1] Sallust. 36.

[2] Dixi in senatu, me nomen consularis candidati delaturum. Pro Muræn. 30. Quod atrociter in Senatu dixisti, aut non dixisses, aut seposuisses. Ibid. 31. Plut. Cato.

Silanus, who had married his sister, though equally guilty with his colleague [1]: he was joined in the accusation by one of the disappointed candidates, S. Sulpicius, a person of distinguished worth and character, and the most celebrated lawyer of the age, for whose service, and at whose instance, Cicero's law against bribery was chiefly provided [2].

Muræna was bred a soldier, and had acquired great fame in the Mithridatic war, as lieutenant to Lucullus [3]; and was now defended by three, the greatest men, as well as the greatest orators, of Rome, Crassus, Hortensius, and Cicero; so that there had seldom been a trial of more expectation, on account of the dignity of all the parties concerned. The character of the accusers makes it reasonable to believe, that there was clear proof of some illegal practices; yet, from Cicero's speech, which, though imperfect, is the only remaining monument of the transaction, it seems probable, that they were such only, as though strictly speaking, irregular, were yet warranted by custom and the example of all candidates; and, though heinous in the eyes of a Cato, or an angry competitor, were usually overlooked by the magistrates, and expected by the people.

The accusation consisted of three heads; the scandal of Muræna's life; the want of dignity in his character and family; and bribery in the late election. As to the first, the greatest crime which Cato charged him with was dancing; to which Cicero's defence is somewhat remarkable: He admonishes Cato not to throw out such a calumny so inconsiderately, or to call the consul of Rome a dancer; but to consider how many other crimes a man must needs be guilty of, before that of dancing could be truly objected to him: since nobody ever danced, even in solitude, or a private meeting of friends, who was not either drunk or mad; for dancing was always the last act of riotous banquets, gay places, and much jollity: that Cato charged him, therefore, with what was the effect of many vices, yet, with none of those, without which that vice could not possibly subsist: with no scandalous feasts, no amours, no nightly revels, no lewdness, no extravagant expense [4]. &c.

As to the second article, the want of dignity, it was urged chiefly by Sulpicius, who being noble, and a patrician, was the more mortified to be defeated by a plebeian, whose extraction he contemned: but Cicero ridicules the vanity of thinking no family good but a patrician; shows that Muræna's

[1] Plut. in Cato.

[2] Legem ambitus flagitasti—gestus est mos et voluntati et dignitati tuæ. Pro Muræn. 23.

[3] Legatus L. Lucullo fuit: qua in legatione duxit exercitum—magnas copias hostium fudit, urbes partim vi, partim obsidione cepit.—Pro Muræn. 9.

[4] Ibid. 6.

grandfather and great grandfather had been prætors; and that his father also, from the same dignity, had obtained the honour of a triumph: that Sulpicius's nobility was better known to the antiquaries than to the people; since his grandfather had never borne any of the principal offices, nor his father ever mounted higher than the equestrian rank: that being, therefore, the son of a Roman knight, he had always reckoned him in the same class with himself, of those who, by their own industry, had opened their way to the highest honours; that the Curiuses, the Catos, the Pompeiuses, the Mariuses, the Didiuses, the Cæliuses, were all of the same sort; that when he had broken through that barricade of nobility, and laid the consulship open to the virtuous, as well as to the noble, and when a consul, of an ancient and illustrious descent, was defended by a consul, the son of a knight, he never imagined that the accusers would venture to say a word about the novelty of a family; that he himself had two patrician competitors, the one a profligate and audacious, the other an excellent and modest man; yet that he outdid Catiline in dignity, Galba in interest; and if that had been a crime, in a new man, he should not have wanted enemies to object it to him[1]. He then shows, that the science of arms, in which Muræna excelled, had much more dignity and splendour in it than the science of the law, being that which first gave a name to the Roman people, brought glory to their city, and subdued the world to their empire; that martial virtue had ever been the means of conciliating the favour of the people, and recommending to the honours of the state; and it was but reasonable that it should hold the first place in that city, which was raised by it to be the head of all other cities in the world[2].

As to the last and heaviest part of the charge, the crime of bribery, there was little or nothing made out against him, but what was too common to be thought criminal: the bribery of shows, plays, and dinners given to the populace; yet not so much by himself, as by his friends and relations, who were zealous to serve him; so that Cicero makes very slight of it, and declares himself more afraid of the authority, than the accusation of Cato; and, to obviate the influence which the reputation of Cato's integrity might have in the cause, he observes, that the people in general, and all wise judges, had ever been jealous of the power and interest of an accuser; lest the criminal should be borne down, not by the weight of his crimes, but the superior force of his adversary. "Let the authority of the great prevail," says he, "for the safety of the innocent, the protection of the helpless, the relief of the mise-

[1] Ibid. 7, 8. [2] Ibid. 9, 10, 11.

rable; but let its influence be repelled from the dangers and destruction of citizens: for if any one should say, that Cato would not have taken the pains to accuse, if he had not been assured of the crime, he establishes a very unjust law to men in distress, by making the judgment of an accuser to be considered as a prejudice, or previous condemnation of the criminal[1]." He exhorts Cato not to be so severe on what ancient custom and the Republic itself had found useful; nor to deprive the people of the plays, gladiators, and feasts, which their ancestors had approved; nor to take from candidates an opportunity of obliging, by a method of expense, which indicated their generosity, rather than an intention to corrupt[2].

But whatever Muræna's crime might be, the circumstance, which chiefly favoured him, was the difficulty of the times, and a rebellion actually on foot; which made it neither safe nor prudent to deprive the city of a consul, who, by a military education, was the best qualified to defend it in so dangerous a crisis. This point Cicero dwells much upon, declaring that he undertook this cause, not so much for the sake of Muræna, as of the peace, the liberty, the lives and safety of them all. "Hear, hear," says he, "your consul, who, not to speak arrogantly, thinks of nothing, day and night, but of the Republic: Catiline does not despise us so far, as to hope to subdue this city with the force which he has carried out with him: the contagion is spread wider than you imagine; the Trojan horse is within our walls; which while I am consul, shall never oppress you in your sleep. If it be asked, then, what reason I have to fear Catiline? none at all; and I have taken care that nobody else need fear him: yet I say, that we have cause to fear those troops of his, which I see in this very place. Nor is his army so much to be dreaded, as those who are said to have deserted it: for in truth, they have not deserted, but are left by him only as spies upon us, and placed, as it were, in ambush, to destroy us the more securely: all these want to see a worthy consul, an experienced general, a man both by nature and fortunes attached to the interests of the Republic, driven by your sentence from the guard and custody of the city[3]." After urging this topic with great warmth and force, he adds, "We are now come to the crisis and extremity of our danger; there is no resource or recovery for us, if we now miscarry; it is no time to throw away any of the helps which we have, but, by all means possible, to acquire more. The enemy is not on the banks of the Anio, which was thought so terrible in the Punic war, but in the city and the Forum. Good gods! (I cannot speak it without a sigh,) there are some enemies in the very sanc-

[1] Ibid. 28. [2] Ibid. 36. [3] Ibid. 37.

Cicero's instructions upon it were, that the ambassadors should continue to feign the same zeal which they had hitherto shown, and promise every thing that was required of them, till they had got a full insight into the extent of the plot, with distinct proofs against the particular actors in it [1]: upon which at their next conference with the conspirators, they insisted on having some credentials from them to show to their people at home, without which they would never be induced to enter into an engagement so hazardous. This was thought reasonable, and presently complied with; and Vulturcius was appointed to go along with the ambassadors, and introduce them to Catiline on their road, in order to confirm the agreement, and exchange assurances also with him; to whom Lentulus sent at the same time a particular letter, under his own hand and seal, though without the name. Cicero, being punctually informed of all these facts, concerted privately with the ambassadors, the time and manner of their leaving Rome in the night, and that on the Milvian bridge, about a mile from the city, they should be arrested with their papers and letters about them by two of the prætors, L. Flaccus and C. Pontinius, whom he had instructed for that purpose, and ordered to lie in ambush near the place, with a strong guard of friends and soldiers: all which was successfully executed, and the whole company brought prisoners to Cicero's house by break of day [2].

The rumour of this accident presently drew a resort of Cicero's principal friends about him, who advised him to open the letters before he produced them in the senate, lest, if nothing of moment were found in them, it might be thought rash and imprudent to raise an unnecessary terror and alarm through the city. But he was too well informed of the contents to fear any censure of that kind; and declared, that, in a case of public danger, he thought it his duty to lay the matter entire before the public council [3]. He summoned the senate, therefore, to meet immediately, and sent at the same time for Gabinius, Statilius, Cethegus and Lentulus, who all came presently to his house, suspecting nothing of the discovery; and being informed also of a quantity of arms, provided by Cethegus, for the use of the conspiracy, he ordered C. Sulpi-

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[1] Cicero—legatis præcipit, ut studium conjurationis vehementer simulent cæteros adeant; bene polliceantur; dentque operam, ut eos quam maxime manifestos habeant. Ibid.

[2] L. Flaccum et C. Pontinium prætores—ad me vocavi, rem exposui, quid fieri placeret ostendi—occulte ad pontem Milvium pervenerunt—ipsi comprehensi ad me, cum jam dilucesceret, deducuntur. In Catil. 3. 2.

[3] Cum summis et clarissimis hujus civitatis viris, qui, audita re, frequentes ad me convenerant, literas a me prius aperiri, quam ad senatum referrem, placeret, ne si nihil esset inventum, temere a me tantus tumultus injectus civitati videretur, me negavi esse facturum, ut de periculo publico non ad publicum concilium rem integram deferrem. Ibid. 3. 3.

cius, another of the prætors, to go and search his house, where he found a great number of swords and daggers, with other arms, all newly cleaned, and ready for present service [1].

With this preparation he set out to meet the senate in the temple of Concord, with a numerous guard of citizens, carrying the ambassadors and the conspirators with him in custody; and after he had given the assembly an account of the whole affair, Vulturcius was called in to be examined separately; to whom Cicero, by order of the house, offered a pardon and reward, if he would faithfully discover all that he knew: upon which, after some hesitation, he confessed, "that he had letters and instructions from Lentulus to Catiline, to press him to accept the assistance of the slaves, and to lead his army with all expedition towards Rome, to the intent, that, when it should be set on fire in different places, and the general massacre begun, he might be at hand to intercept those who escaped, and join with his friends in the city [2]."

The ambassadors were examined next, who declared, "that they had received letters to their nation from Lentulus, Cethegus, and Statilius; that these three, and L. Cassius also, required them to send a body of horse as soon as possible into Italy, declaring, that they had no occasion for any foot: that Lentulus had assured them, from the Sibylline books, and the answers of soothsayers, that he was the third Cornelius, who was destined to be master of Rome, as Cinna and Sylla had been before him; and that this was the fatal year marked for the destruction of the city and empire: that there was some dispute between Cethegus and the rest, about the time of firing the city; for while the rest were for fixing it on the feast of Saturn, or the middle of December, Cethegus thought that day too remote and dilatory." The letters were then produced and opened; first, that from Cethegus, and, upon showing him the seal, he allowed it to be his; it was written with his own hand, and addressed to the senate and people of the Allobroges, signifying, that he would make good what he had promised to their ambassadors, and entreating them also to perform what the ambassadors had undertaken for them. He had been interrogated just before, about the arms that were found at his house: to which he answered, "that they were provided only for his curiosity, for he had always been particularly fond of neat arms:" but, after his letter was read, he was so dejected and confounded, that he had nothing at all to say for himself. —Statilius was then brought in, and acknowledged his hand

[1] Admonitu Allobrogum—C. Sulpicium—misi, qui ex ædibus Cethegi, si quid telorum esset, efferret; ex quibus ille maximum sicarum numerum et gladiorum extulit. Ib. it. Plut. in Cic.

[2] In Catil. 3. 4.

and seal; and, when his letter was read, to the same purpose with Cethegus's, he confessed it to be his own. Then Lentulus's letter was produced, and his seal likewise owned by him; which Cicero perceiving to be the head of his grandfather, could not help expostulating with him, "that the very image of such an ancestor, so remarkable for a singular love of his country, had not reclaimed him from his traitorous designs." His letter was of the same import with the other two; but, having leave to speak for himself, he at first denied the whole charge, and began to question the ambassadors and Vulturcius, what business they ever had with him, and on what occasion they came to his house; to which they gave clear and distinct answers; signifying by whom, and how often they had been introduced to him; and then asked him, in their turn, whether he had never mentioned any thing to them about the Sibylline oracles; upon which, being confounded, or infatuated rather by the sense of his guilt, he gave a remarkable proof, as Cicero says, of the great force of conscience: for, not only his usual parts and eloquence, but his impudence too, in which he outdid all men, quite failed him; so that he confessed his crime, to the surprise of the whole assembly. Then Vulturcius desired that the letter to Catiline, which Lentulus had sent by him, might be opened, where Lentulus again, though greatly disordered, acknowledged his hand and seal: it was written without any name, but to this effect: "You will know who I am, from him whom I have sent to you. Take care to show yourself a man, and recollect in what situation you are; and consider what is now necessary for you. Be sure to make use of the assistance of all, even of the lowest." Gabinius was then introduced, and behaved impudently for a while; but at last denied nothing of what the ambassadors charged him with.

After the criminals and witnesses were withdrawn, the senate went into a debate upon the state of the Republic, and came unanimously to the following resolutions: "That public thanks should be decreed to Cicero in the amplest manner, by whose virtue, counsel, and providence, the Republic was delivered from the greatest dangers; that Flaccus and Pontinius, the prætors, should be thanked likewise for their vigorous and punctual execution of Cicero's orders: that Antonius, the other consul, should be praised, for having removed from his councils all those who were concerned in the conspiracy: that Lentulus, after having abdicated the prætorship, and divested himself of his robes, and Cethegus, Statilius, and Gabinius, with their other accomplices also, when taken, Cassius, Cæparius, Furius, Chilo, Umbrenus, should be committed to safe custody; and that a public thanksgiving should be appointed

in Cicero's name, for his having preserved the city from a conflagration, the citizens from a massacre, and Italy from a war [1]."

The senate being dismissed, Cicero went directly into the rostra, and gave the people an account of the whole proceeding, in the manner as it is just related: where he observed to them, that the thanksgiving decreed in his name, was the first which had ever been decreed to any man in the gown: that all other thanksgivings had been appointed for some particular services to the Republic; this alone for saving it [2]: that, by the seizure of these accomplices, all Catiline's hopes were blasted at once; for when he was driving Catiline out of the city, he foresaw that if he was once removed, there would be nothing to apprehend from the drowsiness of Lentulus, the fat of Cassius, or the rashness of Cethegus: that Catiline was the life and soul of the conspiracy; who never took a thing to be done, because he had ordered it; but always followed, solicited, and saw it done himself: that, if he had not driven him from his secret plots, into open rebellion, he could never have delivered the Republic from its dangers, or never, at least, with so much ease and quiet: that Catiline would not have named the fatal day for their destruction so long beforehand; nor ever suffered his hand and seal to be brought against him, as the manifest proof of his guilt; all which was so managed, in his absence, that no theft in any private house was ever more clearly detected than this whole conspiracy: that all this was the pure effect of a divine influence; not only for its being above the reach of human counsel, but because the gods had so remarkably interposed in it, as to show themselves almost visibly: for, not to mention the nightly streams of light from the western sky, the blazing of the heavens, flashes of lightning, earthquakes, &c. he could not omit what happened two years before, when the turrets of the Capitol were struck down with lightning; how the soothsayers, called together from all Etruria, declared, that fire, slaughter, the overthrow of the laws, civil war, and the ruin of the city were portended, unless some means were found out of appeasing the gods: for which purpose they ordered a new and larger statue of Jupiter to be made, and to be placed in a position contrary to that of the former image, with its face turned towards the east; intimating, that if it looked towards the rising sun, the Forum, and the senate-house, then all plots against the state would be detected so evidently, that all the world should see them; that, upon

[1] In Catil. 3. 5, 6.

[2] Quod mihi primum post hanc urbem conditam togato contigit—quæ supplicatio, si cum cæteris conferatur, Quirites, hoc interest, quod cæteræ bene gesta, hæc una conservata Republica constituta est. Ibid. 6.

this answer, the consuls of that year gave immediate orders for making and placing the statue; but, from the slow progress of the work, neither they, nor their successors, nor he himself, could get it finished till that very day: on which, by the special influence of Jupiter, while the conspirators and witnesses were carried through the Forum to the temple of Concord, in that very moment the statue was fixed in its place; and, being turned to look upon them and the senate, both they and the senate saw the whole conspiracy detected. And can any man, says he, be such an enemy to truth, so rash, so mad, as to deny, that all things which we see, and, above all, that this city is governed by the power and providence of the gods[1]? He proceeds to observe, that the conspirators must needs be under a divine and judicial infatuation, and could never have trusted affairs and letters of such moment to men barbarous and unknown to them, if the gods had not confounded their senses: and that the ambassadors of a nation so disaffected, and so able and willing to make war upon them, should slight the hopes of dominion, and the advantageous offers of men of patrician rank, must needs be the effect of a divine interposition; especially when they might have gained their ends, not by fighting, but by holding their tongues. He exhorts them, therefore, to celebrate that thanksgiving day religiously, with their wives and children[2]. That, for all his pains and services, he desired no other reward or honour, but the perpetual remembrance of that day: in this he placed all his triumphs and his glory, to have the memory of that day eternally propagated to the safety of the city, and the honour of his consulship; to have it remembered, that there were two citizens living at the same time in the Republic, the one of whom was terminating the extent of the empire by the bounds of the horizon itself; the other preserving the seat and centre of that empire[3]. That his case, however, was different from that of their generals abroad, who, as soon as they had conquered their enemies, left them; whereas, it was his lot to live still among those whom he had subdued: that it ought to be their care, therefore, to see, that the malice of those enemies should not hurt him; and that what he had been doing for their good should not redound to his detriment; though as to himself, he had no cause to fear any thing, since he should be protected by the guard of all honest men, by the dignity of the Republic itself, by the power of conscience: which all those must needs violate, who should attempt to injure him: that he would never yield, therefore, to the audaciousness of any, but even provoke and attack all the wicked and the profligate: yet,

[1] In Catil. 8, 9. [2] Ibid. 10. [3] Ibid. 11.

if all their rage at last, when repelled from the people, should turn singly upon him, they should consider what a discouragement it would be hereafter to those, who should expose themselves to danger for their safety. That for his part, he would ever support and defend, in his private condition, what he had acted in his consulship, and show, that what he had done was not the effect of chance, but of virtue: that if any envy should be stirred up against him, it might hurt the envious, but advance his glory. Lastly, since it was now night, he bade them all go home, and pray to Jupiter, the guardian of them and the city; and though the danger was now over, to keep the same watch in their houses as before, for fear of any surprise; and he would take care that they would have no occasion to do it any longer.

While the prisoners were before the senate, Cicero desired some of the senators, who could write short hand, to take notes of every thing that was said; and when the whole examination was finished, and reduced into an act, he set all the clerks at work, to transcribe copies of it, which he dispersed presently through Italy and all the provinces, to prevent any invidious misrepresentation of what was so clearly attested and confessed by the criminals themselves[1], who for the present, were committed to the free custody of the magistrates and senators of their acquaintance[2], till the senate should come to a final resolution about them. All this passed on the third of December, a day of no small fatigue to Cicero, who, from break of day till the evening, seems to have been engaged, without any refreshment, in examining the witnesses and the criminals, and procuring the decree which was consequent upon it: and, when that was over, in giving a narrative of the whole transaction to the people, who were waiting for that purpose in the Forum. The same night his wife Terentia, with the vestal virgins and the principal matrons of Rome, was performing at home, according to annual custom, the mystic rites of the goddess Bona, or the good, to which no male creature was ever admitted; and, till that function was over, he was excluded also from his own house, and forced to retire to a neighbour's; where, with a select council of friends, he began to deliberate about the method of punishing the traitors; when his wife came, in all haste, to inform him of a prodigy, which had just happened amongst them; for the sacrifice being over, and the fire of the altar seemingly extinct, a bright flame issued suddenly

[1] Constitui senatores, qui omnium indicum dicta, interrogata, responsa perscriberent: describi ab omnibus statim librariis, dividi passim et pervulgari atque edi populo Romano imperavi—divisi toti Italiæ, emisi in omnes provincias. Pro Syll. 14, 15.

[2] Ut abdicato magistratu, Lentulus, itemque cæteri in liberis custodiis habeantur. Itaque Lentulus, P. Lentylo Spintheri, qui tum Ædilis erat; Cethegus Cornificio, &c. Sallust. 47.

from the ashes, to the astonishment of the company; upon which the vestal virgins sent her away, to require him to pursue what he had then in his thoughts, for the good of his country, since the goddess, by this sign, had given great light to his safety and glory [1].

It is not improbable, that this pretended prodigy was projected between Cicero and Terentia; whose sister, likewise, being one of the vestal virgins, and having the direction of the whole ceremony, might help to effect, without suspicion, what had been privately concerted amongst them. For it was of great use to Cicero, to possess the minds of the people, as strongly as he could, with an apprehension of their danger, for the sake of disposing them the more easily to approve the resolution, that he had already taken in his own mind, of putting the conspirators to death.

The day following, the senate ordered public rewards to the ambassadors and Vulturcius, for their faithful discoveries [2]; and, by the vigour of their proceedings, seemed to show an intention of treating their prisoners with the last severity. The city, in the meanwhile, was alarmed with the rumour of fresh plots, formed by the slaves and dependents of Lentulus and Cethegus, for the rescue of their masters [3]; which obliged Cicero to reinforce his guards; and for the prevention of all such attempts, to put an end to the whole affair, by bringing the question of their punishment, without farther delay, before the senate; which he summoned for that purpose the next morning.

The debate was of great delicacy and importance: to decide upon the lives of citizens of the first rank. Capital punishments were rare and ever odious in Rome, whose laws were of all others the least sanguinary: banishment, with confiscation of goods, being the ordinary punishment for the greatest crimes. The senate, indeed, as it has been said above, in cases of sudden and dangerous tumults, claimed the prerogative of punishing the leaders with death, by the authority of their own decrees: but this was looked upon as a stretch of power, and an infringement of the rights of the people, which nothing could excuse, but the necessity of times, and the extremity of danger. For there was an old law of Porcius Læca, a tribune, which granted to all criminals, capitally condemned, an appeal to the people; and a later one of C. Gracchus, to prohibit the taking away the life of any citizen, without a formal hear-

[1] Plut. in Cic.

[2] Præmia legatis Allobrogum, Titoque Vulturcio dedistis amplissima. In Catil. 4. 3.

[3] Liberti et pauci ex clientibus Lentuli opifices atque servitia in vicis ad cum eripiendum sollicitabant.—Cethegus autem per nuncios familiam, atque libertos suos, lectos et exercitatos in audaciam orabat, ut, grege facto, cum telis ad sese irrumperent. Sallust. 50.

ing before the people [1]: so that some senators, who had concurred in all the previous debates, withdrew themselves from this, to show their dislike of what they expected to be the issue of it, and to have no hand in putting Roman citizens to death by a vote of the senate [2]. Here then was ground enough for Cicero's enemies to act upon, if extreme methods were pursued: he himself was aware of it, and saw, that the public interest called for the severest punishment, his private interest the gentlest; yet he came resolved to sacrifice all regards for his own quiet, to the consideration of the public safety.

As soon, therefore, as he had moved the question, what was to be done with the conspirators; Silanus, the consul elect, being called upon to speak the first, advised, that those who were then in custody, with the rest who should afterwards be taken, should all be put to death [3]. To this all who spoke after him readily assented, till it came to J. Cæsar, then prætor elect, who, in an elegant and elaborate speech, treated that opinion, not as cruel; since death, he said, was not a punishment, but relief to the miserable, and left no sense either of good or ill beyond it; but as new and illegal, and contrary to the constitution of the Republic: and, though the heinousness of the crime would justify any severity, yet the example was dangerous in a free state; and the salutary use of arbitrary power, in good hands, had been the cause of fatal mischiefs when it fell into bad; of which he produced several instances, both in other cities and their own: and though no danger could be apprehended from these times, or such a consul as Cicero, yet, in other times, and under another consul, when the sword was once drawn by a decree of the senate, no man could promise what mischief it might not do before it was sheathed again: his opinion, therefore, was, that the estates of the conspirators should be confiscated, and their persons closely confined in the strong towns of Italy; and that it should be criminal for any one to move the senate or the people for any favour towards them [4].

These two contrary opinions being proposed, the next question was, which of them should take place: Cæsar's had made a great impression on the assembly, and staggered even Silanus, who began to excuse and mitigate the severity of his vote [5]; and Cicero's friends were going forwardly into it, as likely to create the least trouble to Cicero himself, for whose

[1] Porcia lex virgas ab omnium civium Romanorum corpore amovit—libertatem civium lictori eripuit—C. Gracchus legem tulit, ne de capite civium Romanorum injussu vestro judicaretur. Pro Rabirio, 4.

[2] Video de istis, qui se populares haberi volunt, abesse non neminem, ne de capite videlicet Romani civis sententiam ferat. In Catil. 4. 5.

[3] Sallust. 50. [4] Ibid. 51.

[5] Ut Silanum, consulem designatum, non piguerit sententiam suam, quia mutare turpe erat, interpretatione lenire. Sueton. J. Cæs. 14.

future peace and safety they began to be solicitous[1]: when Cicero, observing the inclination of the house, and rising up to put the question, made his fourth speech, which now remains, on the subject of this transaction; in which he delivered his sentiments with all the skill both of the orator and the statesman; and, while he seemed to show a perfect neutrality, and to give equal commendation to both the opinions, was artfully labouring, all the while, to turn the scale in favour of Silanus's, which he considered as a necessary example of severity in the present circumstances of the Republic.

He declared, that though it was a pleasure to him to observe the concern and solicitude which the senate had expressed on his account, yet he begged of them to lay it all aside, and, without any regard to him, to think only of themselves and their families: that he was willing to suffer any persecution, if, by his labours, he could secure their dignity and safety: that his life had been oft attempted in the Forum, the field of Mars, the senate, his own house, and in his very bed: that, for their quiet, he had digested many things against his will, without speaking of them; but, if the gods would grant that issue to his consulship, of saving them from a massacre, the city from flames, all Italy from war, let what fate soever attend himself, he would be content with it[2]. He presses them, therefore, to turn their whole care upon the state; that it was not a Gracchus, or a Saturninus, who was now in judgment before them; but traitors, whose design it was to destroy the city by fire, the senate and people by a massacre; who had solicited the Gauls, and the very slaves, to join with them in their treason, of which they had all been convicted by letters, hands, seals, and their own confessions[3].—That the senate, by several previous acts, had already condemned them; by their public thanks to him; by deposing Lentulus from his prætorship; by committing them to custody; by decreeing a thanksgiving; by rewarding the witnesses: but, as if nothing had yet been done, he resolved to propose to them anew the question both of the fact and the punishment: that, whatever they intended to do, it must be determined before night: for the mischief was spread wider than they imagined; had not only infected Italy, but crossed the Alps, and seized the provinces: that it was not to be suppressed by delay and irresolution, but by quick and vigorous measures[4]; that there were two opinions now before them: the first of Silanus, for putting the criminals to death: the second of Cæsar, who excepting death, was for every other way of punishing: each, agreeably to his dignity, and the importance of the cause, was for treating

[1] Plut. in Cic. [2] In Catil. 4. 1. [3] Ibid. 2. [4] Ibid. 3.

them with the last severity: the one thought, that those who had attempted to deprive them all of life, and to extinguish the very name of Rome, ought not to enjoy the benefit of living a moment: and he had showed withal, that this punishment had often been inflicted on seditious citizens: the other imagined, that death was not designed by the gods for a punishment, but the cure of our miseries: so that the wise never suffered it unwillingly, the brave often sought it voluntarily; but that bonds and imprisonment, especially if perpetual, were contrived for the punishment of detestable crimes: these therefore, he ordered to be provided for them in the great towns of Italy: yet, in this proposal, there seemed to be some injustice, if the senate was to impose that burden upon the towns, or some difficulty, if they were only to desire it: yet, if they thought fit to decree it, he would undertake to find those, who would not refuse to comply with it for the public good: that Cæsar, by adding a penalty on the towns, if any of the criminals should escape, and enjoining so horrible a confinement, without a possibility of being released from it, had deprived them of all hope, the only comfort of unhappy mortals: he had ordered their estates also to be confiscated, and left them nothing but life, which, if he had taken away, he would have eased them at once of all farther pain, either of mind or body; for it was on this account that the ancients invented those infernal punishments of the dead, to keep the wicked under some awe in this life, who, without them, would have no dread of death itself[1]. That, for his own part, he saw how much it was his interest that they should follow Cæsar's opinion, who had always pursued popular measures; and, by being the author of that vote, would secure him from any attack of popular envy: but if they followed Silanus's, he did not know what trouble it might create to himself; yet that the service of the Republic ought to supersede all considerations of his danger: that Cæsar, by this proposal, had given them a perpetual pledge of his affection to the state, and showed the difference between the affected lenity of their daily declaimers, and a mind truly popular, which sought nothing but the real good of the people: that he could not but observe, that one of those, who valued themselves on being popular, had absented himself from this day's debate, that he might not give a vote upon the life of a citizen; yet, by concurring with them in all their previous votes, he had already passed a judgment on the merits of the cause; that, as to the objection urged by Cæsar, of Gracchus's law, forbidding to put citizens to death, it should

[1] Itaque ut aliqua in vita formido improbis esset posita, apud inferos ejusmodi quædam illi antiqui supplicia impiis constituta esse voluerunt, quod videlicet intelligebant, his remotis, non esse mortem ipsam pertimescendam. Ibid. 4.

be remembered, that those, who were adjudged to be enemies could no longer be considered as citizens; and that the author of that law had himself suffered death by the order of the people: that since Cæsar, a man of so mild and merciful a temper, had proposed so severe a punishment, if they should pass it into an act, they would give him a partner and companion, who would justify him to the people; but, if they preferred Silanus's opinion, it would be easy still to defend both them and himself from any imputation of cruelty: for he would maintain it, after all, to be the gentler of the two; and, if he seemed to be more eager than usual in this cause, it was not from any severity of temper, for no man had less of it, but out of pure humanity and clemency. Then, after forming a most dreadful image of the city reduced to ashes, of heaps of slaughtered citizens, of the cries of mothers and their infants, the violation of the vestal virgins, and the conspirators insulting over the ruins of their country; he affirms it to be the greatest cruelty to the Republic, to show any lenity to the authors of such horrid wickedness; unless they would call L. Cæsar cruel, for declaring the other day, in the senate, that Lentulus, who was his sister's husband, had deserved to die: that they ought to be afraid rather of being thought cruel for a remissness of punishing, than for any severity which could be used against such outrageous enemies: that he would not conceal from them what he had heard to be propagated through the city, that they had not sufficient force to support and execute their sentence [1]: but he assured them, that all things of that kind were fully provided; that the whole body of the people was assembled for their defence; that the Forum, the temples, and all the avenues of the senate, were possessed by their friends; that the equestrian order vied with the senate itself in their zeal for the Republic; whom, after a dissension of many years, that day's cause had entirely reconciled and united with them: and, if that union, which his consulship had confirmed was preserved and perpetuated, he was confident that no civil or domestic evil could ever again disturb them [2]. —That, if any of them were shocked by the report of Lentulus's agents running up and down the streets, and soliciting the needy and silly to make some effort for his rescue; the fact, indeed, was true, and the thing had been attempted; but not a man was found so desperate, who did not prefer the possession of his shed, in which he worked, his little hut and bed, in which he slept, to any hopes of change from the public confusion: for all their subsistence depended on the peace and fulness of the city; and, if their gain would be interrupted by

[1] Ibid. 6. [2] Ibid. 7.

shutting up their shops, how much more would it be so by burning them? Since the people, then, were not wanting in their zeal and duty towards them, it was their part not to be wanting to the people [1]. That they had a consul snatched from various dangers and the jaws of death, not for the preservation of his own life, but of their security; such a consul, as they would not always have, watchful for them, regardless of himself: they had, also, what was never known before, the whole Roman people, of one and the same mind; that they should reflect how one night had almost demolished the mighty fabric of their empire, raised by such pains and virtue of men, by such favour and kindness of the gods: that, by their behaviour on that day, they were to provide, that the same thing should not only never be attempted, but not so much as thought of again by any citizen [2]. That, as to himself, though he had now drawn upon him the enmity of the whole band of conspirators, he looked upon them as a base, abject, contemptible faction; but if, through the madness of any, it should ever rise again, so as to prevail against the senate and the Republic, yet he should never be induced to repent of his present conduct: for death, with which, perhaps, they would threaten him, was prepared for all men; but none ever acquired that glory of life, which they had conferred upon him by their decrees: for, to all others they decreed thanks for having served the Republic successfully; to him alone for having saved it. He hoped, therefore, that there might be some place for his name among the Scipios, Pauluses, Mariuses, Pompeys; unless it were thought a greater thing to open their way into new provinces, than to provide that their conquerors should have a home at last to return to: that the condition, however, of a foreign victory, was much better than of a domestic one; since a foreign enemy, when conquered, was either made a slave or a friend: but when citizens once turned rebels, and are baffled in their plots, one can neither keep them quiet by force, nor oblige them by favours: that he had undertaken therefore, an eternal war with all traitorous citizens; but was confident that it would never hurt either him or his, while the memory of their past dangers subsisted, or that there could be any force strong enough to overpower the present union of the senate and the knights [3]. That in lieu, therefore, of the command of armies and provinces, which he had declined: of a triumph, and all other honours, which he had refused; he required nothing more from them, than the perpetual remembrance of his consulship: while that continued fixed in their minds, he should think himself impregnable: but if the vio-

[1] Ibid. 8. [2] Ibid. 9. [3] Ibid. 10.

lence of the factious should ever defeat his hopes, he recommended to them his infant son, and trusted, that it would be a sufficient guard, not only of his safety, but of his dignity, to have it remembered, that he was the son of one, who, at the hazard of his own life, had preserved the lives of them all. He concludes, by exhorting them to act with the same courage which they had hitherto shown through all this affair, and to proceed to some resolute and vigorous decree; since their lives and liberties, the safety of the city, of Italy, and the whole empire depended upon it.

This speech had the desired effect; and Cicero, by discovering his own inclination, gave a turn to the inclination of the senate; which Cato, one of the new tribunes, rose up, and, after extolling Cicero to the skies [1], and recommending to the assembly the authority of his example and judgment, proceeded to declare, agreeably to his temper and principles, that he was surprised to see any debate about the punishment of men, who had begun an actual war against their country: that their deliberation should be, how to secure themselves against them, rather than how to punish them; that other crimes might be punished after commission, but, unless this was prevented before its effect, it would be vain to seek a remedy after: that the debate was not about the public revenues, or the oppressions of the allies, but about their own lives and liberties; not about the discipline or manners of the city, on which he had oft delivered his mind in that place; nor about the greatness or prosperity of their empire; but whether they or their enemies should possess that empire; and, in such a case, there could be no room for mercy: that they had long since lost and confounded the true names of things: to give away other people's money was called generosity; and, to attempt what was criminal, fortitude. But if they must needs be generous, let it be from the spoils of the allies; if merciful, to the plunderers of the treasury; but let them not be prodigal of the blood of citizens, and by sparing a few bad, destroy all the good: that Cæsar, indeed, had spoken well and gravely concerning life and death; taking all infernal punishments for a fiction, and ordering the criminals, therefore, to be confined in the corporate towns: as if there was not more danger from them in those towns, than in Rome itself, and more encouragement to the attempts of the desperate, where there was less strength to resist them: so that his proposal could be of no use, if he was really afraid of them: but if, in the general fear, he alone had none, there was the more reason for all the rest to be afraid

[1] Quæ omnia quia Cato laudibus extulerat in cœlum. [Ep ad Att. 12. 21.] ita consulis virtutem amplificavit, ut universus senatus in ejus sententiam transiret. Vell. Pat. 2. 35.

for themselves: that they were not deliberating on the fate only of the conspirators, but of Catiline's whole army, which would be animated or dejected, in proportion to the vigour or remissness of their decrees: that it was not the arms of their ancestors which made Rome so great, but their discipline and manners, which were now depraved and corrupted: that, in the extremity of danger, it was a shame to see them so indolent and irresolute, waiting for each other to speak first, and trusting, like women, to the gods, without doing any thing for themselves: that the help of the gods was not to be obtained by idle vows and supplications: that success attended the vigilant, the active, the provident; and when people gave themselves up to sloth and laziness, it was in vain for them to pray; they would find the gods angry with them: that the flagitious lives of the criminals confuted every argument of mercy: that Catiline was hovering over them with an army, while his accomplices were within the walls, and in the very heart of the city; so that, whatever they determined, it could not be kept secret, which made it the more necessary to determine quickly. Wherefore, his opinion was, that since the criminals had been convicted, both by testimony and their own confession, of a detestable treason against the Republic, they should suffer the punishment of death, according to the custom of their ancestors [1].

Cato's authority, added to the impression which Cicero had already made, put an end to the debate; and the senate, applauding his vigour and resolution, resolved upon a decree in consequence of it [2]. And, though Silanus had first proposed that opinion, and was followed in it by all the consular senators, yet they ordered the decree to be drawn in Cato's words, because he had delivered himself more fully and explicitly upon it, than any of them [3]. The vote was no sooner passed, than Cicero resolved to put it in execution, lest the night, which was coming on, should produce any new disturbance: he went directly, therefore, from the senate, attended by a numerous guard of friends and citizens, and took Lentulus from the custody of his kinsman, Lentulus Spinther, and conveyed him through the Forum to the common prison, where he delivered him to the executioners, who presently strangled him. The other conspirators, Cethegus, Statilius, and Gabinius, were conducted to their execution by the prætors, and put to death in the same manner, together with Cæparius, the only one of their accomplices, who was taken after the examination [4].

[1] Sallust. 52.
[2] Ibid. 53.
[3] Idcirco in ejus sententiam est facta discessio. Ad Att. 12. 21.
[4] Sallust. 55.

When the affair was over, Cicero was conducted home in a kind of triumph by the whole body of the senate and the knights; the streets being all illuminated, and the women and children at the windows, and on the tops of houses, to see him pass along, through infinite acclamations of the multitude, proclaiming him their saviour and deliverer [1].

This was the fifth of December, those celebrated Nones, of which Cicero, used to boast so much ever after, as the most glorious day of his life: and, it is certain, that Rome was indebted to him on this day for one of the greatest deliverances, which it had ever received since its foundation; and which, nothing, perhaps, but his vigilance and sagacity, could have so happily effected: for from the first alarm of the plot, he never rested, night or day, till he had got full information of the cabals and counsels of the conspirators [2]: by which he easily baffled all their projects, and played with them as he pleased; and without any risk to the public, could draw them on just far enough to make their guilt manifest, and their ruin inevitable. But his master-piece was the driving Catiline out of Rome, and teazing him, as it were, into a rebellion, before it was ripe, in hopes, that, by carrying out with him his accomplices, he would clear the city, at once, of the whole faction; or, by leaving them behind, without his head to manage them, would expose them to sure destruction, by their own folly: for Catiline's chief trust was not on the open force, which he had provided in the field, but on the success of his secret practices in Rome, and on making himself master of the city; the credit of which, would have engaged to him, of course, all the meaner sort, and induced all others through Italy, who wished well to his cause, to declare for him immediately: so that, when this apprehension was over, by the seizure and punishment of his associates, the senate thought the danger at an end, and that they had nothing more to do, but to vote thanksgivings and festivals; looking upon Catiline's army as a crew only of fugitives, or banditti, whom their forces were sure to destroy whenever they could meet with them.

But Catiline was in condition still, to make a stouter resistance than they imagined: he had filled up his troops to the number of two legions, or about twelve thousand fighting men; of which a fourth part only was completely armed, the rest furnished with what chance offered, darts, lances, clubs. He refused at first to enlist slaves, who flocked to him in great numbers, trusting to the proper strength of the conspiracy,

[1] Plut. in Cic.

[2] In eo omnes dies, noctesque consumsi, ut quid agerent, quid molirentur, sentirem ac viderem. In Catil. 3. 2.

and knowing that he should quickly have soldiers enough, if his friends performed their part at home [1]. So that, when the consul Antonius approached towards him with his army, he shifted his quarters, and made frequent motions and marches through the mountains, sometimes towards Gaul, sometimes towards the city, in order to avoid an engagement till he could hear some news from Rome; but, when the fatal account came, of the death of Lentulus and the rest, the face of his affairs began presently to change, and his army to dwindle apace, by the desertion of those, whom the hopes of victory and plunder had invited to his camp. His first attempt, therefore, was by long marches and private roads through the Appenine, to make his escape into Gaul: but Q. Metellus, who had been sent thither by Cicero, imagining that he would take that resolution, had secured all the passes, and posted himself so advantageously, with an army of three legions, that it was impossible for him to force his way on that side; whilst, on the other, the consul Antonius, with a much greater force, blocked him up behind, and inclosed him within the mountains [2]. Antonius himself had no inclination to fight, or, at least, with Catiline; but would willingly have given him an opportunity to escape, had not his quæstor Sextius, who was Cicero's creature, and his lieutenant Petreius, urged him on against his will, to force Catiline to the necessity of a battle [3]: who, seeing all things desperate, and nothing left but either to die or conquer, resolved to try his fortune against Antonius, though much the stronger, rather than Metellus; in hopes still, that out of regard to their former engagements, he might possibly contrive some way, at last, of throwing the victory into his hands [4]. But, Antonius happened to be seized, at that very time, with a fit of the gout, or pretended, at least, to be so, that he might have no share in the destruction of an old friend: so that the command fell, of course, to a much better soldier and honester man, Petreius; who, after a sharp and bloody action, in which he lost a considerable part of his best troops, destroyed Catiline and his whole army, fighting desperately to the last man [5]. They all fell in the very ranks in which they stood; and, as if inspired

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[1] Sperabat propediem magnas copias se habiturum, si Romæ socii incepta patravissent —interea servitia repudiabat. Sallust. 56.

[2] Ibid. 57.

[3] Hoc breve dicam: si M. Petreii non excellens animo et amore Reip. virtus, non summa auctoritas apud milites, non mirificus usus in re militari extitisset, neque adjutor ei P. Sextius ad excitandum Antonium, cohortandum, ac impellendum fuisset, datus illo in bello esset hiemi locus, &c.

Sextius, cum suo exercitu, summa celeritate est Antonium consecutus. Hic ego quid prædicem, quibus rebus consulem ad rem gerendam excitarit; quot stimulos admoverit, &c. Pro Sext. 5.

[4] *Αἴτιον δὲ, ὅτι ἐλπίδα αὐτοῦ κατὰ τὸ συνωμοτὸν ἐθελοκακήσειν ἔσχεν.* Dio, l. 37. p. 47.

[5] Sallust. 59.

with the genuine spirit of their leader, fought, not so much to conquer, as to sell their lives as dear as they could; and as Catiline had threatened in the senate, to mingle the public calamity with their own ruin.

Thus ended this famed conspiracy; in which some of the greatest men in Rome were suspected to be privately engaged, particularly Crassus and Cæsar: they were both influenced by the same motive, and might hope, perhaps, by their interest in the city, to advance themselves, in the general confusion, to that sovereign power which they aimed at. Crassus, who had always been Cicero's enemy, by an officiousness of bringing letters and intelligence to him, during the alarm of the plot, seemed to betray a consciousness of some guilt [1]; and Cæsar's whole life made it probable, that there could hardly be any plot in which he had not some share; and in this, there was so general a suspicion upon him, especially after his speech in favour of the criminals, that he had some difficulty to escape with life from the rage of the knights, who guarded the avenues of the senate; where he durst not venture to appear any more, till he entered upon his prætorship with the new year [2]. Crassus was actually accused, by one Tarquinius, who was taken upon the road as he was going to Catiline, and, upon promise of pardon, made a discovery of what he knew; where, after confirming what the other witnesses had deposed, he added that he was sent by Crassus to Catiline, with advice to him, not to be discouraged by the seizure of his accomplices, but to make the greater haste, for that reason, to the city, in order to rescue them, and revive the spirits of his other friends. At the name of Crassus the senate were so shocked, that they would hear the man no farther; but calling upon Cicero to put the question, and take the sense of the house upon it, they voted Tarquinius's evidence to be false, and ordered him to be kept in chains, nor to be produced again before them, till he would confess who it was that had suborned him [3]. Crassus declared, afterwards, in the hearing of Sallust, that Cicero was the contriver of this affront upon him [4]. But, that does not seem probable; since it was Cicero's constant maxim, as he frequently intimates in his speeches, to mitigate and reclaim all men of credit by gentle methods, rather than make them desperate by an unseasonable severity; and, in the general

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[1] Plut. in Cic.

[2] Uti nonnulli Equites Romani, qui præsidii causa cum telis erant circum ædem Concordiæ—egredienti ex senatu Cæsari gladio minitarentur. Sallust. 49. Vix pauci complexu, togaque objecta protexerint. Tunc plane deterritus non modo cessit, sed etiam in reliquum anni tempus curia abstinuit. Sueton. J. Cæs. 14.

[3] Sallust. 48.

[4] Ipsum Crassum ego postea prædicantem audivi, tantam illam contumeliam sibi a Cicerone impositam. Ib.

contagion of the city, not to cut off, but to heal every part that was curable. So that, when some information was given likewise against Cæsar, he chose to stifle it, and could not be persuaded to charge him with the plot, by the most pressing solicitations of Catulus and Piso, who were both his particular enemies; the one for the loss of the high priesthood, the other for the impeachment above mentioned [1].

Whilst the sense of all these services was fresh, Cicero was repaid for them to the full of his wishes, and, in the very way that he desired, by the warm and grateful applauses of all orders of the city. For, besides the honours already mentioned, L. Gellius, who had been consul and censor, said, in a speech to the senate, that the Republic owed him a civic crown, for having saved them all from ruin [2]: and Catulus, in a full house, declared him the father of his country [3]; as Cato likewise did from the rostra, with the loud acclamations of the whole people [4]: whence Pliny, in honour of his memory, cries out, "Hail thou, who wast first saluted the parent of thy country [5]." This title, the most glorious which a mortal can wear, was from this precedent, usurped afterwards by those, who, of all mortals, deserved it the least, the emperors; proud to extort from slaves and flatterers, what Cicero obtained from the free vote of the senate and people of Rome.

——————*Roma parentem,*
Roma patrem patriæ Ciceronem libera dixit.—Juv. 8.

Thee, Cicero, Rome while free, nor yet enthrall'd
To tyrant's will, thy country's parent call'd.

All the towns of Italy followed the example of the metropolis, in decreeing extraordinary honours to him; and Capua in particular, chose him their patron, and erected a gilt statue to him [6].

Sallust, who allows him the character of an excellent consul, says not a word of any of these honours, nor gives him any greater share of praise, than what could not be dissembled by an historian. There are two obvious reasons for this reservedness; first, the personal enmity, which, according to tradition, subsisted between them; secondly, the time of publishing his history, in the reign of Augustus, while the name of Cicero was still obnoxious to envy. The other consul, Antonius, had but a small share of the thanks and honours which were

[1] Appian. Bell. civ. l. 2. p. 430. Sallust. 49.
[2] L. Gellius, his audientibus, civicam coronam deberi a Republica dixit. In Pison. 3. it. A. Gell. 5, 6.
[3] Me Q. Catulus, princeps hujus ordinis, frequentissimo senatu Parentem Patriæ nominavit. In Pis. 3.
[4] Plut. in Cic.—Κάτωνος δ' αὐτὸν καὶ πατέρα τῆς πατρίδος προσαγορεύσαντος, ἐπεβόησεν ὁ δῆμος. Appian. p. 431.
[5] Salve, primus omnium parens patriæ appellate, &c. Plin. Hist. N. 7. 30.
[6] Me inaurata statua donarant: me patronum unum adsciverant. In Pis. 11.

decreed upon this occasion: he was known to have been embarked in the same cause with Catiline, and considered as acting only under a tutor, and doing penance, as it were, for past offences: so that all the notice, which was taken of him by the senate, was, to pay him the slight compliment abovementioned, for having removed his late profligate companions from his friendship and councils [1].

Cicero made two new laws this year; the one, as it has been said, against bribery in elections; the other, to correct the abuse of a privilege called legatio libera; that is, an honorary legation or embassy, granted arbitrarily by the senate to any of its members, when they travelled abroad on their private affairs, in order to give them a public character, and a right to be treated as ambassadors or magistrates: which, by the insolence of these great guests, was become a grievous burthen upon all the states and cities through which they passed. Cicero's design was to abolish it; but, being driven from that by one of the tribunes, he was content to restrain the continuance of it, which before was unlimited, to the term of one year [2].

At his first entrance into his office, L. Lucullus was soliciting the demand of a triumph for his victories over Mithridates, in which he had been obstructed for three years successively, by the intrigues of some of the magistrates [3], who paid their court to Pompey, by putting this affront upon his rival. By the law and custom of the Republic, no general, while he was in actual command, could come within the gates of Rome, without forfeiting his commission, and, consequently, all pretensions to a triumph; so that Lucullus continued, all this time, in the suburbs, till the affair was decided. The senate favoured his suit, and were solicitors for him [4], but could not prevail, till Cicero's authority, at last, helped to introduce his triumphal car into the city [5]; making him some amends, by this service, for the injury of the Manilian law, which had deprived him of his government. After his triumph, he entertained the whole Roman people with a sumptuous feast, and was much caressed by the nobility, as one, whose authority would be a proper check to the ambition and power of Pompey: but, having now obtained all the honours, which he could rea-

[1] Atque etiam collegæ meo laus impertitur, quod eos qui hujus conjurationis participes fuissent, a suis et a Reip. consiliis removisset. In Catil. 3. 6.

[2] Jam illud apertum est, nihil esse turpius, quam quenquam legari nisi Reipub. causa —quod quidem genus legationis ego consul, quanquam ad commodum senatus pertinere videatur, tamen approbante senatu frequentissimo, nisi mihi levis tribunus plebis tum intercessisset, sustulissem: minui tamen tempus, et quod erat infinitum, annuum feci. De leg. 3. 8.

[3] Plut. in Lucull. [4] Ibid.

[5] Cum victor a Mithridatico bello revertisset, inimicorum calumnia triennio tardius, quam debuerat, triumphavit. Nos enim consules introduximus pene in urbem currum clarissimi viri. Academ. 1. 2. 1.

sonably hope for in life, and, observing the turbulent and distracted state of the city, he withdrew himself, not long after, from public affairs, to spend the remainder of his days in a polite and splendid retreat[1]. He was a generous patron of learning, and himself eminently learned; so that his house was the constant resort of the principal scholars and wits of Greece and Rome; where he had provided a well-furnished library, with porticos and galleries annexed, for the convenience of walks and literary conferences, at which he himself used frequently to assist: giving an example to the world, of a life truly noble and elegant, if it had not been sullied by too great a tincture of Asiatic softness and Epicurean luxury.

After this act of justice to Lucullus, Cicero had an opportunity, before the expiration of his consulship, to pay all due honour, likewise, to his friend Pompey; who, since he last left Rome, had gloriously finished the Piratic and Mithridatic war, by the destruction of Mithridates himself: upon the receipt of which news, the senate, at the motion of Cicero, decreed a public thanksgiving in his name, of ten days: which was twice as long as had ever been decreed before to any general, even to Marius himself, for his Cimbric victory[2].

But before we close the account of the memorable events of this year, we must not omit the mention of one, which distinguished it afterwards, as a particular era in the annals of Rome, the birth of Octavius, surnamed Augustus, which happened on the 23rd of September. Velleius calls it an accession of glory to Cicero's consulship[3]: but it excites speculations rather of a different sort; on the inscrutable methods of Providence, and the short-sighted policy of man; that, in the moment when Rome was preserved from destruction, and its liberty thought to be established more firmly than ever, an infant should be thrown into the world, who, within the course of twenty years, effected what Catiline had attempted, and destroyed both Cicero and the Republic. If Rome could have been saved by human counsel, it would have been saved by the skill of Cicero; but its destiny was now approaching: for governments, like natural bodies, have, with the principles of their preservation, the seeds of ruin also essentially mixed in their constitution, which, after a certain period, begin to operate and exert themselves to the dissolution of the vital frame. These seeds had long been fermenting in the bowels of the Republic; when Octavius came, peculiarly formed by nature, and instructed

[1] Plut. in Lucull.

[2] Quo consule referente, primum decem dierum supplicatio decreta Cn. Pompeio Mithridate interfecto; cujus sententia primum duplicata est supplicatio consularis. De provinc. Consular. xi.

[3] Consulatui Ciceronis non mediocre adjecit decus, natus eo anno D. Augustus. Vell. 2. 36. Sueton. c. 5. Dio, p. 590.

by art, to quicken their operation and exalt them to their maturity.

Cicero's administration was now at an end, and nothing remained but to resign the consulship, according to custom, in an assembly of the people, and to take the usual oath, of his having discharged it with fidelity. This was generally accompanied with a speech from the expiring consul: and, after such a year, and from such a speaker, the city was in no small expectation of what Cicero would say to them: but Metellus, one of the new tribunes, who affected commonly to open their magistracy by some remarkable act, as a specimen of the measures which they intended to pursue, resolved to disappoint both the orator and the audience: for, when Cicero had mounted the rostra, and was ready to perform this last act of his office, the tribune would not suffer him to speak, or to do any thing more, than barely take the oath; declaring, that he, who had put citizens to death unheard, ought not to be permitted to speak for himself: upon which Cicero, who was never at a loss, instead of pronouncing the ordinary form of the oath, exalting the tone of his voice, swore out aloud, so as all the people might hear him, that he had saved the Republic and the city from ruin; which the multitude below confirmed with an universal shout, and with one voice, cried out, that what he had sworn was true[1]. Thus the intended affront was turned, by his presence of mind, to his greater honour; and he was conducted from the Forum to his house, with all possible demonstrations of respect, by the whole city.

A. Urb. 691. Cic. 45. Coss.—D. Junius Silanus. L. Licinius Muræna.

SECTION IV.

Cicero being now reduced to the condition of a private senator, was to take his place on the venerable bench of consu-

[1] Ego cum in concione, abiens magistratu, dicere a tribuno plebis prohiberer, quæ constitueram: cumque is mihi, tantummodo ut jurarem, permitteret, sine ulla dubitatione juravi, rempublicam atque hanc urbem mea unius opera esse salvam. Mihi populus Romanus universus non unius diei gratulationem, sed æternitatem immortalitatemque donavit, cum meum jusjurandum tale atque tantum juratus ipse una voce et consensu approbavit. Quo quidem tempore is meus domum fuit e foro reditus, ut nemo, nisi qui mecum esset, civium esse in numero videretur. In Pison. 3.

Cum ille mihi nihil nisi ut jurarem permitteret, magna voce juravi verissimum pulcherrimumque jusjurandum: quod populus item magna voce me vere jurasse juravit. Ep. fam. 5. 2.

Etenim paullo ante in concione dixerat, ei, qui in alios animadvertisset indicta caussa, dicendi ipsi potestatem fieri non oportere. Ib.

A. Urb. 691. Cic. 45. Coss.—D. Junius Silanus. L. Licinius Muræna.

lars, who were justly reckoned the first citizens of the Republic. They delivered their opinions the first always in the senate; and, commonly, determined the opinions of the rest: for, as they had passed through all the public offices, and been conversant in every branch of the administration, so their experience gave them great authority in all debates; and, having little or nothing further to expect for themselves, they were esteemed, not only the most knowing, but, generally speaking, the most disinterested of all the other senators, and to have no other view in their deliberations, but the peace and prosperity of the Republic.

This was a station exactly suited to Cicero's temper and wishes; he desired no foreign governments, or command of armies; his province was the senate and the Forum; to guard, as it were, the vitals of the empire, and to direct all its councils to their proper end—the general good: and, in this advanced post of a consular senator, as in a watch-tower of the state, to observe each threatening cloud and rising storm, and give the alarm to his fellow-citizens from what quarter it was coming, and by what means its effects might be prevented[1]. This, as he frequently intimates, was the only glory that he sought, the comfort with which he flattered himself, that, after a life of ambition and fatigue, and a course of faithful services to the Republic, he should enjoy a quiet and secure old age, beloved and honoured by his countrymen, as the constant champion and defender of all their rights and liberties. But he soon found himself mistaken, and, before he had quitted his office, began to feel the weight of that envy, which is the certain fruit of illustrious merit: for the vigour of his consulship had raised such a zeal and union of all the honest, in the defence of the laws, that till this spirit could be broken, or subside again, it was in vain for the ambitious to aim at any power, but through the ordinary forms of the constitution; especially while he, who was the soul of that union, continued to flourish in full credit, at the head of the senate. He was now, therefore, the common mark, not only of all the factious, against whom he had declared perpetual war, but of another party, not less dangerous, the envious too; whose united spleen never left pursuing him from this moment, till they had driven him out of that city, which he had so lately preserved.

The tribune Metellus began the attack; a fit leader for the purpose; who, from the nobility of his birth, and the authority of his office, was the most likely to stir up some ill humour

[1] Idcirco in hac custodia et tanquam in specula collocati sumus, ut vacuum omni metu populum Romanum nostra vigilia et prospicientia redderemus. Phil. 7. 7.

A. Urb. 691. Cic. 45. Coss.—D. Junius Silanus. L. Licinius Muræna.

against him, by insulting and reviling him, in all his harangues, for putting citizens to death without a trial: in all which he was strenuously supported by Cæsar, who pushed him on, likewise, to the promulgation of several pestilent laws, which gave great disturbance to the senate. Cicero had no inclination to enter into a contest with the tribune, but took some pains to make up the matter with him, by the interposition of the women; particularly of Claudia, the wife of his brother Metellus, and of their sister Mucia, the wife of Pompey; he employed, also, several common friends, to persuade him to be quiet, and desist from his rashness; but his answer was, that he was too far engaged, and had put it out of his power[1]; so that Cicero had nothing left, but to exert all his vigour and eloquence, to repel the insults of this petulant magistrate.

Cæsar, at the same time, was attacking Catulus, with no less violence; and being now in possession of the prætorship, made it the first act of his office to call him to an account for embezzling the public money, in rebuilding the Capitol; and proposed also a law, to efface his name from the fabric, and grant the commission for finishing what remained to Pompey; but the senate bestirred themselves so warmly in the cause, that Cæsar was obliged to drop it[2]. This experiment convinced the two magistrates, that it was not possible for them to make head against the authority of the senate, without the help of Pompey, whom they resolved, therefore, by all the arts of address and flattery, to draw into their measures. With this view, Metellus published a law, to call him home, with his army, in order to settle the state, and quiet the public disorders, raised by the temerity of Cicero[3]: for, by throwing all power into his hands, they hoped to come in for a share of it with him, or to embroil him, at least, with the senate, by exciting mutual jealousies between them: but their law was thought to be of so dangerous a tendency, that the senate changed their habit upon it, as in the case of a public calamity; and, by the help of some of the tribunes, particularly of Cato, resolved to oppose it to the utmost of their power: so that, as soon as Metellus began to read it to the people, Cato snatched it away from him; and, when he proceeded still to pronounce it by heart, Minucius, another tribune, stopped his mouth with his hand. This threw the assembly into confusion, and raised great commotions in the city; till the senate, finding themselves supported by the better sort of all ranks, came to a new and vigorous resolution, of

[1] Quibus ille respondit, sibi non esse integrum. Ep. fam. 5. 2.
[2] Sueton. J. Cæs. 15. Dio, l. 37. p. 49.
[3] Dio, ib. Plut. in Cic.

A. Urb. 691. Cic. 45. Coss.—D. Junius Silanus. L. Licinius Muræna.

suspending both Cæsar and Metellus from the execution of their offices [1].

Cæsar resolved, at first, to act in defiance of them; but finding a strong force prepared to control him, thought it more advisable to retire, and reserve the trial of arms, till he was better provided for it: he shut himself up, therefore, in his house, where, by a prudent and submissive behaviour, he soon made his peace, and got the decree of their suspension reversed [2]. But Metellus, as it was concerted, probably, among them, fled away to his brother Pompey [3], that, by misrepresenting the state of things at home, and offering every thing on the part of the people, he might instil into him some prejudices against the immoderate power of Cicero and the senate, and engage him, if possible, to declare for the popular interest. Cicero, in the meanwhile, published an invective oration against Metellus, which is mentioned in his epistles, under the title of Metellina [4]: it was spoken in the senate, in answer to a speech which Metellus had made to the people, and is often cited by Quintilian and others [5], as extant in their time.

The senate having gained this victory over Cæsar and Metellus, by obliging the one to submit, the other to leave the city, Q. Metellus Celer, who commanded in Cisalpine Gaul, wrote a peevish and complaining letter to his friend Cicero, upon their treating his brother the tribune so severely: to which Cicero answered, with that freedom which a consciousness of integrity naturally dictates, yet with all the humanity which the sincerest friendship inspires; as the reader will observe from the letter itself, which affords many instructive hints, both historical and moral.

M. T. Cicero to Q. Metellus Celer, proconsul.

"You write me word, that considering our mutual affection, and late reconciliation, you never imagined, that you should be made the subject of public jest and ridicule by me. I do not well understand what you mean; yet guess that you have been told, that when I was speaking one day, in the senate, of many, who were sorry for my having preserved the Republic, I said, that certain relations of your's, to whom you could

[1] Donec ambo administratione Reipub. decreto patrum summoverentur. Sueton. J. Cæs. 16.

[2] Ut comperit paratos, qui vi ac per arma prohiberent, dimissis lictoribus, abjectaque prætexta, domum clam refugit, pro conditione temporum quieturus—quod cum præter opinionem evenisset, senatus—accitum in curiam et amplissimis verbis collaudatum, in integrum restituit, inducto priore decreto. Sueton. Ib.

[3] Plut. in Cic.

[4] In illam orationem Metellinam addidi quædam: liber tibi mittetur. Att. 1. 13.

[5] Quint. l. 9. 3. A Gellius, 18. 7.

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refuse nothing, had prevailed with you to suppress what you had prepared to say, in the senate, in praise of me: when I said this, I added, that, in the affair of saving the state, I had divided the task with you, in such a manner, that I was to secure the city from intestine dangers, you to defend Italy from the open arms and secret plots of our enemies: but, that this glorious partnership had been broken by your friends, who were afraid of your making me the least return for the greatest honours and services which you had received from me. In the same discourse, when I was describing the expectation which I had conceived of your speech, and how much I was disappointed by it, it seemed to divert the house, and a moderate laugh ensued; not upon you, but on my mistake, and the frank and ingenuous confession of my desire to be praised by you. Now, in this, it must needs be owned, that nothing could be said more honourable towards you, when, in the most shining and illustrious part of my life, I wanted still to have the testimony of your commendation. As to what you say of our mutual affection, I do not know what you reckon mutual in friendship, but I take it to be this; when we repay the same good offices which we receive: should I tell you then, that I gave up my province for your sake, you might justly suspect my sincerity: it suited my temper and circumstances, and I find more and more reason, every day, to be pleased with it: but this, I can tell you, that I no sooner resigned it, in an assembly of the people, than I began to contrive how to throw it into your hands. I say nothing about the manner of drawing your lots; but would have you only believe, that there was nothing done in it by my colleague without my privity. Pray recollect what followed; how quickly I assembled the senate, after your allotment; how much I said in favour of you, when you yourself told me, that my speech was not only honourable to you, but even injurious to your colleagues. Then, as to the decree which passed that day, in the senate, it is drawn in such a strain, that, as long as it subsists, my good offices to you can never be a secret. After your departure, I desire you also to recollect what I did for you in the senate; what I said of you to the people; what I wrote to you myself; and, when you have laid all these things together, I leave it to you to judge whether, at your last coming to Rome, you made a suitable return to them. You mention a reconciliation between us; but I do not comprehend how a friendship can be said to be reconciled which was never interrupted. As to what you write, that your brother ought not to have been treated by me so roughly for a word: in the first place, I beg of you to believe,

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that I am exceedingly pleased with that affectionate and fraternal disposition of your's, so full of humanity and piety; and, in the second, to forgive me, if, in any case, I have acted against your brother, for the service of the Republic, to which no man can be a warmer friend than myself; but, if I have been acting only on the defensive, against his most cruel attacks, you may think yourself well used, that I have never yet troubled you with any complaints against him. As soon as I found that he was preparing to turn the whole force of his tribunate to my destruction, I applied myself to your wife Claudia, and your sister Mucia, whose zeal for my service I had often experienced, on the account of my familiarity with Pompey, to dissuade him from that outrage: but he, as I am sure you have heard, on the last day of the year, put such an affront upon me, when consul, and after having saved the state, as had never been offered to any magistrate, the most traitorously affected, by depriving me of the liberty of speaking to the people, upon laying down my office. But his insult turned only to my greater honour: for when he would not suffer me to do any thing more than swear, I swore, with a loud voice, the truest, as well as the noblest, of all oaths; while the people, with acclamations, swore likewise, that my oath was true. After so signal an injury, I sent to him, the very same day, some of our common friends, to press him to desist from his resolution of pursuing me; but his answer was, that it was not then in his power: for he had said, a few days before, in a speech to the people, that he, who had punished others without a hearing, ought not to be suffered to speak for himself. Worthy patriot and excellent citizen! to adjudge the man who had preserved the senate from a massacre, the city from fire, and Italy from a war, to the same punishment which the senate, with the consent of all honest men, had inflicted on the authors of those horrid attempts. I withstood your brother, therefore, to his face; and, on the first of January, in a debate upon the Republic, handled him in such a manner, as to make him sensible, that he had to do with a man of courage and constancy. Two days after, when he began again to harangue, in every three words he named and threatened me: nor had he any thing so much at heart, as to effect my ruin at any rate; not by the legal way of trial, or judicial proceeding, but by dint of force and violence. If I had not resisted his rashness, with firmness and courage, who would not have thought, that the vigour of my consulship had been owing to chance, rather than to virtue? If you have not been informed that your brother attempted all this against me, be assured that he concealed from you the most material part: but, if he told you any thing

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of it, you ought to commend my temper and patience, for not expostulating with you about it: but since you must now be sensible, that my quarrel with your brother was not, as you write, for a word, but a most determined and spiteful design to ruin me, pray observe my humanity, if it may be called by that name, and is not rather, after so flagrant an outrage, a base remissness and abjection of mind. I never proposed any thing against your brother, when there was any question about him in the senate: but, without rising from my seat, assented always to those who were for treating him the most favourably. I will add farther, what I ought not, indeed, to have been concerned about, yet I was not displeased to see it done, and even assisted to get it done; I mean, the procuring a decree for the relief of my enemy, because he was your brother. I did not, therefore, attack your brother, but defend myself only against him; nor has my friendship to you ever been variable, as you write, but firm and constant, so as to remain still the same, when it was even deserted and slighted by you. And, at this very time, when you almost threatened me in your letter, I give you this answer, that I not only forgive, but highly applaud your grief; for I know, from what I feel within myself, how great the force is of fraternal love: but I beg of you, also, to judge with the same equity of my cause; and if, without any ground, I have been cruelly and barbarously attacked by your friends, to allow that I ought not only not to yield to them, but on such an occasion, to expect the help even of you, and your army also, against them. I was always desirous to have you for my friend, and have taken pains to convince you how sincerely I am your's: I am still of the same mind, and shall continue in it as long as you please: and for the love of you, will sooner cease to hate your brother, than, out of resentment to him, give any shock to the friendship which subsists between us. Adieu [1]."

Cicero, upon the expiration of his consulship, took care to send a particular account of his whole administration to Pompey; in hopes to prevent any wrong impression there from the calumnies of his enemies, and to draw from him some public declaration in praise of what he had been doing. But Pompey, being informed by Metellus and Cæsar, of the ill-humour which was rising against Cicero, in Rome, answered him with great coldness, and, instead of paying him any compliment, took no notice at all of what had passed in the affair of Catiline: upon which Cicero expostulates with him, in the following letter, with some little resentment, yet not so as to irritate a man of

[1] Epist. fam. 5. 2.

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the first authority in the Republic, and to whom all parties were forwardly paying their court.

M. T. CICERO to CN. POMPEIUS the Great, emperor [1].

"I had an incredible pleasure, in common with all people, from the public letter which you sent: for you gave us in it that assurance of peace, which, from my confidence in you alone, I had always been promising. I must tell you, however, that your old enemies, but new friends, are extremely shocked and disappointed at it. As to the particular letter which you sent to me, though it brought me so slight an intimation of your friendship, yet it was very agreeable: for nothing is apt to give me so much satisfaction, as the consciousness of my services to my friends; and if, at any time, they are not requited as they ought to be, I am always content that the balance of the account should rest on my side. I make no doubt, however, but that, if the distinguished zeal, which I have always shown for your interests, has not yet sufficiently recommended me to you, the public interest, at least, will conciliate and unite us. But that you may not be at a loss to know what it was, which I expected to find in your letter, I will tell it you frankly, as my own nature and our friendship require. I expected, out of regard both to the Republic, and to our familiarity, to have had some compliment or congratulation from you, on what I lately acted in my consulship; which you omitted, I imagine, for fear of giving offence to certain persons: but I would have you to know, that the things which I have been doing, for the safety of my country, are applauded by the testimony and judgment of the whole earth; and when you come amongst us, you will find them done with so much prudence and greatness of mind, that you, who are much superior to Scipio, will admit me, who am not much inferior to Lælius, to a share both of your public councils and private friendship. Adieu [2]."

[1] The word emperor signified nothing more, in its original use, than the general or chief commander of an army: [Cic. de Orat. I. 48.] in which sense it belonged equally to all who had supreme command in any part of the empire, and was never used as a peculiar title. But after a victory, in which some considerable advantage was gained, and great numbers of the enemy slain, the soldiers, by an universal acclamation, used to salute their general in the field with the appellation of emperor, ascribing, as it were, the whole merit of the action to his auspices and conduct. This became a title of honour, of which all commanders were proud, as being the effect of success and victory, and won by their proper valour; and it was always the first and necessary step towards a triumph. On these occasions, therefore, the title of *emperor* was constantly assumed, and given to generals in all acts and letters, both public and private, but was enjoyed by them no longer than the commission lasted, by which they had obtained it; that is, to the time of their return and entrance into the city, from which moment their command and title expired together of course, and they resumed their civil character, and became private citizens. [2] Ep. fam. 5. 7.

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Soon after Catiline's defeat, a fresh enquiry was set on foot at Rome against the rest of his accomplices, upon the information of one L. Vettius, who, among others, impeached J. Cæsar, before Novius Niger, the quæstor, as Q. Curius also did in the senate; where, for the secret intelligence which he had given very early to Cicero, he claimed the reward which had been offered to the first discoverer of the plot. He affirmed, that what he deposed against Cæsar, was told to him by Catiline himself; and Vettius offered to produce a letter to Catiline, in Cæsar's own hand. Cæsar found some difficulty to repel so bold an accusation, and was forced to implore the aid and testimony of Cicero, to prove that he also had given early information of Catiline's designs; but, by his vigour and interest in the city, he obtained a full revenge at last upon his accusers; for he deprived Curius of the reward, and got Vettius committed to prison, after he had been miserably handled, and almost killed by the mob; nor content with this, he imprisoned the quæstor Novius too, for suffering a superior magistrate to be arraigned before him [1].

Several others, however, of considerable rank, were found guilty and banished; some of them not appearing to their citation, others after a trial: viz. M. Porcius Lecca, C. Cornelius, L. Vargunteius, Servius Sylla, and P. Autronius, &c. The last of these, who lost the consulship four years before, upon a conviction of bribery, had been Cicero's schoolfellow, and colleague in the quæstorship; and solicited him, with many tears, to undertake his defence: but Cicero not only refused to defend him, but, from the knowledge of his guilt, appeared as a witness against him [2].

P. Sylla, also, Autronius's partner and fellow-sufferer in the cause of bribery, was now tried for conspiring twice with Catiline; once, when the plot proved abortive, soon after his former trial; and a second time, in Cicero's consulship: he was defended in the first by Hortensius, in the last by Cicero. The prosecutor was Torquatus, the son of his former accuser, a young nobleman of great parts and spirit, who, ambitious of the triumph of ruining an enemy, and fearing that Cicero would snatch it from him, turned his raillery against Cicero, instead of Sylla; and, to take off the influence of his authority,

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[1] Cum implorato Ciceronis testimonio, quædam se de conjuratione ultro detulisse docuisset, ne Curio præmia darentur, effecit. Vettium—pro rostris in concione pæne discerptum, in carcerem conjecit. Eodem Novium quæstorem, quod compellari apud se majorem potestatem passus esset. Sueton. J. Cæs. 17.

[2] Veniebat ad me, et sæpe veniebat Autronius multis cum lachrymis, supplex, ut se defenderem: se meum condiscipulum in pueritia, familiarem in adolescentia, collegam in quæstura commemorabat fuisse. Pro Sylla, 6. 30.

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treated his character with great petulance, and employed every topic which could raise an odium and envy upon him: he called him a king, who assumed a power to save or destroy, just as he thought fit; said, that he was the third foreign king who had reigned in Rome after Numa and Tarquinius; and, that Sylla would have run away, and never stood a trial, if he had not undertaken his cause; whenever he mentioned the plot, and the danger of it, it was with so low and feeble a voice, that none but the judges could hear him; but when he spoke of the prison and the death of the conspirators, he uttered it in so loud and lamentable a strain, as to make the whole Forum ring with it [1].

Cicero, therefore, in his reply, was put to the trouble of defending himself, as well as his client. As to Torquatus's calling him foreigner, on the account of his being born in one of the corporate towns of Italy, he owns it: and in that town, he says, whence the Republic had been twice preserved from ruin; and was glad that he had nothing to reproach him with, but what affected not only the greatest part, but the greatest men of the city; Curius, Coruncanius, Cato, Marius, &c. but since he had a mind to be witty, and would needs make him a foreigner, why did not he call him a foreign consul, rather than a king; for that would have been much more wonderful, since foreigners had been kings, but never consuls of Rome. He admonishes him, who was now in the course of his preferment, not to be so free of giving that title to citizens, lest he should one day feel the resentment and power of such foreigners: that if the patricians were so proud, as to treat him and the judges on the bench as foreigners, yet Torquatus had no right to do it, whose mother was of Asculum [2]. "Do not call me then foreigner, any more," says he, "lest it turn upon yourself; nor a king, lest you be laughed at, unless you think it kingly, to live so as not to be a slave, not only to any man, but even to any appetite; to contemn all sensual pleasures; to covet no man's gold or silver, or any thing else; to speak one's mind freely in the senate; to consult the good, rather than the humour of the people; to give way to none, but to withstand many: if you take this to be kingly, I confess myself a king; but if the insolence of my power, if my dominion, if any proud or arrogant saying of mine provokes you, why do not you urge me with that, rather than the envy of a name, and the contumely of a groundless calumny?"—He proceeds to show, that his kingdom, if it must be called so, was of so laborious a kind,

[1] Pro Sylla, 7. 10. [2] Ibid. 7, 8.

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that there was not a man in Rome who would be content to take his place [1]. He puts him in mind, that he was disposed to indulge and bear with his pertness, out of regard to his youth, and to his father—though no man had ever thrown the slightest aspersion upon him, without being chastised for it—but that he had no mind to fall upon one whom he could so easily vanquish; who had neither strength, nor age, nor experience enough for him to contend with: he advised him, however, not to abuse his patience much longer, lest he should be tempted at last to draw out the stings of his speech against him [2]. As to the merits of the cause, though there was no positive proof, yet there were many strong presumptions against Sylla, with which his adversary hoped to oppress him: but Cicero endeavoured to confute him, by appealing to the tenor and character of his life; protesting, in the strongest terms, that he who had been the searcher and detector of the plot, and had taken such pains to get intelligence of the whole extent of it, had never met with the least hint or suspicion of Sylla's name in it; and that he had no other motive for defending him, but a pure regard to justice; and as he had refused to defend others, nay, had given evidence against them, from the knowledge of their guilt, so he had undertaken Sylla's defence, through a persuasion of his innocence [3]. Torquatus, for want of direct proof, threatened to examine Sylla's slaves by torture: this was sometimes practised, upon the demand of the prosecutor; but Cicero observes upon it, that the effect of those torments was governed always by the constitution of the patient, and the firmness of his mind and body; by the will and pleasure of the torturer, and the hopes and fears of the tortured; and that, in moments of so much anguish, there could be no room for truth: he bids them put Sylla's life to the rack, and examine that with rigour; whether there was any hidden lust, any latent treason, any cruelty, any audaciousness in it: that there could be no mistake in the cause, if the voice of his perpetual life, which ought to be of the greatest weight, was but attended to [4]. Sylla was acquitted; but Cicero had no great joy from his victory, or comfort in preserving such a citizen, who lived afterwards in great confidence with Cæsar, and commanded his right wing in the battle of Pharsalia [5]; and served him afterwards in his power, as he had before served his kinsman Sylla, in managing his confiscations and the sale of the forfeited estates.

About the time of this trial, Cicero bought a house of M.

[1] Ibid. 9. [2] Ibid. 16. [3] Ibid. 30. [4] Ibid. 28.
[5] Vid. Cæs. comment. de bello civili.

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Crassus, on the Palatine hill, adjoining to that in which he had always lived with his father, and which he is now supposed to have given up to his brother Quintus. The house cost him near 30,000*l.* and seems to have been one of the noblest in Rome; it was built about thirty years before, by the famous tribune, M. Livius Drusus; on which occasion, we are told, that when the architect promised to build it for him, in such a manner, that none of his neighbours should overlook him: "But, if you have any skill," replied Drusus, "contrive it rather so, that the world may see what I am doing[1]." It was situated in the most conspicuous part of the city, near to the centre of all business, overlooking the Forum and the rostra; and what made it the more splendid, was its being joined to a portico or colonnade, called by the name of Catulus; who built it out of the Cimbric spoils, on that area where Flaccus formerly lived, whose house was demolished by public authority, for his seditious practices with C. Gracchus[2]. In this purchase he followed the rule which he recommends in his Offices, with regard to the habitation of a principal citizen; that his dignity should be adorned by his house, but not derived from it[3]: where he mentions several instances of great men, who, by the splendour of their houses, on this very hill, which were constantly striking the eyes of the people, and imprinting a notion of their magnificence, made their way the more easily to the highest honours of the Republic.

A. Gellius tells us, that, having resolved to buy the house, and wanting money to pay for it, he borrowed it privately of his client Sylla, when he was under prosecution; but the story taking wind, and being charged upon him, he denied both the borrowing and the design of purchasing, yet soon after, bought the house; and, when he was reproached with the denial of it, replied only, laughing, that they must be fools to imagine, that when he had resolved to buy, he would raise competitors of the purchase by proclaiming it[4].

The story was taken, probably, from some of the spurious collections of Cicero's jests; which were handed about, not only after his death, but even in his life-time, as he often complains to his friends[5]: for, it is certain, that there could

[1] Cum promitteret ei architectus, ita se ædificaturum, ut libera a conspectu, immunis ab omnibus arbitris esset—Tu vero, inquit, si quid in te artis est, ita compone domum meam, ut quicquid agam ab omnibus perspici possit. Vell. Pat. 2. 14. Ep. fam. 5, 6.

[2] M. Flaccus, quia cum Graccho contra Reipub. salutem fecerat, et senatûs sententia est interfectus, et domus ejus eversa est: in qua porticum post aliquanto Q. Catulus de manubiis Cimbricis fecit. Pr. dom. 38.

[3] Ornanda est enim dignitas domo, non ex domo tota quærenda. De Offic 1. 39.

[4] A. Gellius, 12. 12.

[5] Ais enim, ut ego discesserim omnia omnium dicta, in his etiam Sestiana in me conferri. Quid? tu id pateris? nonne defendis? nonne resistis? &c. Ep. fam. 7. 32.

Sic

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be nothing dishonourable in the purchase, since it was transacted so publicly, that, before it was even concluded, one of his friends congratulated him upon it, by letter, from Macedonia [1]. The truth is, and what he himself does not dissemble, that he borrowed part of the money, to pay for it, at six per cent.; and says, merrily, upon it, that he was now so plunged in debt, as to be ready for a plot, but that the conspirators would not trust him [2]. It raised, indeed, some censure upon his vanity, for purchasing so expensive a house with borrowed money: but Messala, the consul, happening soon after to buy Autronius's house, at a greater price, and with borrowed money too, it gave him some pleasure, that he could justify himself by the example of so worthy a magistrate: "By Messala's purchase," says he, "I am thought to have made a good bargain; and men begin to be convinced, that we may use the wealth of our friends, in buying what contributes to our dignity [3]."

But the most remarkable event, which happened in the end of this year, was the pollution of the mysteries of the Bona Dea, or the good goddess, by P. Clodius; which, by an unhappy train of consequences, not only involved Cicero in an unexpected calamity, but seems to have given the first blow towards the ruin of the Republic. Clodius was now quæstor, and, by that means, a senator; descended from the noblest family in Rome, in the vigour of his age, of a graceful person, lively wit, and flowing eloquence; but, with all the advantages of nature, he had a mind incredibly vicious; was fierce, insolent, audacious, but above all, most profligately wicked, and an open contemner of gods and men; valuing nothing, that either nature or the laws allowed; nothing, but in proportion as it was desperate, and above the reach of other men; disdaining even honours, in the common forms of the Republic; nor relishing pleasures, but what were impious, adulterous, incestuous [4]. He had an intrigue with Cæsar's wife, Pompeia,

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Sic audio Cæsarem—si quod afferatur ad eum pro meo, quod meum non est, rejicere solere. Ib. 9. 16.

[1] Quod ad me pridem scripseras, velle te bene evenire, quod de Crasso domum emeram —Emi eam ipsam domum H. S. XXXV. aliquanto post tuam gratulationem. Ep. fam. 5. 6.

[2] Itaque scito, me nunc tantum habere æris alieni, ut cupiam conjurare, si quisquam recipiat. Sed partim me excludunt, &c. Ib.

[3] Ea emptione et nos bene emisse judicati sumus; et homines intelligere cœperunt, licere amicorum facultatibus in emendo ad dignitatem aliquam pervenire. Ad Att. 1. 13.

[4] Exorta est illa Reipub. sacris, religionibus, auctoritati vestræ, judiciis publicis funesta quæstura: in qua idem iste deos, hominesque, pudorem, pudicitiam, senatûs auctoritatem, jus, fas, leges, judicia violavit, &c. De Aruspic. resp. 20.

Qui ita judicia pœnamque contempserat, ut eum nihil delectaret, quod aut per naturam fas esset, aut per leges liceret. Pro Mil. 16.

P. Clodius, homo nobilis, disertus, audax; qui neque dicendi, neque faciendi ullum, nisi quem vellet, nosset modum; malorum propositorum executor acerrimus, infamis etiam sororis stupro, &c. Vell. Pat. 2. 45.

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who, according to annual custom, was now celebrating in her house those awful and mystic sacrifices of the goddess, to which no male creature was ever admitted, and where every thing masculine was so scrupulously excluded, that even pictures of that sort were covered during the ceremony [1]. This was a proper scene for Clodius's genius to act upon; an opportunity of daring, beyond what man had ever dared before him: the thought of mixing the impurity of his lusts with the sanctity of these venerable rites, flattered his imagination so strongly, that he resolved to gain access to his mistress, in the very midst of her holy ministry. With this view, he dressed himself in a woman's habit, and, by the benefit of his smooth face, and the introduction of one of the maids, who was in the secret, hoped to pass without discovery: but, by some mistake, between him and his guide, he lost his way, when he came within the house, and fell in, unluckily, among the other female servants, who, detecting him by his voice, alarmed the whole company by their shrieks, to the great amazement of the matrons, who presently threw a veil over the sacred mysteries, while Clodius found means to escape by the favour of some of the damsels [2].

The story was presently spread abroad, and raised a general scandal and horror through the whole city: in the vulgar, for the profanation of a religion held the most sacred in Rome; in the better sort, for its offence to good manners, and the discipline of the Republic. Cæsar put away his wife upon it; and the honest, of all ranks, were for pushing this advantage against Clodius as far as it would go, in hopes to free themselves by it, of a citizen, who by this, as well as other specimens of his audaciousness, seemed born to create much disturbance to the state [3]. It had been the constant belief of the populace, that, if a man should ever pry into these mysteries, he would be instantly struck blind; but it was not possible, as Cicero says, to know the truth of it before, since no man, but Clodius, had ever ventured upon the experiment: though it

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[1] ——————— ubi velari pictura jubetur,
Quæcunque alterius sexûs imitata figuram est.—Juv. 6. 339.

Quod quidem sacrificium nemo ante P. Clodium in omni memoria violavit—quod fit per virgines vestales; fit pro populo Romano; fit in ea domo, quæ est in imperio; fit incredibili ceremonia; fit ei deæ, cujus ne nomen quidem viros scire fas est. De Arusp. resp. 17.

[2] P. Clodium, Appii filium, credo te audisse cum veste muliebri deprehensum domi C. Cæsaris, cum pro populo fieret, eumque per manus servulæ servatum et eductum; rem esse insigni infamia. Ad Att. 1. 12.

[3] Videbam, illud scelus tam importunum, audaciam tam immanem adolescentis furentis, nobilis, vulnerati, non posse arceri otii finibus: erupturum illud malum aliquando, si impunitum fuisset, ad perniciem civitatis. De Arusp. resp. 3.

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was now found, as he tells him, that the blindness of the eyes was converted to that of the mind [1].

The affair was soon brought before the senate; where it was resolved to refer it to the college of priests, who declared it to be an abominable impiety: upon which the consuls were ordered to provide a law for bringing Clodius to a trial for it before the people [2]. But Q. Fufius Calenus, one of the tribunes, supported by all the Clodian faction, would not permit the law to be offered to the suffrage of the citizens. This raised a great ferment in the city, while the senate adhered to their former resolution, though the consul Piso used all his endeavours to divert them from it, and Clodius, in an abject manner, threw himself at the feet of every senator; yet, after a second debate, in a full house, there were fifteen only who voted on Clodius's side, and four hundred directly against him; so that a fresh decree passed, to order the consuls to recommend the law to the people, with all their authority, and that no other business should be done, till it was carried [3]; but this being likely to produce great disorders, Hortensius proposed an expedient, which was accepted by both parties, that the tribune Fufius should publish a law, for the trial of Clodius, by the prætor, with a select bench of judges. The only difference between the two laws was, whether he should be tried by the people, or by particular judges: but this, says Cicero, was every thing. Hortensius was afraid, lest he should escape in the squabble, without any trial; being persuaded that no judges could absolve him, and that a sword of lead, as he said, would destroy him: but the tribune knew, that, in such a trial, there would be room for intrigue, both in choosing and corrupting the judges, which Cicero likewise foresaw, from the first; and wished, therefore, to leave him rather to the effect of that odium, in which his character then lay, than bring him to a trial where he had any chance to escape [4].

Clodius's whole defence was, to prove himself absent at the

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[1] Aut quod oculos, ut opinio illius religionis est, non perdidisti. Quis enim ante te sacra illa vir sciens viderat, ut quisquam pœnam, quæ sequeretur illud scelus, scire posset? Ibid. 18.

Pœna omnis oculorum ad cæcitatem mentis est conversa. Pro Dom. 40.

[2] Id sacrificium cum Virgines instaurassent, mentionem a Q. Cornificio in Senatu factam—post rem ex S. C. ad Pontifices relatam; idque ab eis nefas esse decretum: deinde ex S. C. Consules rogationem promulgasse: uxori Cæsarem nuncium remisisse—In hac causa Piso, amicitia P. Clodii ductus, operam dat, ut ea rogatio—antiquetur, &c. Ad Att. l. 13.

[3] Senatus vocatur; cum decerneretur frequenti senatu, contra pugnante Pisone, ad pedes omnium sigillatim accedente Clodio, ut consules populum cohortarentur ad rogationem accipiendam: homines ad XV. Curioni, nullum S. C. facienti, assenserunt, ex altera parte facile CCCC. fuerunt.—Senatus decernebat, ut ante, quam rogatio lata esset, ne quid ageretur. Ibid. 14.

[4] Postea vero quam Hortensius excogitavit, ut legem de religione Fufius tribunus pleb. ferret; in qua nihil aliud a consulari rogatione differebat, nisi judicum genus, (in

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time of the fact: for which purpose, he produced men to swear, that he was then at Interamna, about two or three days' journey from the city. But Cicero being called upon to give his testimony, deposed, that Clodius had been with him that very morning at his house in Rome [1]. As soon as Cicero appeared in the court, the Clodian mob began to insult him with great rudeness; but the judges rose up, and received him with such respect, that they presently secured him from all farther affronts [2]. Cæsar, who was the most particularly interested in the affair, being summoned also to give evidence, declared, that he knew nothing at all of the matter; though his mother Aurelia, and sister Julia, who were examined before him, had given a punctual relation of the whole fact: and being interrogated, how he came then to part with his wife? he replied, that all who belonged to him ought to be free from suspicion, as well as guilt [3]. He saw very well how the thing was like to turn, and had no mind to exasperate a man of Clodius's character, who might be of good service to him, for the advancement of his future projects. Plutarch says, that Cicero himself was urged on to this act against his will, by the importunity of his wife; a fierce imperious dame, jealous of Clodius's sister, whom she suspected of some design to get Cicero from her, which, by this step, she hoped to make desperate. The story does not seem improbable; for, before the trial, Cicero owns himself to be growing every day more cool and indifferent about it; and in his railleries with Clodius, after it, touches upon the forward advances which his sister had made towards him: and at the very time of giving his testimony, did it with no spirit, nor said any thing more, as he tells us, than what was so well known, that he could not avoid saying it [4].

The judges seemed to act, at first, with great gravity; granted every thing that was asked by the prosecutors; and demanded a guard to protect them from the mob; which the

eo autem erant omnia) pugnavitque ut ita fieret; quod et sibi et aliis persuaserat, nullis illum judicibus effugere posse; contraxi vela, perspiciens inopiam judicum.—Hortensius—non vidit illud, satius esse illum in infamia et sordibus relinqui, quam infirmo judicio committi. Sed ductus odio properavit rem deducere in judicium, cum illum plumbeo gladio jugulatum iri tamen diceret—A me tamen ab initio consilium Hortensii reprehendebatur. Ad Att. I 16.

[1] Plut. in Cic. Val Max. 8. 5.

[2] Me vero teste producto; Credo te—audisse, quæ consurrectio judicum facta sit, ut me circumsteterint, &c. Ad Att. ibid.

[3] Negavit se quidquam comperisse, quamvis et mater Aurelia, et soror Julia, apud eosdem judices, omnia ex fide retulissent: interrogatusque, cur igitur repudiasset uxorem? Quoniam, inquit, meos tam suspicione quam crimine judico carere oportere. Sueton. J. Cæs. 74.

[4] Nosmetipsi, qui Lycurgei a principio fuissemus, quotidie demitigamur. Ad Att. 1. 13.

Neque dixi quicquam pro testimonio, nisi quod erat ita notum atque testatum, ut non possem præterire. Ibid. 16.

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senate readily ordered, with great commendations of their prudence: but when it came to the issue, twenty-five only condemned, while thirty-one absolved him. Crassus is said to have been Clodius's chief manager, in tampering with the judges; employing every art and instrument of corruption, as it suited the different tempers of the men; and where money would not do, offering even certain ladies and young men of quality to their pleasure. Cicero says, that a more scandalous company of sharpers never sat down at a gaming table: infamous senators, beggarly knights, with a few honest men among them, whom Clodius could not exclude; who in a crew so unlike to themselves, sat with sad and mournful faces, as if afraid of being infected with the contagion of their infamy; and that Catulus, meeting one of them, asked him, what they meant by desiring a guard? were they afraid of being robbed of the money which Clodius had given them [1]?

This transaction, however, gave a very serious concern to Cicero, who laments, that the firm and quiet state of the Republic, which he had established in his consulship, and which seemed to be founded in the union of all good men, was now lost and broken, if some deity did not interpose, by this single judgment; if that, says he, can be called a judgment, for thirty of the most contemptible scoundrels of Rome to violate all that is just and sacred, for the sake of money; and vote that to be false, which all the world knows to be true. As he looked upon himself to be particularly affronted by a sentence, given in flat contradiction to his testimony, so he made it his business, on all occasions to display the iniquity of it, and to sting the several actors in it with all the keenness of his raillery [2]. In a debate soon after, in the senate, on the state of the Republic, taking occasion to fall upon this affair, he exhorted the fathers not to be discouraged for having received one single wound; which was of such a nature, that it ought neither to be dissembled, nor to be feared; for, to fear it, was a meanness; and, not to be sensible of it, a stupidity. That Lentulus was twice acquitted; Catiline also twice; and this man was the third, whom

[1] Nosti Calvum—biduo per unum servum, et eum ex gladiatorio ludo, confecit totum negotium. Arcessivit ad se, promisit, intercessit, dedit. Jam vero (O Dii boni, rem perditam!) etiam noctes certarum mulierum, atque adolescentulorum nobilium introductiones nonnullis judicibus pro mercedis cumulo fuerunt,—XXV judices ita fortes fuerunt, ut summo proposito periculo vel perire maluerint, quam perdere omnia. XXXI fuerunt, quos fames magis quam fama commoverit. Quorum Catulus cum vidisset quendam; Quid vos, inquit, præsidium a nobis postulabatis? an, ne nummi vobis eriperentur, timebatis?

Maculosi Senatores, nudi Equites—pauci tamen boni inerant, quos rejectione fugare ille non poterat; qui mœsti inter sui dissimiles et mœrentes sedebant, et contagione turpitudinis vehementer permovebantur. Ad Att. l. 16.

[2] Insectandis vero, exagitandisque nummariis judicibus, omnem omnibus studiosis ac fautoribus illius victoriæ παῤῥησίαν eripui. Ibid.

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a bench of judges had let loose upon the Republic. "But thou art mistaken, Clodius," says he; "the judges have not reserved thee for the city, but for a prison; they designed thee no kindness by keeping thee at home, but to deprive thee of the benefit of an exile. Wherefore, fathers, rouse your usual vigour; resume your dignity; there subsists still the same union among the honest; they have had indeed a fresh subject of mortification, yet their courage is not impaired by it; no new mischief has befallen us; but that only, which lay concealed, is now discovered; and, by the trial of one desperate man, many others are found to be as bad as he [1]."

Clodius, not caring to encounter Cicero by formal speeches, chose to teaze him with raillery, and turn the debate into ridicule. "You are a fine gentleman, indeed," says he, "and have been at Baiæ." "That's not so fine," replied Cicero, "as to be caught at the mysteries of the goddess." "But what," says he, "has a clown of Arpinum to do at the hot wells?" "Ask that friend of your's," replied Cicero, "who had a month's mind to your Arpinum clown [2]." "You have bought a house [3]," says he. "You should have said, judges," replied Cicero. "Those judges," says he, "would not believe you upon your oath." "Yes," replied Cicero, "twenty-five of them gave credit to me; while the rest would not give any to you, but made you pay your money before hand." This turned the laugh so strongly on Cicero's side, that Clodius was confounded, and forced to sit down [4]. But being now declared enemies, they never met without some strokes of this kind upon each other; which, as Cicero observes, must needs appear flat in the narration, since all their force and beauty depended on the smartness of the contention, and the spirit with which they were delivered [5].

The present consuls were M. Pupius Piso and M. Messala; the first of whom, as soon as he entered into office, put a slight affront upon Cicero: for his opinion having been asked always the first, by the late consuls, Piso called upon him only the second, on Catulus the third, Hortensius the fourth: this, he says, did not displease him, since it left him more at liberty in his voting; and freed him from the obligation of any com-

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[1] Ibid.

[2] This is supposed to refer to his sister Clodia, a lady famous for her intrigues; who had been trying all arts to tempt Cicero to put away Terentia, and to take her for his wife.

[3] Though Clodius reproaches Cicero here for the extravagant purchase of a house, yet he himself is said to have given afterwards near four times as much for one, viz. about 119,000*l.* sterling. Plin. Hist. N. l. 36. 15.

[4] Ad Att. l. 16.

[5] Nam cætera non possunt habere neque vim, neque venustatem, remoto illo studio contentionis. Ibid.

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plaisance to a man whom he despised [1]. This consul was warmly in the interests of Clodius; not so much out of friendship, as a natural inclination to the worst side; for, according to Cicero's account of him, he was a man of a weak and wicked mind; a churlish, captious sneerer, without any turn of wit; and making men laugh by his looks rather than jests; favouring neither the popular nor the aristocratical party; from whom no good was to be expected, because he wished none; nor hurt to be feared, because he durst do none; who would have been more vicious, by having one vice the less, sloth and laziness [2], &c. Cicero frankly used the liberty, which this consul's behaviour allowed him, of delivering his sentiments without any reserve; giving Piso himself no quarter, but exposing every thing that he did and said in favour of Clodius, in such a manner, as to hinder the senate from decreeing to him the province of Syria, which had been designed, and in a manner promised to him [3]. The other consul, Messala, was of quite a different character; a firm and excellent magistrate, in the true interests of his country, and a constant admirer and imitator of Cicero [4].

About this time Cicero is supposed to have made that elegant oration, still extant, in the defence of his old preceptor, the poet Archias: he expected, for his pains, an immortality of fame from the praise of Archias's muse; but, by a contrary fate of things, instead of deriving any addition of glory from Archias's compositions, it is wholly owing to his own, that the name of Archias has not long ago been buried in oblivion. From the great character given by him of the talents and genius of this poet, we cannot help regretting the entire loss of his works: he had sung in Greek verse the triumphs of Marius over the Cimbri, and of Lucullus over Mithridates; and was now attempting the consulship of Cicero [5]; but this perished with the rest, or was left rather unfinished, and interrupted by his death, since we find no further mention of it in any of Cicero's later writings.

Pompey the Great returned to Rome about the beginning

[1] Ad Att. l. 13.

[2] Neque id magis amicitia Clodii ductus, quam studio perditarum rerum, atque partium. Ibid. 14.

Consul autem ipse parvo animo et pravo; tantum cavillator genere illo moroso, quod etiam sine dicacitate ridetur; facie magis, quam facetiis ridiculus: nihil agens cum Repub. sejunctus ab optimatibus: a quo nihil speres boni Reipub. quia non vult; nihil metuas mali, quia non audet. Ibid. 13.

Uno vitio minus vitiosus, quod iners, quod somni plenus. Ibid. 14.

[3] Consulem nulla in re consistere unquam sum passus: desponsam homini jam Syriam ademi. Ib. 16.

[4] Messala consul est egregius, fortis, constans, diligens, nostri laudator, amator, imitator. Ibid. 14.

[5] Nam et Cimbricas res adolescens attigit, et ipsi illi C. Mario, qui durior ad haec studia videbatur, jucundus fuit.

Mithridaticum

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of this year, in the height of his fame and fortunes, from the Mithridatic war. The city had been much alarmed about him, by various reports from abroad, and several tumults at home; where a general apprehension prevailed, of his coming at the head of an army, to take the government into his hands[1]. It is certain, that he had it now in his power, to make himself master of the Republic, without the hazard even of a war, or any opposition to control him. Cæsar, with the tribune Metellus, was inviting him to it, and had no other ambition at present, than to serve under him: but Pompey was too phlegmatic to be easily induced to so desperate a resolution; or seems rather, indeed, to have had no thoughts at all of that sort, but to have been content with the rank which he then possessed, of the first citizen of Rome, without a rival. He had lived in a perpetual course of success and glory, without any slur, either from the senate or the people, to inspire him with sentiments of revenge, or to give him a pretence for violent measures: and he was persuaded, that the growing disorders of the city, would soon force all parties to create him dictator, for the settlement of the state; and thought it of more honour to his character to obtain that power, by the consent of his citizens, than to extort it from them by violence. But whatever apprehensions were conceived of him, before his coming, they all vanished at his arrival; for, he no sooner set foot in Italy, than he disbanded his troops, giving them orders only to attend him in his triumph; and, with a private retinue, pursued his journey to Rome, where the whole body of the people came out to receive him, with all imaginable gratulations and expressions of joy, for his happy return[2].

By his late victories he had greatly extended the barrier of the empire into the continent of Asia, having added to it three powerful kingdoms[3], Pontus, Syria, Bithynia, which he reduced to the condition of Roman provinces; leaving all the other kings, and nations of the east, tributary to the Republic, as far as the Tigris. Among his other conquests, he took the city of Jerusalem, by the opportunity of a contest about the crown, between the two brothers Hircanus and Aristobulus: the lower town was surrendered to him, with little or no opposition; but the fortress of the temple cost him a siege of three months; nor would he have taken it then, so easily, as

Mithridaticum vero bellum, magnum atque difficile—totum ab hoc expressum est; qui libri non modo L. Lucullum—verum etiam populi Rom. nomen illustrant.—Nam quas res in consulatu nostro vobiscum simul pro salute urbis atque imperii—gessimus, attigit hic versibus atque inchoavit: quibus auditis, quod mihi magna res et jucunda visa est, hunc ad perficiendum hortatus sum. Pro Archia, 9. 11.

[1] Plut. in Pomp. [2] Ibid.

[3] Ut Asia, quæ imperium antea nostrum terminabat, nunc tribus novis provinciis ipsa cingatur. De Provin. Consular. 12.

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Dio tells us [1], had it not been for the advantage, that the besieged gave him, by the observance of their weekly sabbaths, on which they abstained so religiously from all war, as to neglect even their necessary defence. He showed great humanity to the people, and touched no part of the sacred treasure, or vessels of gold, which were of an immense value [2]; yet was drawn, by his curiosity, into such a profanation of their temple, as mortified them more than all that they had suffered by the war: for, in taking a view of the buildings, he entered with his officers, not only into the holy place, where none but the priests, but into the holy of holies, where none but the high priest was permitted, by the law, to enter: by which act, as a very eminent writer, more piously, perhaps, than judiciously, remarks, he drew upon himself the curse of God, and never prospered afterwards [3]. He carried Aristobulus and his children prisoners to Rome, for the ornament of his triumph; and settled Hircanus in the government and the high priesthood, but subject to a tribute. Upon the receipt of the public letters, which brought the account of his success, the senate passed a decree, that, on all festival days, he should have the privilege to wear a laurel crown, with his general's robe; and in the equestrian races of the circus, his triumphal habit: an honour, which, when he had once used, to show his grateful sense of it, he ever after prudently declined; since, without adding any thing to his power, it could serve only to increase the envy, which many were endeavouring to stir up against him [4].

On the merit of these great services he did many acts abroad of a very extraordinary nature; gave what laws he pleased to the whole east; distributed the conquered countries, at discretion, to the kings and princes who had served him in the wars; built twenty-nine new cities, or colonies; and divided to each private soldier about fifty pounds sterling, and to his officers in proportion; so that the whole of his donative is computed to amount to above three millions of our money [5].

His first business, therefore, after his return, and what he had much at heart, was to get these acts ratified by public authority. The popular faction promised him every thing, and employed all their skill to divert him from an union with Cicero and the senate, and had made a considerable impression upon him: but he found the state of things very different from their representations; saw Cicero still in high credit; and,

[1] Dio, l. 37. p. 36.
[2] At Cn. Pompeius captis Hierosolymis, victor, ex illo fano nihil attigit. Pro Flacc. 28.
[3] Prideaux. Connect. par. 2. p. 343.
[4] Dio, l. 37. p. 39.
[5] Plin. Hist. l. 37. 2. Appian. de bell. Mithridat.

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by his means, the authority of the senate much respected; which obliged him to use great management, and made him so cautious of offending any side, that he pleased none. Cicero says of his first speech, that it was neither agreeable to the poor, nor relished by the rich; disappointed the seditious, yet gave no satisfaction to the honest[1]. As he happened to come home in the very heat of Clodius's affair, so he was presently urged, by both parties, to declare for the one or the other. Fufius, a busy, factious tribune, demanded of him, before the people, what he thought of Clodius's being tried by the prætor and a bench of judges? to which he answered, very aristocratically, as Cicero calls it, that he had ever taken the authority of the senate to be of the greatest weight in all cases. And when the consul Messala asked him, in the senate, what his opinion was of that profanation of religion, and the law proposed about it? he took occasion, without entering into particulars, to applaud, in general, all that the senate had done in it; and, upon sitting down, told Cicero, who sat next to him, that he had now said enough, he thought, to signify his sentiments of the matter[2].

Crassus observing Pompey's reserve, resolved to push him to a more explicit declaration, or to get the better of him at least in the good opinion of the senate; rising up, therefore to speak, he launched out, in a very high strain, into the praises of Cicero's consulship; declaring himself indebted to it for his being, at that time, a senator and a citizen; nay, for his very liberty and his life; and that, as often as he saw his wife, his family, and his country, so often he saw his obligations to Cicero. This discomposed Pompey, who was at a loss to understand Crassus's motive; whether it was to take the benefit of an opportunity, which he had omitted, of ingratiating himself with Cicero; or that he knew Cicero's acts to be in high esteem, and the praise of them very agreeable to the senate; and it piqued him the more, for its coming from a quarter, whence it was least to be expected; from one whom Cicero, out of regard to him, had always treated with a particular slight. The incident, however, raised Cicero's spirits, and made him exert himself before his new hearer, Pompey, with all the pride of his eloquence: his topics were, the firmness and gravity of the senate; the concord of the equestrian order; the concurrence of all Italy: the lifeless remains of a baffled conspiracy; the peace and plenty which had since succeeded: all which he displayed with

[1] Prima concio Pompeii—non jucunda miseris, inanis improbis, beatis non grata, bonis non gravis. Itaque frigebat. Ad Att. l. 14.

[2] Mihique, ut assedit, dixit, se putare satis ab se etiam de istis rebus esse responsum. Ibid.

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his utmost force, to let Pompey see his ascendant still in that assembly, and how much he had been imposed upon by the accounts of his new friends [1]. Pompey, likewise, on his side, began presently to change his tone, and affected, on all public occasions, to pay so great a court to Cicero, that the other faction gave him the nick-name of Cnæus Cicero: and their seeming union was so generally agreeable to the city, that they were both of them constantly clapped, whenever they appeared in the theatre, without a hiss from any quarter [2]. Yet Cicero easily discovered, that all this outward civility was but feigned and artificial; that he was full of envy within, and had no good intentions towards the public; nothing candid or sincere; nothing great, generous, or free, in him [3].

There was one point, which Pompey resolved to carry, this summer, against the universal inclination of the city; the election of L. Afranius, one of his creatures, to the consulship: in which he fights, says Cicero, neither with authority, nor interest, but with what Philip of Macedon took every fortress, into which he could drive a loaded ass [4]. Plutarch says, that he himself distributed the money openly in his own gardens: but Cicero mentions it as a current report, that the consul Piso had undertaken to divide it at his house: which gave birth to two new laws, drawn up by Cato and his brother-in-law, Domitius Ahenobarbus, and supposed to be levelled at the consul; the one of which gave a liberty to search the houses, even of magistrates, on information of bribery; the other declared all those enemies to the state, at whose houses the dividers of money were found [5]. Pompey, however, obtruded Afranius upon the city, by which he disgusted all the better sort, both of the senate and people [6].

He had been making preparation, all this summer, for his triumph, which he deferred to his birth-day, the 30th of September; having resided, in the meanwhile, as usual, in the

[1] Proxime Pompeium sedebam: intellexi hominem moveri; utrum Crassum inire eam gratiam, quam ipse prætermisisset.

Ego autem, Dii boni, quomodo ἐνεπερπερευσάμην novo auditori Pompeio?—Hæc erat ὑπόθεσις de gravitate Ordinis, de equestri concordia, de consensione Italiæ, de immortuis reliquiis conjurationis, de vilitate, de otio. Ad Att. l. 14.

[2] Usque eo, ut nostri illi comissatores conjurationis, barbatuli juvenes, illum in sermonibus CNÆUM CICERONEM appellent. Itaque et ludis et gladiatoribus mirandas ἐπισημασίας, sine ulla pastoricia fistula, auferebamus. Ibid. 16.

[3] Nos, ut ostendit, admodum diligit—aperte laudat: occulte, sed ita ut perspicuum sit, invidet: nihil come, nihil simplex, nihil ἐν τοῖς πολιτικοῖς honestum, nihil illustre, nihil forte, nihil liberum. Ibid. 13.

[4] In eo neque auctoritate, neque gratia pugnat; sed quibus Philippus omnia castella expugnari posse dicebat, in quæ modo asellus onustus auro posset ascendere. Ibid. 16.

[5] Consul autem ille—suscepisse negotium dicitur, et domi divisores habere; sed S. Cta. duo jam facta sunt odiosa, quod in consulem facta putantur, Catone et Domitio postulante, &c. Ibid. 16.

[6] Consul est impositus nobis, quem nemo præter nos philosophos aspicere sine suspiratu posset. Ibid. 18.

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suburbs: so that the senate and people, in compliment to him, held their assemblies, generally, during that time, without the walls; some of which are mentioned to have been in the Flaminian circus[1]. His triumph lasted two days, and was the most splendid which had ever been seen in Rome: he built a temple to Minerva out of the spoils, with an inscription, giving a summary of his victories: "That he had finished a war of thirty-years; had vanquished, slain, and taken two millions one hundred and eighty-three thousand men; sunk or taken eight hundred and forty-six ships; reduced to the power of the empire a thousand five hundred and thirty-eight towns and fortresses: and subdued all the countries between the lake Mæotis and the Red Sea[2]."

Quintus Cicero, who, by the help and interest of his brother, was following him at a proper distance through all the honours of the state, having been prætor the last year, now obtained the government of Asia; a rich and noble province, comprehending the greatest part of what is called Asia Minor. Before he went to take possession of it, he earnestly pressed Atticus, whose sister he married, to go along with him, as one of his lieutenants; and resented his refusal so heinously, that Cicero had no small trouble to make them friends again. There is an excellent letter, on this subject, from Cicero to Atticus; which I cannot forbear inserting, for the light which it gives us into the genuine character of all the three, as well as of other great men of those times, with a short account also of the present state of the Republic.

CICERO TO ATTICUS.

"I PERCEIVE, from your letter, and the copy of my brother's, which you sent with it, a great alteration in his affection and sentiments with regard to you: which affects me with all that concern, which my extreme love for you both ought to give me; and with wonder, at the same time, what could possibly happen either to exasperate him so highly, or to effect so great change in him. I had observed, indeed, before, what you also mistrusted at your leaving us, that he had conceived

[1] Fufius in concionem produxit Pompeium; res agebatur in Circo Flaminio. Ibid. 14.

[2] CN. POMPEIUS. CN. F. MAGNUS. IMP.
BELLO. XXX. ANNORUM. CONFECTO.
FUSIS. FUGATIS. OCCISIS. IN DEDITIONEM
ACCEPTIS. HOMINUM. CENTIES. VICIES.
SEMEL. CENTENIS. LXXXIII. M.
DEPRESSIS AUT CAPT. NAVIBUS. DCCCXLVI.
OPPIDIS. CASTELLIS. M.D.XXXVIII.
IN FIDEM RECEPTIS.
TERRIS. A. MÆOTI. LACU. AD RUBRUM.
MARE. SUBACTIS.
VOTUM. MERITO. MINERVÆ.—Plin. Hist. N. 7. 26.

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some secret disgust, which shocked and filled his mind with odious suspicions: which though I was often attempting to heal, and especially after the allotment of his province, yet I could neither discover that his resentment was so great, as it appears to be, from your letter, nor find, that what I said had so great an effect upon him as I wished. I comforted myself, however, with a persuasion, that he would contrive to see you at Dyrrachium, or some other place in those parts; and, in that case, made no doubt but that all would be set right; not only by your discourse, and talking the matter over between yourselves, but by the very sight and mutual embraces of each other: for I need not tell you, who know it as well as myself, what a fund of good nature and sweetness of temper there is in my brother, and how apt he is, both to take and to forgive an offence. But it is very unlucky, that you did not see him; since, by that means, what others have artfully inculcated has had more influence on his mind, than either his duty, or his relation to you, or your old friendship, which ought to have had the most. Where the blame of all this lies, it is easier for me to imagine than to write; being afraid, lest, while I am excusing my own people, I should be too severe upon your's; for, as I take the case to be, if those of his own family did not make the wound, they might, at least, have cured it. When we see one another again, I shall explain to you more easily the source of the whole evil, which is spread somewhat wider than it seems to be.—As to the letter which he wrote to you from Thessalonica, and what you suppose him to have said of you to your friends at Rome, and on the road, I cannot conceive what could move him to it. But all my hopes of making this matter easy, depend on your humanity: for if you will but reflect, that the best men are often the most easy, both to be provoked, and to be appeased; and that this quickness, if I may so call it, or flexibility of temper, is generally the proof of a good nature; and, above all, that we ought to bear with one another's infirmities, or faults, or even injuries; this troublesome affair, I hope, will soon be made up again. I beg of you that it may be so. For it ought to be my special care, from the singular affection which I bear to you, to do every thing in my power, that all, who belong to me, may both love and be beloved by you. There was no occasion for that part of your letter, in which you mentioned the opportunities which you have omitted, of employments, both in the city and the provinces; as well at other times, as in my consulship: I am perfectly acquainted with the ingenuity and greatness of your mind; and never thought that there was any other difference between you and me, but in a different choice

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and method of life: whilst I was drawn, by a sort of ambition, to the desire and pursuit of honours; you, by other maxims, in no wise blameable, to the enjoyment of an honourable retreat. But for the genuine character of probity, diligence, exactness of behaviour, I neither prefer myself, nor any man else to you; and, as for love to me, after my brother and my own family, I give you always the first place. For I saw, and saw it in a manner the most affecting, both your solicitude and your joy, in all the various turns of my affairs; and was often pleased, as well with the applause, which you gave me in success, as the comfort which you administered in my fears; and, even now, in the time of your absence, I feel and regret the loss, not only of your advice, in which you excel all: but of that familiar chat with you, in which I used to take so much delight. Where then, shall I tell you, that I most want you? in public affairs? where it can never be permitted to me to sit idle; or in my labours at the bar? which I sustained before, through ambition; but now, to preserve my dignity: or, in my domestic concerns? where, though I always wanted your help before, yet, since the departure of my brother, I now stand the more in need of it. In short, neither in my labours, nor rest; neither in business, nor retirement; neither in the Forum, nor at home; neither in public, nor in private affairs, can I live any longer without your friendly counsel, and endearing conversation. We have often been restrained, on both sides, by a kind of shame, from explaining ourselves on this article; but I was now forced to it, by that part of your letter, in which you thought fit to justify yourself and your way of life to me. But, to return to my brother: in the present state of the ill humour which he expresses towards you, it happens, however, conveniently, that your resolution of declining all employments abroad, was declared and known long beforehand, both to me and your other friends; so that your not being now together, cannot be charged to any quarrel or rupture between you, but to your judgment and choice of life. Wherefore, both this breach in your union will, undoubtedly, be healed again, and your friendship with me remain for ever inviolable, as it has hitherto been. We live here, in an infirm, wretched, tottering Republic: for you have heard, I guess, that our knights are now almost disjoined again from the senate. The first thing which they took amiss, was the decree for calling the judges to account, who had taken money in Clodius's affair: I happened to be absent when it passed; but, hearing afterwards, that the whole order resented it, though without complaining openly, I chid the senate, as I thought, with great effect; and, in a cause not very modest, spoke forcibly and copiously. They have now

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another curious petition, scarce fit to be endured; which yet I not only bore with, but defended. The company, who hired the Asiatic revenues of the censors, complained to the senate, that, through too great an eagerness, they had given more for them than they were worth, and begged to be released from the bargain. I was their chief advocate, or rather, indeed, the second; for Crassus was the man, who put them upon making this request. The thing is odious and shameful, and a public confession of their rashness: but there was great reason to apprehend, that, if they should obtain nothing, they would be wholly alienated from the senate; so that this point, also, was principally managed by me. For, on the 1st and 2nd of December, I spoke a great deal on the dignity of the two orders, and the advantages of the concord between them, and was heard very favourably in a full house. Nothing, however, is yet done; but the senate appears well disposed: for Metellus, the consul elect, was the only one, who spoke against us; though that hero of our's, Cato, was going also to speak, if the shortness of the day had not prevented him. Thus, in pursuit of my old measures, I am supporting, as well as I can, that concord which my consulship had cemented: but, since no great stress can now be laid upon it, I have provided myself another way, and a sure one, I hope, of maintaining my authority; which, I cannot well explain by letter, yet, will give you a short hint of it. I am in strict friendship with Pompey—I know already what you say—and will be upon my guard, as far as caution can serve me, and give you a farther account, some other time, of my present conduct in politics. You are to know, in the meanwhile, that Lucceius designs to sue directly for the consulship; for he will have, it is said, but two competitors: Cæsar, by means of Arrius, proposes to join with him; and Bibulus, by Piso's mediation, thinks of joining with Cæsar. Do you laugh at this? Take my word for it, it is no laughing matter. What shall I write farther? What? There are many things; but, for another occasion. If you would have us expect you, pray let me know it: at present, I shall beg only modestly, what I desire very earnestly, that you would come as soon as possible. December the 5th[1]."

As to the petition of the knights, mentioned in this letter, Cato, when he came afterwards to speak to it, opposed it so resolutely that he prevailed to have it rejected: which Cicero often condemns, as contrary to all good policy; and complains, sometimes, in his letters, that Cato, though he was the only man who had any regard for the Republic, yet frequently did

[1] Ad Att. l. 17.

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mischief, by pursuing his maxims absurdly, and without any regard to the times[1]; and upon a review of the transactions, which had passed since his consulship, and the turn which the public affairs were then taking, he seems to foretel, that the Republic could not stand much longer; since this very year had overthrown the two main pillars of it, which he had been erecting with such pains; the authority of the senate, and their union with the knights[2].

Q. Cæcilius Metellus and L. Afranius were now consuls. The first had been prætor in Cicero's consulship, and commanded an army against Catiline, and was an excellent magistrate, and true patriot; a firm opposer of all the factious, and a professed enemy also to Pompey; in which he was the more heated by a private resentment of the affront offered to his sister Mucia, whom Pompey had lately put away[3]. His partner, Afranius, was the creature of Pompey's power; but of no credit or service to him, on the account of his luxury and laziness; being fonder of balls than of business. Cicero calls him a consul, whom none but a philosopher could look upon without sighing; a soldier without spirit; and a proper butt for the raillery of the senate, where Palicanus abused him every day to his face: and so stupid, as not to know the value of what he had purchased[4].

By the help of this consul, and some of the tribunes, Pompey imagined, that he should readily obtain the ratification of his acts, together with an Agrarian law, which he was pushing forward, at the same time, for the distribution of lands to his soldiers; but he was vigorously opposed in them both by the other consul, Metellus, and the generality of the senate[5]. Lucullus declared, that they ought not to confirm his acts in the gross, as if they received them from a master, but to consider them separately, and ratify those only which were found

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[1] Unus est, qui curet, constantia magis et integritate, quam, ut mihi videtur, consilio et ingenio, Cato; qui miseros publicanos, quos habuit amantissimos sui, tertium jam mensem vexat, neque eis a senatu responsum dari patitur. Ad Att. l. 18. it. 2. l.

[2] Nam ut ea breviter, quæ post discessum tuum acta sunt, colligam, jam exclames necesse est, res Romanas diutius stare non posse.

Sic ille annus duo firmamenta Reipub. per me unum constituta, evertit: nam et senatûs auctoritatem abjecit, et ordinum concordiam disjunxit. Ad Att. l. 18.

[3] Metellus est consul egregius, et nos amat, &c. Ibid. 18, 19, 20. Dio, l. 37. p. 52.

[4] Quem nemo prætor nos philosophos aspicere sine suspiratu posset.

Auli autem filius, ὁ Dii immortales! quam ignavus et sine animo miles! quam dignus, qui Palicano, sicut facit, os ad male audiendum quotidie præbeat!

Ille alter ita nihil est, ut plane quid emerit, nesciat.

Auli filius vero ita se gerit, ut ejus consulatus non consulatus sit, sed magni nostri ὑπώπιον, &c. Ad Att. ibid. Dio, ibid.

[5] Agraria autem promulgata est a Flavio, sane levis, &c. Ad Att. l. 18.

Agraria lex a Flavio tribuno pleb. vehementer agitabatur, auctore Pompeio:—Nihil populare habebat prætor auctorem.—Huic toti rationi agrariæ senatus adversabatur, suspicans Pompeio novam quandam potentiam quæri. Ibid. 19.

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to be reasonable [1]. But the tribune Flavius, who was the promoter of the law, impatient of this opposition, and animated by Pompey's power, had the hardiness to commit Metellus to prison; and, when all the senate followed, and resolved to go to prison too, he clapt his chair at the prison door to keep them out: but this violence gave such a general scandal to the city, that Pompey found it advisable to draw off the tribune, and relieve the consul [2]. In order to allay these heats, Cicero offered an amendment to the law, which satisfied both parties, by securing the possessions of all private proprietors, and hindering the public lands from being given away: his proposal was, that out of the new revenues, which Pompey had acquired to the empire, five years' rents should be set apart to purchase lands, for the intended distribution [3]. But the progress of the affair was suspended by the sudden alarm of a Gallic war, which was always terrible to Rome, and being now actually commenced by several revolted nations, called for the immediate care and attention of the government [4].

The senate decreed the two Gauls, severally, to the two consuls; and required them to make levies without any regard to privilege, or exemption from service: and that three senators should be chosen by lot, one of them of consular rank, to be sent, with a public character, to the other Gallic cities, to dissuade them from joining in the war. In the allotment of these ambassadors, the first lot happened to fall upon Cicero; but the whole assembly remonstrated against it, declaring his presence necessary at Rome, and that he ought not to be employed on such an errand. The same thing happened to Pompey, on whom the next lot fell, who was retained, also, with Cicero, as two pledges of the public safety [5]. The three at last chosen were, Q. Metellus Creticus, L. Flaccus, and Lentulus. The transalpine Gaul, which was the seat of the war, fell to the lot of Metellus; who could not contain his joy upon it, for the prospect of glory which it offered him. "Metellus," says Cicero, "is an admirable consul: I blame him only in one thing, for not seeming pleased with the news of peace from Gaul. He

[1] Dio, l. 37. 52.

[2] Ibid.

[3] Ex hac ego lege, secunda concionis voluntate, omnia tollebam quæ ad privatorum incommodum pertinebant. Unam rationem non rejiciebam, ut ager hac adventitia pecunia emeretur, quæ ex novis vectigalibus per quinquennium reciperetur. Magna cum Agrariorum gratia confirmabam omnium privatorum possessiones, (is enim est noster exercitus hominum, ut tute scis, locupletium) populo autem et Pompeio (nam id quoque volebam) satisfaciebam emptione. Ad Att. l. 19.

[4] Sed hæc tota res interpellata bello refrixerat. Ibid.

[5] Senatus decrevit, ut consules duas Gallias sortirentur; delectus haberetur; vacationes ne valerent: legati cum auctoritate mitterentur, qui adirent Galliæ civitates.—Cum de consularibus mea prima sors exisset, una voce senatus frequens me in urbe retinendum censuit. Hoc idem post me Pompeio accidit; ut nos duo, quasi pignora Reipub. retineri videremur. Ibid.

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longs, I suppose, to triumph. I wish that he was as moderate in this, as he is excellent in all other respects[1]."

Cicero now finished, in the Greek language, and in the style and manner of Isocrates, what he calls a Commentary, or Memoirs of the Transactions of his Consulship; and sent it to Atticus, with a desire, if he approved it, to publish it in Athens, and the cities of Greece. He happened to receive a piece, at the same time, and on the same subject, from Atticus, which he rallies, as rough and unpolished, and without any beauty, but its simplicity. He sent his own work also to Posidonius, of Rhodes, and begged that he would undertake the same argument, in a more elegant and masterly manner. But Posidonius answered him, with a compliment, that, instead of being encouraged to write, by the perusal of his piece, he was quite deterred from attempting it. Upon which, Cicero says, jocosely, that he had confounded the whole Greek nation, and freed himself from the importunity of those little wits who had been teasing him so long, to be employed in writing the history of his acts[2]. What he says, in excuse for taking that task upon himself, is, that it was not a panegyric, but a history; which makes our loss of it the greater, since it must have given a more exact account of those times, than can now be possibly had, in an entertaining work, finished with care and elegance; which, not only pleased himself, as it seems to have done very highly, but, as he tells us, every body else: "*If* there be any thing in it," says he, "which does not seem to be good Greek, or polite enough to please your taste, I will not say what Lucullus told you of his own history at Panormus, that he had scattered some barbarisms in it, on purpose to make it appear to be the work of a Roman; for if any thing of that kind should be found in mine, it is not with design, but contrary to my intention[3]."

Upon the plan of these memoirs, he composed, afterwards, a Latin poem, in three books, in which he carried down the history to the end of his exile, but did not venture to publish it, till several years after: not that he was afraid, he says, of

[1] Metellus tuus est egregius consul: unum reprehendo, quod otium e Gallia nunciari non magnopere gaudet. Cupit, credo, triumphare. Hoc vellem mediocrius; cætera egregia. Ibid. 20.

[2] Tua illa—horridula mihi atque incompta visa sunt: sed tamen erant ornata hoc ipso, quod ornamenta neglexerant; et ut mulieres, ideo bene olere, quia nihil olebant, videbantur.—Ad me rescripsit jam Rhodo Posidonius, se nostrum illud ὑπόμνημα cum legeret,—non modo non excitatum ad scribendum, sed etiam plane perterritum esse.—Conturbavi Græcam nationem: ita vulgo qui instabant, ut darem sibi quod ornarent, jam exhibere mihi modestiam destiterunt. Ad Att. 2. 1.

[3] Commentarium consulatus mei Græce compositum ad te misi: in quo si quid erit, quod homini Attico minus Græcum eruditumque videatur, non dicam, quod tibi, ut opinor, Panormi Lucullus de suis historiis dixerat, se, quo facilius illas probaret Romani hominis esse, idcirco barbara quædam et σόλοικα dispersisse. Apud me si quid erit ejusmodi, me imprudente erit et invito. Ibid. 1. 19.

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the resentment of those whom he had lashed in it, for he had done that part very sparingly, but of those, rather, whom he he had not celebrated, it being endless to mention all who had been serviceable to him [1]. This piece is also lost, except a few fragments, scattered in different parts of his other writings. The three books were severally inscribed to three of the Muses; of which his brother expresses the highest approbation, and admonishes him to bear in mind what Jupiter recommends in the end of Urania, or the second book, which concluded, probably, with some moral lesson, not unlike to what Calliope prescribes in the third [2].

Interea cursus, quos prima a parte juventæ,
Quosque adeo consul virtute animoque petisti,
Hos retine; atque auge famam laudesque bonorum,
That noble course, in which thy earliest youth
Was train'd to virtue, liberty, and truth;
In which, when consul, you such honour won,
While Rome, with wonder and applause look'd on,
The same pursue; and let each growing year,
A fresh increase of fame and glory bear.

He published, likewise, at this time, a collection of the principal speeches which he had made in his consulship, under the title of his Consular Orations: he chose to make a separate volume of them, as Demosthenes had done of his Philippics, in order to give a specimen of his civil or political talents; being of a different manner, he says, from the dry and crabbed style of the bar, and showing, not only how he spoke, but how he acted. The two first were against the Agrarian law of Rullus: the one to the senate, the other to the people: the third, on the tumult about Otho: the fourth, for Rabirius: the fifth, to the sons of the proscribed: the sixth, upon his resigning the province of Gaul: the seventh, eighth, ninth, and tenth, on the affair of Catiline: with two more short ones, as appendixes to those on the Agrarian law. But of these twelve, four are entirely lost; the third, fifth, and sixth, with one of the short ones; and some of the rest left maimed and imperfect. He published also, at this time, in Latin verse, a translation of the Prognostics of Aratus, which he promises to send to Atticus, with the volume of his orations [3]; of which work there are only two or three small fragments now remaining.

[1] Scripsi etiam versibus tres libros de temporibus meis, quos jam pridem ad te misissem, si esse edendos putassem—sed quia verebar non eos, qui se lædos arbitrarentur, otenim id feci parce et molliter; sed eos, quos erat infinitum bene de me meritos omnes nominare. Ep. fam. 1. 9.

[2] Quod me admones de nostra Urania, suadesque ut meminerim Jovis orationem, quæ est in extremo illo libro: ego vero memini, et illa omnia mihi magis scripsi, quam cæteris. Ep. ad Quint. frat. 2. 9. Vid. Att. 2. 3. De Divin. 1. 11.

[3] Fuit enim mihi commodum, quod in eis orationibus, quæ Philippicæ nominantur, enituerat civis ille tuus Demosthenes, et quod se ab hoc refractariolo judiciali dicendi genere abjunxerat, ut σεμνότερός τις et πολιτικώτερος videretur, curare, ut meæ quoque essent orationes, quæ consulares nominarentur.—Hoc totum σῶμα curabo ut habeas:

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Clodius, who had been contriving all this while how to revenge himself on Cicero, began now to give an opening to the scheme, which he had formed for that purpose. His project was, to get himself chosen tribune, and in that office, to drive him out of the city, by the publication of a law, which, by some stratagem or other, he hoped to obtrude upon the people [1]. But, as all patricians were incapable of the tribunate, by its original institution, so his first step was to make himself a plebeian, by the pretence of an adoption into a plebeian house, which could not yet be done without the suffrage of the people. This case was wholly new, and contrary to all the forms; wanting every condition, and serving none of the ends, which were required in general adoptions; so that, on the first proposal, it seemed too extravagant to be treated seriously, and would soon have been hissed off with scorn, had it not been concerted, and privately supported, by persons of much more weight than Clodius. Cæsar was at the bottom of it, and Pompey secretly favoured it: not that they intended to ruin Cicero, but to keep him only under the lash; and, if they could not draw him into their measures, or make him, at least, sit quiet, to let Clodius loose upon him. The solicitor of it was one Herennius, an obscure, hardy tribune, who first moved it to the senate, and afterwards to the people, but met with no encouragement from either; for the consul Metellus, though brother-in-law to Clodius, warmly opposed it [2]; and declared, that he would strangle him sooner, with his own hands, than suffer him to bring such a disgrace upon his family [3]: yet Herennius persisted to press it, but without any visible effect or success; and so the matter hung through the remainder of the year.

Cicero affected to treat it with the contempt, which it seemed to deserve: sometimes rallying Clodius with much pleasantry; sometimes admonishing him, with no less gravity: he told him, in the senate, that his attempt gave him no manner of pain; and that it should not be any more in his power to overturn the state, when a plebeian, than it was in the power of the patricians, of the same stamp, in the time of his consulship [4]. But whatever face he put outwardly on this affair, it

et quoniam te cum scripta, tum res meæ delectant, iisdem libris perspicies, et quæ gesserim, et quæ dixerim. Ad Att. 2. 1.

Prognostica mea cum oratiunculis propediem expecta. Ibid.

[1] Ille autem non simulat, sed plane Tribunus pleb. fieri cupit. Ibid.

[2] Verum præclare Metellus impedit et impediet. Ibid. 2. 1.

[3] Qui Consul incipientem furere atque conantem, sua se manu interfecturum, audiente senatu dixerit. Pro Cælio, 24.

[4] Sed neque magnopere dixi esse nobis laborandum, quod nihilo magis ei liciturum esset Plebeio Rempub. perdere, quam similibus ejus me consule Patriciis esset licitum. Ad Att. 2. 1.

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gave him a real uneasiness within, and made him unite himself more closely with Pompey, for the benefit of his protection, against a storm, which he saw ready to break upon him: while Pompey, ruffled likewise by the opposition of the senate, was as forward, on his side, to embrace Cicero, as a person necessary to his interest. Cicero, however, imagining, that this step would be censured by many, as a desertion of his old principles, takes frequent occasion to explain the motives of it, to his friend Atticus, declaring, that the adoption of Clodius, the alienation of the knights, the indolence and luxury of the consular senators, who minded nothing but their fish-ponds, their carps and mullets, and yet were all envious of him, made it necessary for him to seek some firmer support and alliance. —That, in this new friendship, he should attend still to what the Sicilian wag Epicharmus whispered, "Be watchful, and distrust, for those are the nerves of the mind[1]." On another occasion, he observes, that his union with Pompey, though useful to himself, was more useful to the Republic, by gaining a man of his power and authority, who was wavering and irresolute, from the hopes and intrigues of the factious: that if this could not have been done, without drawing upon himself a charge of levity, he would not have purchased that, or any other advantage, at such a price; but he had managed the matter so, as not to be thought the worse citizen for joining with Pompey, but Pompey himself the better, by declaring for him.—That, since Catulus's death, he stood single and unsupported, by the other consulars, in the cause of the aristocracy; for, as the poet Rhinton says, some of them were good for nothing, others cared for nothing[2]. "But how much these fishmongers of our's envy me," says he, "I will write you word another time, or reserve it to our meeting. Yet nothing shall ever draw me away from the senate: both because it is right, and most agreeable to my interest, and that I have no reason to be displeased with the marks of respect which they give me[3]." In the third letter, he says, "You chide me, gently, for my union with Pompey: I would not have you to think, that I sought it only for my own sake; but things were come to such a crisis, that, if any difference

[1] Cum hoc ego me tanta familiaritate conjunxi, ut uterque nostrum in sua ratione munitior, et in Repub. firmior hac conjunctione esse posset.

Et si iis novis amicitiis implicati sumus, ut crebro mihi vafer ille Siculus insusurret Epicharmus, cantilenam illam suam:

Νᾶφε καὶ μέμνασ' ἀπιστεῖν. ἀρθρα ταῦτα τῶν φρενῶν.—Ad Att. l. 19.

[2] Illud tamen velim existimes, me hanc viam optimatium post Catuli mortem nec præsidio ullo nec comitatu tenere. Nam ut ait Rhinton, ut opinor,

Οἱ μὲν παρ' οὐδένεἰσιν, οἷς δ' οὐδὲν μέλει.—Ibid. l. 20.

[3] Mihi vero ut invideant piscinarii nostri, aut scribam ad te alias, aut in congressum nostrum reservabo. A curia autem nulla me res divellet. Ibid. l. 20.

A. Urb. 693. Cic. 47. Coss.—Q. Cæcilius Metellus Celer. L. Afranius.

had happened between us, it must have caused great disturbance in the Republic; which I have guarded against in such a manner, that, without departing from my own maxims, I have rendered him the better, and made him remit somewhat of his popularity: for, you must know, that he now speaks of my acts, which many have been incensing him against, much more gloriously than he does of his own; and declares, that he had only served the state successfully, but that I had saved it [1]. What good this will do to me, I know not: but it will certainly do much to the Republic. What if I could make Cæsar also a better citizen, whose winds are now very prosperous; should I do any great harm by it? Nay, if there were none who really envied me, but all were encouraging me as they ought, it would yet be more commendable to heal the vitiated parts of the state, than to cut them off: but now, when that body of knights, who were planted by me in my consulship, with you at their head, as our guard in the Capitol, have deserted the senate, and our consulars place their chief happiness in training the fish in their ponds, to feed from their hands, and mind nothing else; do not you think, that I am doing good service, by managing so, that those who can do mischief, will not? For, as to our friend Cato, you cannot love him more than I do; yet, with the best intentions, and the greatest integrity, he often hurts the Republic; for he delivers his opinion, as if it were in the polity of Plato, not in the dregs of Romulus [2]. What could be more just, than to call those to an account, who had received money for judging? Cato proposed, the senate agreed to it: the knights presently declared war against the senate, not against me; for I was not of that opinion. What more impudent, than to demand a release from their contract? yet it was better to suffer that loss, than to alienate the whole order: but Cato opposed it, and prevailed; so that now, when the consul was thrown into prison, as well as in all the tumults which have lately happened, not one of them would stir a foot; though, under me, and the consuls who succeeded me, they had defended the Republic so strenuously," &c. [3]

In the midst of these transactions, Julius Cæsar returned from the government of Spain, which had been allotted to him from his prætorship, with great fame both for his military and

[1] Quem de meis rebus, in quas multi eum incitarant, multo scito gloriosius, quam de suis prædicare. Sibi enim bene gestæ, mihi conservatæ Reipub. dat testimonium. Ibid. 2. 1.

[2] Nam Catonem nostrum non tu amas plus, quam ego. Sed tamen ille optimo animo utens, et summa fide, nocet interdum Reipub. dicit enim tanquam in Platonis πολιτείᾳ, non tanquam in Romuli fæce, sententiam. Ibid. 2. 1.

[3] Restitit et pervicit Cato. Itaque nunc, Consule in carcere incluso, sæpe item seditione commota, aspiravit nemo eorum, quorum ego concursu, itemque Consules, qui post me fuerunt, Rempub. defendere solebant. Ibid.

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political acts. He conquered the barbarous nations by his arms, and civilized them by his laws; and, having subdued the whole country, as far as the ocean, and been saluted emperor by the soldiers, came away, in all haste, to Rome, to sue, at the same time, for the double honour of a triumph and the consulship [1]. But his demand of the first was, according to the usual forms, incompatible with his pretensions to the second: since the one obliged him to continue without the city, the other made his presence necessary within: so that, finding an aversion in the senate, to dispense with the laws in his favour, he preferred the solid to the specious, and dropped the triumph, to lay hold on the consulship [2]. He designed L. Lucceius for his colleague, and privately joined interests with him, on condition that Lucceius, who was rich, should furnish money sufficient to bribe the centuries. But the senate, always jealous of his designs, and fearing the effects of his power, when supported by a colleague, subservient to his will, espoused the other candidate, Bibulus, with all their authority, and made a common purse, to enable him to bribe as high as his competitors; which Cato himself is said to have approved [3]. By this means they got Bibulus elected, to their great joy; a man firm to their interests, and determined to obstruct all the ambitious attempts of Cæsar.

Upon Cæsar's going to Spain, he had engaged Crassus to stand bound for him to his creditors, who were clamorous and troublesome, as far as two hundred thousand pounds sterling; so much did he want to be worth nothing, as he merrily said of himself [4]. Crassus hoped, by the purchase of his friendship, to be able to make head against Pompey, in the administration of public affairs: but Cæsar, who had long been courting Pompey, and labouring to disengage him from an union with Cicero, and the aristocratical interest, easily saw, that, as things then stood, their joint strength would avail but little towards obtaining what they aimed at, unless they could induce Pompey also to join with them: on pretence, therefore, of reconciling Pompey and Crassus, who had been constant enemies, he formed the project of a triple league between the

[1] Jura ipsorum permissu statuerit; inveteratam quandam barbariam ex Gaditanorum moribus et disciplina delerit. Pro Balbo, 19.

Pacataque provincia, pari festinatione, non expectato successore, ad triumphum simul consulatumque decessit. Sueton. J. Cæs. 18. Vid. it. Dio, l. 37. p. 54.

[2] Dio, l. 37. p. 54.

[3] Pactus ut is, quoniam inferior gratia esset, pecuniaque polleret, nummos de suo, communi nomine per centurias pronuntiaret. Qua cognita re, optimates, quos metus ceperat, nihil non ausurum cum in summo magistratu, concordi et consentiente collega, auctores Bibulo fuerunt tantundem pollicendi: ac plerique pecunias contulerunt; ne Catone quidem abnuente eam largitionem e Repub. fieri. Sueton. ibid. 19.

[4] Plut. in Cæs. Appian. de bell. civ. 2. p. 432. Sueton. ibid. 18.

A. Urb. 693. Cic. 47. Coss.—Q. Cæcilius Metellus Celer. L. Afranius.

three: by which they should mutually oblige themselves to promote each other's interest, and to act nothing but by common agreement: to this Pompey easily consented, on account of the disgust which the senate had impolitically given him, by their perverse opposition to every thing which he desired, or attempted, in the state.

This is commonly called the first triumvirate; which was nothing else, in reality, but a traitorous conspiracy of three, the most powerful citizens of Rome, to extort from their country, by violence, what they could not obtain by law. Pompey's chief motive was to get his acts confirmed by Cæsar, in his consulship; Cæsar's, by giving way to Pompey's glory, to advance his own; and Crassus's, to gain that ascendant, which he could not sustain alone, by the authority of Pompey and the vigour of Cæsar [1]. But Cæsar who formed the scheme, easily saw, that the chief advantage of it would necessarily redound to himself: he knew, that the old enmity between the other two, though it might be palliated, could never be healed, without leaving a secret jealousy between them; and as, by their common help, he was sure to make himself superior to all others, so, by managing the one against the other, he hoped to gain, at last, a superiority also over them both [2]. To cement this union, therefore, the more strongly, by the ties of blood, as well as interest, he gave his daughter Julia, a beautiful and accomplished young lady, in marriage to Pompey: and, from this era, all the Roman writers date the origin of the civil wars, which afterwards ensued, and the subversion of the Republic, in which they ended [3].

tu causa malorum
Facta tribus dominis communis Roma.—LUCAN. 1. 85.

Hence flow'd our ills, hence all that civil flame,
When Rome the common slave of *three* became.

Cicero might have made what terms he pleased with the triumvirate; been admitted even a partner of their power, and a fourth in their league; which seemed to want a man of his character, to make it complete. For, while the rest were engaged in their governments, and the command of armies

[1] Hoc consilium Pompeius habuerat, ut tandem acta in transmarinis provinciis per Cæsarem confirmarentur consulem: Cæsar autem, quod animadvertebat, se cedendo Pompeii gloriæ aucturum suam; et invidia communis potentiæ in illum relegata, confirmaturum vires suas: Crassus, ut quem principatum solus assequi non poterat, auctoritate Pompeii, viribus teneret Cæsaris. Vell. Pat. 2. 44.

[2] Sciebat enim, se alios facile omnes ipsorum auxilio, deinde ipsos etiam, unum per alterum, haud multo postea superaturum esse. Dio, l. 37. 55.

[3] Inter eum et Cn. Pompeium et Crassum inita potentiæ societas, quæ urbi orbique terrarum, nec minus diverso quoque tempore, etiam ipsis exitiabilis fuit. Vell. Pat. 2. 44.
Motum ex Metello consule civicum, &c.—Hor. Cram. 2. 1.

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abroad, his authority would have been of singular use, at home, to manage the affairs of the city, and solicit what they had to transact with the senate or people. Cæsar, therefore, was extremely desirous to add him to the party, or to engage him rather in particular measures with himself; and, no sooner entered into the consulship, than he sent him word, by their common friend, Balbus, that he would be governed in every step by him and Pompey, with whom he would endeavour to join Crassus too [1]. But Cicero would not enter into any engagements, jointly with the three, whose union he abhorred; nor into private measures with Cæsar, whose intentions he always suspected. He thought Pompey the better citizen of the two; took his views to be less dangerous, and his temper more tractable; and imagined, that a separate alliance with him, would be sufficient to screen him from the malice of his enemies. Yet, this put him under no small difficulty: for if he opposed the triumvirate, he could not expect to continue well with Pompey; or if he served it, with the senate: in the first, he saw his ruin; in the second, the loss of his credit. He chose, therefore, what the wise will always chuse in such circumstances, a middle way; to temper his behaviour so, that, with the constancy of his duty to the Republic, he might have a regard also to his safety, by remitting somewhat of his old vigour and contention, without submitting to the meanness of consent or approbation; and when his authority could be of no use to his country, to manage their new masters so, as not to irritate their power to his own destruction; which was all that he desired [2]. This was the scheme of politics, which, as he often laments, the weakness of the honest, the perverseness of the envious, and the hatred of the wicked, obliged him to pursue.

One of his intimate friends, Papirius Pætus, made him a present, about this time, of a collection of books, which fell to him by the death of his brother Servius Claudius, a celebrated scholar and critic of that age [3]. The books were all at Athens, where Servius probably died: and the manner in which Cicero

[1] Cæsar consul egit eas res, quarum me participem esse voluit—me in tribus sibi conjunctissimis consularibus esse voluit. De Provinc. consular. 17.

Nam fuit apud me Cornelius, hunc dico Balbum, Cæsaris familiarem. Is affirmabat, eum omnibus in rebus meo et Pompeii consilio usurum, daturumque operam ut cum Pompeio Crassum conjungeret. Hic sunt hæc. Conjunctio mihi summa cum Pompeio; si placet etiam cum Cæsare. Ad Att. 2. 3.

[2] Nihil jam a me asperum in quenquam fit, nec tamen quidquam populare ac dissolutum; sed ita temperata tota ratio est, ut Reip. constantiam præstem, privatis rebus meis, propter infirmitatem bonorum, iniquitatem malevolorum, odium in me improborum, adhibeam quandam cautionem. Ibid. 1. 19.

[3] Ut Servius, frater tuus, quem literatissimum fuisse judico, facile diceret, hic versus Plauti non est. Ep. fam. 9. 16.

A. Urb. 693. Cic. 47. Coss.—Q. Cæcilius Metellus Celer. L. Afranius.

writes about them, to Atticus, shews what a value he set upon the present, and what pleasure he expected from the use of it.

"Papirius Pætus," says he, "an honest man, who loves me, has given me the books, which his brother Servius left; and since your agent Cincius tells me, that I may safely take them by the Cincian law[1], I readily signified my acceptance of them. Now if you love me, or know that I love you, I beg of you to take care, by your friends, clients, hosts, freedmen, slaves, that not a leaf of them be lost. I am in extreme want both of the Greek books, which I guess, and the Latin, which I know him to have left: for I find more and more comfort every day, in giving all the time, which I can steal from the bar, to those studies. You will do me a great pleasure, a very great one, I assure you, by shewing the same diligence in this, that you usually do in all other affairs, which you take me to have much at heart[2]," &c.

While Cicero was in the country, in the end of the year, his architect, Cyrus, was finishing for him, at Rome, some additional buildings to his house, on Mount Palatin: but Atticus, who was just returned from Athens, found great fault with the smallness of the windows; to which Cicero gives a jocose answer, bantering both the objection of Atticus, and the way of reasoning of the architects: "You little think," says he, "that, in finding fault with my windows, you condemn the institution of Cyrus[3]; for, when I made the same objection, Cyrus told me, that the prospect of the fields did not appear to such advantage through larger lights. For let the eye be A; the object B, C; the rays D, E; you see the rest. If vision, indeed, were performed, as you Epicureans hold, by images flying off from the object, those images would be well crowded in so strait a passage; but if, by the emission of rays from the eye, it will be made commodiously enough. If you find any other fault, you shall have as good as you bring; unless it can be mended without any cost to me[4]."

Cæsar and Bibulus entered now into the consulship, with views and principles wholly opposite to each other; while the senate were pleasing themselves with their address, in procuring one consul of their own, to check the ambition of the other, and expecting now to reap the fruit of it. But they presently found, upon trial, that the balance and constitution of the Republic were quite changed, by the overbearing power of the

[1] The pleasantry, which Cicero aims at, turns on the name of Atticus's agent, being the same with that of the author of the law; as if, by being of that family, his authority was a good warrant for taking any present.

[2] Ad Att. 1. 20.

[3] Referring to the celebrated piece of Xenophon, called by that name.

[4] Ibid. 2. 3.

A. Urb. 694. Cic. 46. Coss.—C. Julius Cæsar. M. Calpurnius Bibulus.

three; and that Cæsar was too strong to be controlled by any of the legal and ordinary methods of opposition: he had gained seven of the tribunes, of whom Vatinius was the captain of his mercenaries; whose task it was to scour the streets, secure the avenues of the Forum, and clear it, by a superior force, of all who were prepared to oppose them.

Clodius, in the mean time, was pushing on the affair of his adoption; and soliciting the people to confirm the law, which he had provided for that purpose. The triumvirate pretended to be against it, or at least to stand neuter; but were watching Cicero's motions, in order to take their measures from his conduct, which they did not find so obsequious as they expected. In this interval it happened that C. Antonius, Cicero's colleague, who had governed Macedonia from the time of his consulship, was now impeached, and brought to a trial, for the mal-administration of his province; and, being found guilty, was condemned to perpetual exile. Cicero was his advocate, and, in the course of his pleading, happened to fall, with his usual freedom, into a complaint of the times, and the oppression of the Republic, in a style that was interpreted to reflect severely upon their present rulers. The story was carried directly to Cæsar, and represented to him in such colours, that he resolved to revenge it presently on Cicero, by bringing on Clodius's law; and was so eager in it, that he instantly called an assembly of the people, and, being assisted by Pompey, as augur, to make the act legal and auspicious, got the adoption ratified by the people, through all the forms[1], within three hours from the time of Cicero's speaking.

Bibulus, who was an augur too, being advertised of what was going forward, sent notice to Pompey, that he was observing the heavens, and taking the auspices, during which function it was illegal to transact any business with the people[2]. But Pompey, instead of paying any regard to his message, gave a sanction to the proceeding, by presiding in it; so that it was carried without any opposition. And thus, the bow, as Cicero calls it, which had been kept bent against him and the Republic, was at last discharged[3]; and a plain admonition given to him, what he had to expect, if he would not be more

[1] Hora fortasse sexta dici questus sum in judicio, cum C. Antonium defenderem, quædam de Repub. quæ mihi visa sunt ad causam miseri illius pertinere. Hæc homines improbi ad quosdam viros fortes longe aliter atque a me dicta erant, detulerunt. Hora nona, illo ipso die, tu es adoptatus. Pro Dom. 16. Vid. Sueton. J. Cæs. 20.

[2] Negant fas esse agi cum populo cum de cœlo servatum sit. Quo die de te lex curiata lata esse dicatur, audes negare de cœlo esse servatum? Adest præsens vir singulari virtute —M. Bibulus: hunc consulem illo ipso die contendo servasse de cœlo. Pro Dom. 15.

[3] Fuerat ille annus—tanquam intentus arcus in me unum, sicut vulgo rerum ignari loquebantur, re quidem vera in universam Rempub. traductione ad plebem furibundi hominis. Pro Sext. 7.

A. Urb. 694. Cic. 48. Coss.—C. Julius Cæsar. M. Calpurnius Bibulus.

complying. For his danger was brought one step nearer, by laying the tribunate open to Clodius, whose next attempt would probably reach home to him. These laws of adoption were drawn up in the style of a petition to the people, after the following form:

"May it please you, citizens, to ordain, that P. Clodius be, to all intents and purposes of law, as truly the son of Fonteius, as if he were begotten of his body in lawful marriage; and that Fonteius have the power of life and death over him, as much as a father has over a proper son: this, citizens, I pray you to confirm, in the manner in which it is desired[1]."

There were three conditions absolutely necessary to make an act of this kind regular: first, that the adopter should be older than the adopted, and incapable of procreating children, after having endeavoured it, without success, when he was capable: secondly, that no injury or diminution should be done to the dignity, or the religious rites of either family: thirdly, that there should be no fraud, or collusion in it, nor any thing sought by it, but the genuine effects of a real adoption. All these particulars were to be previously examined by the college of priests; and if, after a due inquiry, they approved the petition, it was proposed to the suffrage of the citizens living in Rome, who voted according to their original division, into thirty curiæ, or wards, which seem to have been analogous to our parishes[2]; where no business, however, could be transacted, when an augur or consul was observing the heavens. Now, in this adoption of Clodius, there was not one of these conditions observed: the college of priests was not so much as consulted; the adopter, Fonteius, had a wife and children; was a man obscure and unknown, not full twenty years old, when Clodius was thirty-five, and a senator, of the noblest birth in Rome: nor was there any thing meant by it, but purely to evade the laws, and procure the tribunate; for, the affair was no sooner over, than Clodius was emancipated, or set free again, by his new father, from all his obligations[3]. But these obstacles sig-

[1] The lawyers, and all the later writers, from the authority of A. Gellius, call this kind of adoption, which was confirmed by a law of the people, an adrogation: but it does not appear, that there was any such distinction in Cicero's time, who, as oft as he speaks of this act, either to the senate or the people, never uses any other term than that of adoption. Vid. A. Gell. l. 5. 19.

[2] Comitiis Curiatis.

[3] Quod jus est adoptionis, Pontifices? Nempe, ut is adoptet, qui neque procreare liberos jam possit, et cum potuerit, sit expertus. Quæ denique causa cuique adoptionis, quæ ratio generum ac dignitatis, quæ sacrorum, quæri a pontificum collegio solet. Quid est horum in ista adoptione quæsitum? Adoptat annos viginti natus, etiam minor, Senatorem. Liberorumne causa? at procreare potest. Habet uxorem: suscepit etiam liberos.—Quæ omnis notio pontificum cum adoptarere esse debuit, &c. Pro Dom. ad Pontif. 13.

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nified nothing to Cæsar, who always took the shortest way to what he aimed at, and valued neither forms nor laws, when he had a power sufficient to control them.

But the main trial of strength between the two consuls was about the promulgation of an Agrarian law, which Cæsar had prepared, for distributing the lands of Campania, to twenty thousand poor citizens, who had each three children or more. Bibulus mustered all his forces to oppose it, and came down to the forum, full of courage and resolution, guarded by three of the tribunes and the whole body of the senate; and as oft as Cæsar attempted to recommend it, he as often interrupted him, and loudly remonstrated against it, declaring that it should never pass in his year. From words they soon came to blows; where Bibulus was roughly handled; his fasces broken; pots of filth thrown upon his head; his three tribunes wounded, and the whole party driven out of the forum, by Vatinius, at the head of Cæsar's mob[1]. When the tumult was over, and the forum cleared of their adversaries, Cæsar produced Pompey and Crassus into the rostra, to signify their opinion of the law to the people; where Pompey, after speaking largely in praise of it, declared, in the conclusion, that if any should be so hardy as to oppose it with the sword, he would defend it with his shield. Crassus applauded what Pompey said, and warmly pressed the acceptance of it; so that it passed upon the spot, without any farther contradiction[2]. Cicero was in the country during this contest, but speaks of it with great indignation, in a letter to Atticus, and wonders at Pompey's policy, in supporting Cæsar in an act so odious, of alienating the best revenues of the Republic; and says, that he must not think to make them amends, by his rents on Mount Libanus, for the loss of those which he had taken from them in Campania[3]. The senate and all the magistrates were obliged, by a special clause of this law, to take an oath to the observance of it; which Cato himself, though he had publicly declared that he never would do it, was forced, at last, to swallow[4].

Bibulus made his complaint, the next day, in the senate, of the violence offered to his person; but, finding the assembly so cold and intimidated, that nobody cared to enter into the affair, or to move any thing about it, he retired to his house in

[1] Idemque tu—nomine C. Cæsaris, clementissimi atque optimi viri, scelere vero atque audacia tua, M. Bibulum foro, curia, templis, locis publicis omnibus expulisses, inclusum domi contineres. In Vatin. 9. Dio, 38. 6. Sueton. J. Cæs. 20. Plut. Pomp.

[2] Dio, ib. 1. 38. 6.

[3] Cnæus quidem noster jam plane quid cogitet, nescio. Ad Att. 2. 16.
Quid dices? Vectigal te nobis in monte Antilibano constituisse, agri Campani abstulisse. Ib.

[4] Dio, ib.

A. Urb. 694. Cic. 48. Coss.—C. Julius Cæsar. M. Calpurnius Bibulus.

despair, with a resolution to shut himself up for the remaining eight months of the year, and to act no more in public but by his edicts[1]. This was a weak step in a magistrate, armed with sovereign authority; for, though it had one effect, which he proposed by it, of turning the odium of the city upon his colleague, yet it had another, that overbalanced it, of strengthening the hands and raising the spirits of the adverse party, by leaving the field wholly clear to them.

As Cæsar's view, in the Agrarian law, was to oblige the populace, so he took the opportunity, which the senate had thrown into his hands, of obliging the knights too, by easing them of the disadvantageous contract, which they had long, in vain, complained of, and remitting a third part of what they had stipulated to pay him[2]: and when Cato still opposed it, with his usual firmness, he ordered him to be hurried away to prison. He imagined that Cato would have appealed to the tribunes; but seeing him go along patiently, without speaking a word, and reflecting, that such a violence would create a fresh odium, without serving any purpose, he desired one of the tribunes to interpose and release him[3]. He next procured a special law from the people, for the ratification of all Pompey's acts in Asia; and, in the struggle about it, so terrified and humbled Lucullus, who was the chief opposer, that he brought him to ask pardon at his feet[4].

He carried it still with great outward respect towards Cicero; and gave him to understand again, by Balbus, that he depended on his assistance in the Agrarian law: but Cicero contrived to be out of the way, and spent the months of April and May in his villa, near Antium, where he had placed his chief collection of books[5]; amusing himself with his studies and his children, or, as he says, jocosely, in counting the waves. He was projecting, however, a system of geography, at the request of Atticus, but soon grew weary of it, as a subject too dry and jejune to admit of any ornament[6]; and being desired also by

[1] Ac postero die in senatu conquestum, nec quoquam reperto, qui super tali consternatione referre, aut censere aliquid auderet—in eam coegit desperationem, ut quoad potestate abiret, domo abditus nihil aliud quam per edicta obnunciaret. Sueton. J. Cæs. 20.

[2] Dio, 38. 62. [3] Plut. Cæs.

[4] L. Lucullo, liberius resistenti tantum calumniarum metum injecit, ut ad genua ultro sibi accederet. Sueton. J. Cæs. 20.

[5] Nam aut fortiter resistendum est legi Agrariæ, in quo est quædam dimicatio, sed plena laudis: aut quiescendum, quod est non dissimile, atque ire in Solonium, aut Antium: aut etiam adjuvandum, quod a me aiunt Cæsarem sic expectare, ut non dubitet. Ad Att. 2. 3.

Itaque aut libris me delecto, quorum habeo Antii festivam copiam, aut fluctus numero. Ib. 6.

[6] Etenim γεωγραφικά, quæ constitueram, magnum opus est,—et hercule sunt res difficiles ad explicandum et ὁμοειδεῖς; nec tam possunt ἀνθηρογραφεῖσθαι, quam videbatur. Ib.

A. Urb. 694. Cic. 48. Coss.—C. Julius Cæsar. M. Calpurnius Bibulus.

Atticus to send him the copies of two orations, which he had lately made, his answer was, that he had torn one of them, and could not give a copy; and did not care to let the other go abroad, for the praises which it bestowed on Pompey; being disposed rather to recant, than publish them, since the adoption of Clodius[1]. He seems, indeed, to have been too splenetic, at present, to compose any thing but invectives, of which kind he was now drawing up certain anecdotes, as he calls them, or a secret history of the times, to be shewn to none but Atticus, in the style of Theopompus, the most satirical of all writers: for all his politics, he says, were reduced to this one point, of hating bad citizens, and pleasing himself with writing against them: and since he was driven from the helm, he had nothing to wish, but to see the wreck from the shore; or, as Sophocles says[2],

Under the shelter of a good warm roof,
With mind serenely calm and prone to sleep,
Hear the loud storm and beating rain without.

Clodius, having got through the obstacle of his adoption, began, without loss of time, to sue for the tribunate, whilst a report was industriously spread, which amused the city for a while, of a breach between him and Cæsar. He declared every where, loudly, that his chief view, in desiring that office, was to rescind all Cæsar's acts; and Cæsar, on his part, as openly disclaimed any share in his adoption, and denied him to be a plebeian. This was eagerly carried to Cicero by young Curio; who assured him, that all the young nobles were as much incensed against their proud kings, as he himself, and would not bear them much longer; and that Memmius and Metellus Nepos had declared against them: which being confirmed also by Atticus's letters, gave no small comfort to Cicero; all whose hopes of any good depended, he says, upon their quarrelling among themselves[3]. The pretended ground

[1] Orationes me duas postulas, quarum alteram non libebat mihi scribere, quia abscideram; alteram, ne laudarem eum, quem non amabam. Ad. Att. 7.

Ut sciat hic noster Hierosolymarius, traductor ad plebem, quam bonam meis putissimis orationibus gratiam retulerit; quarum expecta divinam παλινῳδίαν. Ib. 9.

[2] Itaque *ἀνέκδοτα*, quæ tibi uni legamus, Theopompino genere, aut etiam asperiore multo, pangentur. Neque aliud jam quicquam *πολιτεύομαι*, nisi odisse improbos. Ibid. 2. 6.

Nunc vero cum cogar exire de navi, non abjectis sed receptis gubernaculis, cupio istorum naufragia ex terrâ intueri; cupio, ut ait tuus amicus Sophocles,

—— —— *κἂν ὑπὸ στέγῃ*
Πυκνὰς ἀκούειν ψεκάδος εὐδούσῃ φρενί.—Ibid. 7.

[3] Scito Curionem adolescentem venisse me salutatum. Valde ejus sermo de Publio cum tuis literis congruebat. Ipse vero mirandum in modum reges odisse superbos. Peræque narrabat incensam esse juventutem, neque ferre hæc posse. Ibid. 2. 8.

Incurrit in me Roma veniens Curio meus—Publius, inquit, tribunatum plebis petit. Quid ais? et inimicissimus quidem Cæsaris, et ut omnia, inquit, ista rescindat. Quid Cæsar? inquam. Negat se quicquam de illius adoptione tulisse. Deinde suum, Memmii, Metelli Nepotis exprompsit odium. Complexus juvenem dimisi, properans ad epistolas. Ibid. 12.

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of this rupture, as it is hinted in Cicero's letters, was Clodius's slighting an offer, which the triumvirate made to him, of an embassy to king Tigranes; for, being weary of his insolence, and jealous of his growing power, they had contrived this employment as an honourable way of getting rid of him: but, in the present condition of the Republic, Clodius knew his own importance too well, to quit his views at home, by an offer of so little advantage abroad; and was disgusted, that Cæsar had not named him among the twenty commissioners appointed to divide the Campanian lands; and resolved not to *stir from the city, till he had reaped the fruits of the tribunate.* Cicero, mentioning this affair to Atticus, says, "I am much delighted with what you write about Clodius: try all means to search into the bottom of it; and send or bring me word, whatever you either learn or suspect; and, especially, what he intends to do about the embassy. Before I read your letter, I was wishing that he would accept it; not for the sake of declining a battle with him, for I am in wonderful spirits for fighting; but I imagined, that he would lose by it all the popularity which he has gained, by going over to the plebeians.—What then did you mean by making yourself a plebeian? Was it only to pay a visit to Tigranes? Do not the kings of Armenia use to take notice of patricians? You see how I had been preparing myself to rally the embassy; which, if he slights after all, and if this, as you say, disgusts the authors and promoters of the law, we shall have rare sport. But to say the truth, Publius has been treated somewhat rudely by them; since he, who was lately the only man with Cæsar, cannot now find a place among the twenty; and after promising one embassy, they put him off with another: and, while they bestow the rich ones upon Drusus, or Vatinius, reserve this barren one for him, whose tribunate was proposed to be of such use to them. Warn him, I beg of you, on this head, as much as you can; all our hopes of safety are placed on their falling out among themselves, of which, as I understand from Curio, some symptoms begin already to appear[1]." But all this noise of a quarrel was found, at last, to be a mere artifice, as the event quickly showed: or, if there was any real disgust among them, it proceeded no farther, than to give the better colour to a report, by which they hoped to impose upon Cicero, and draw some unwary people into a hasty declaration of themselves; and, above all, to weaken the obstruction of Clodius's election from that quarter, whence it was chiefly to be apprehended.

[1] Ibid. 2. 7.

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Cicero returned to Rome in May, after an interview with Atticus, who went abroad, at the same time, to his estate in Epirus: he resolved to decline all public business, as much as he decently could, and to give the greatest part of his time to the bar, and to the defence of causes; an employment always popular, which made many friends, and few enemies; so that he was still much frequented at home, and honourably attended abroad, and maintained his dignity, he says, not meanly, considering the general oppression; nor yet greatly, considering the part which he had before acted [1]. Among the other causes which he pleaded this summer, he twice defended A. Thermus, and once L. Flaccus; men of prætorian dignity, who were both acquitted. The speeches for Thermus are lost; but that for Flaccus remains, yet somewhat imperfect; in which, though he had lately paid so dear for speaking his mind too freely, we find several bold reflections on the wretched state of subjection, to which the city was now reduced.

This L. Valerius Flaccus had been prætor in Cicero's consulship, and received the thanks of the senate for his zeal and vigour in the seizure of Catiline's accomplices; but was now accused by P. Lælius of rapine and oppression, in his province of Asia, which was allotted to him from his prætorship. The defence consists chiefly in displaying the dignity of the criminal, and invalidating the credit of the Asiatic witnesses. Cicero observes, that the judges, who had known and seen the integrity of Flaccus's life, through a series of great employments, were themselves the best witnesses of it, and could not want to learn it from others, especially from Grecians: that, for his part, he had always been particularly addicted to that nation and their studies, and knew many modest and worthy men among them: that he allowed them to have learning, the discipline of many arts, an elegance of writing, a fluency of speaking, and an acuteness of wit: but, as to the sanctity of an oath, they had no notion of it; knew nothing of the force and the efficacy of it: that all their concern in giving evidence was, not how to prove, but how to express, what they said: that they never appeared in a cause, but with a resolution to hurt; nor ever considered what words were proper for an oath, but what were proper to do mischief; taking it for the last disgrace, to be baffled, confuted, and outdone in swearing; so that they never chose the best and worthiest men for witnesses, but the most daring and loquacious: in short, that the whole nation looked upon an oath as a mere jest, and placed all their credit,

[1] Me tueor, ut oppressis omnibus, non demisse; ut tantis rebus gestis, parum fortiter. Ad Att. 2. 18.

A. Urb. 694. Cic. 48. Coss.—C. Julius Cæsar. M. Culpurnius Bibulus.

livelihood, and praise, on the success of an impudent lie: whereas, of the Roman witnesses, who were produced against Flaccus, though several of them came angry, fierce, and willing to ruin him, yet, one could not help observing with what caution and religion they delivered what they had to say; and though they had the greatest desire to hurt, yet, could not do it for their scruples: that a Roman, in giving his testimony, was always jealous of himself, lest he should go too far: weighed all his words, and was afraid to let any thing drop from him too hastily and passionately; or to say a syllable more or less than was necessary[1]. Then, after showing at large by what scandalous methods this accusation was procured against Flaccus, and after exposing the vanity of the crimes charged upon him, together with the profligate characters of the particular witnesses, he declares, that the true and genuine Grecians were all on Flaccus's side, with public testimonies and decrees in his favour. "Here," says he, "you see the Athenians, whence humanity, learning, religion, the fruits of the earth, the rights and laws of mankind, are thought to have been first propagated; for the possession of whose city, the gods themselves are said to have contended, on the account of its beauty: which is of so great antiquity, that it is reported to have brought forth its own citizens, and the same spot to have been their parent, their nurse, and their country; and of so great authority, that the broken and shattered fame of Greece depends now singly on the credit of this city. Here also are the Lacedæmonians, whose tried and renowned virtue was confirmed not only by nature, but by discipline; who alone of all the nations upon earth, have subsisted for above seven hundred years, without any change in their laws and manners. Nor can I pass over the city of Marseilles, which knew Flaccus when first a soldier, and afterwards quæstor; the gravity of whose discipline I think preferable, not only to Greece, but to all other cities; which, though separated so far from the country, the customs, and the language of all Grecians, surrounded by the nations of Gaul, and washed by the waves of barbarism, is so wisely governed by the councils of an aristocracy, that it is easier to praise their constitution, than to imitate it[2]." One part of the charge

[1] Pro Flacco, 4. 5. This character of the Greek and Roman witnesses is exactly agreeable to what Polybius, though himself a Grecian, had long before observed; that those, who managed the public money in Greece, though they gave ever so many bonds and sureties for their behaviour, could not be induced to act honestly, or preserve their faith, in the case even of a single talent: whereas, in Rome, out of pure reverence to the sanctity of an oath, they were never known to violate their trust, though in the management of the greatest sums. [Polyb. l. 6. p. 498.] This was certainly true of the old Republic; but we must make great allowance for the language of the bar, when we find Cicero applying the same integrity and regard to an oath to the character of his own times.

[2] Pro Flacco, 26.

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against Flaccus, was, for prohibiting the Jews to carry out of his province the gold, which they used to collect, annually, through the empire for the temple of Jerusalem; all which he seized and remitted to the treasury at Rome. The charge itself seems to imply, that the Jews made no mean figure, at this time, in the empire; and Cicero's answer, though it betrays a great contempt of their religion, through his ignorance of it, yet shows, that their numbers and credit were very considerable also in Rome. The trial was held near the Aurelian steps, a place of great resort for the populace, and particularly for the Jews, who used it, probably, as a kind of exchange, or general rendezvous of their countrymen: Cicero, therefore, proceeds to say, "It was for this reason, Lælius, and for the sake of this crime, that you have chosen this place, and all this crowd, for the trial: you know what a numerous band the Jews are; what concord among themselves; what a bustle they make in our assemblies. I will speak softly, that the judges only may hear me; for there are people ready to incite them against me, and against every honest man; and I would not willingly lend any help to that design. Since our gold then is annually carried out of Italy, and all the provinces, in the name of the Jews, to Jerusalem, Flaccus, by a public edict, prohibited the exportation of it from Asia; and where is there a man, judges, who does not truly applaud this act? The senate, on several different occasions, but more severely in my consulship, condemned the exportation of gold. To withstand this barbarous superstition was a piece, therefore, of laudable discipline; and, out of regard to the Republic, to contemn the multitude of Jews, who are so tumultuous in all our assemblies, an act of the greatest gravity: but Pompey, it seems, when he took Jerusalem, meddled with nothing in that temple: in which, as on many other occasions, he acted prudently, that, in so suspicious, and ill-tongued a people, he would not give any handle for calumny: for I can never believe, that it was the religion of Jews and enemies, which hindered this excellent general, but his own modesty." Then, after showing that Flaccus had not embezzled or seized the gold to his own use, but transmitted it to the public treasury, he observes, that it was not, therefore, for the sake of the crime, but to raise an envy, that this fact was mentioned; and that the accuser's speech was turned from the judges, and addressed to the circle around them: "Every city," says he, "Lælius, has its religion; we have our's: while Jerusalem flourished, and Judæa was at peace with us, yet their religious rites were held inconsistent with the splendour of this empire, the gravity of the Roman name, and the institutions of our ancestors: but much

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more ought they to be held so now: since they have let us see, by taking arms, what opinion they have of us: and, by their being conquered, how dear they are to the gods[1]." He proceeds, in the last place, to show, what he had intimated in the beginning, that the real aim of this trial was to sacrifice those who had signalized themselves against Catiline, to the malice and revenge of the seditious; and puts the judges in mind, that the fate of the city, and the safety of all honest men, now rested on their shoulders: that they saw in what an unsettled state things were, and what a turn their affairs had taken: that, among many other acts, which certain men had done, they were now contriving, that, by the votes and decisions of the judges, every honest man might be undone: that these judges, indeed, had given many laudable judgments in favour of the Republic; many against the wickedness of the conspirators: yet, some people thought the Republic not yet sufficiently changed, till the best citizens were involved in the same punishment with the worst. "C. Antonius," says he, "is already oppressed; let it be so: he had a peculiar infamy upon him: yet, even he, if I may be allowed to say it, would not have been condemned by you: upon whose condemnation a sepulchre was dressed up to Catiline, and celebrated with a feast and concourse of our audacious and domestic enemies, and funeral rites performed to him: now the death of Lentulus is to be revenged on Flaccus; and, what more agreeable sacrifice can you offer to him, than by Flaccus's blood to satiate his detestable hatred of us all? Let us then appease the manes of Lentulus; pay the last honours to Cethegus; recall the banished; nay, let me also be punished for the excess of my love to my country: I am already named and marked out for a trial: have crimes forged; dangers prepared for me; which, if they had attempted in any other method, or if, in the name of the people, they had stirred up the unwary multitude against me, I could better have borne it; but it is not to be endured, that they should think to drive out of the city, the authors, the leaders, the champions of our common safety, by the help of senators and knights, who, with one mind and consent, assisted so greatly in the same cause. They know the mind and inclination of the Roman people: the people themselves take all possible occasions of declaring it: there is no variety in their sentiments or their language. If any one, therefore, call me thither, I come: I do not only not refuse, but require the Roman people for my judge: let force only be excluded; let swords and stones be removed; let mercenaries be quiet; let

[1] Pro Flacco, 28.

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slaves be silent; and when I come to be heard for myself, there will not be a man so unjust, if he be free and a citizen, who will not be of opinion, that they ought to vote me rewards, rather than punishment[1]." He concludes, by applying himself, as usual, to move the pity and clemency of the bench towards the person of the criminal, by all the topics proper to excite compassion; the merit of his former services; the lustre of his family; the tears of his children; the discouragement of the honest; and the hurt, which the Republic would suffer, in being deprived, at such a time, of such a citizen.

Q. Cicero, who succeeded Flaccus in the province of Asia, was now entering into the third year of his government, when Cicero sent him a most admirable letter of advice, about the administration of his province; fraught with such excellent precepts of moderation, humanity, justice, and laying down rules of governing, so truly calculated for the good of mankind, that it deserves a place in the closets of all who govern, and especially of those who are entrusted with the command of foreign provinces; who, by their distance from any immediate control, are often tempted, by the insolence of power, to acts of great oppression.

The triumvirate was now dreaded and detested by all ranks of men: and Pompey, as the first of the league, had the first share of the public hatred: "so that these affecters of popularity," says Cicero, "have taught even modest men to hiss[2]." Bibulus was continually teasing them by his edicts; in which he inveighed and protested against all their acts. These edicts were greedily received by the city; all people got copies of them; and, wherever they were fixed up in the streets, it was scarce possible to pass, for the crowds which were reading them[3]. "Bibulus was extolled to the skies; though I know not why," says Cicero, "unless, like another Fabius, he is thought to save the state by doing nothing: for what is all his greatness of mind, but a mere testimony of his sentiments, without any service to the Republic[4]?" His edicts, however, provoked Cæsar so far, that he attempted to excite the mob to

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[1] Pro Flacco, 38.

[2] Qui fremitus hominum? qui irati animi? quanto in odio noster amicus Magnus? Ad Att. 2. 13.

Scito nihil unquam fuisse tam infame, tam turpe, tam peræque omnibus generibus, ordinibus, ætatibus offensum, quam hunc statum, qui nunc est: magis mehercule quam vellem, non modo quam putarem. Populares isti jam etiam modestos homines sibilare docuerunt. Ib. 19.

[3] Itaque Archilochia in illum edicta Bibuli populo ita sunt jucunda, ut [illegible]n locum, ubi proponuntur, præ multitudine eorum qui legunt, transire nequeant. Ib. 21.

[4] Bibulus in cœlo est; nec quare, scio. Sed ita laudatur, quasi, unus homo nobis cunctando restituit rem. Ibid. 19.

Bibuli autem ista magnitudo animi in comitiorum dilatione, quid habet, nisi ipsius judicium sine ulla correctione Reipub.? Ib. 15.

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storm his house, and drag him out by force: and Vatinius actually made an assault upon it, though without success[1]. But while all the world disliked, lamented, and talked loudly against these proceedings; and, above all, young Curio, at the head of the young nobility; "yet, we seek no remedy," says Cicero, "through a persuasion, that there is no resisting, but to our destruction[2]."

The inclinations of the people were shown, chiefly, as he tells us, in the theatres and public shows; where, when Cæsar entered, he was received only with a dead applause; but when young Curio, who followed him, appeared, he was clapped, as Pompey used to be in the height of his glory. And in the Apollinarian plays, Diphilus, the tragedian, happening to have some passages, in his part, which were thought to hit the character of Pompey, he was forced to repeat them a thousand times:

> Thou, by our miseries, art great——
> The time will come, when thou wilt wretchedly lament that greatness——
> If neither law nor custom can restrain thee——

at each of which sentences, the whole theatre made such a roaring and clapping, that they could hardly be quieted[3]. Pompey was greatly shocked, to find himself fallen so low in the esteem of the city: he had, hitherto, lived in the midst of glory, an utter stranger to disgrace, which made him the more impatient under so mortifying a change: "I could scarce refrain from tears," says Cicero, "to see what an abject, paltry figure he made in the rostra, where he never used to appear, but with universal applause and admiration; meanly haranguing against the edicts of Bibulus, and displeasing not only his audience, but himself; a spectacle, agreeable to none so much as to Crassus; to see him fallen so low from such a

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[1] Putarat Cæsar oratione sua posse impelli concionem, ut iret ad Bibulum; multa cum seditiosissime diceret, vocem exprimere non potuit. Ib. 21.

Qui consulem morti objeceris, inclusum obsederis, extrahere ex suis tectis conatus sis. In Vatin. 9.

[2] Nunc quidem novo quodam morbo civitas moritur; ut cum omnes ea, quæ sunt acta, improbent, querantur, doleant, varietas in re nulla sit, aperteque loquantur et jam clare gemant; tamen medicina nulla afferatur, neque enim resisti sine internecione posse arbitramur. Ad Att. 2. 20.

[3] Diphilus Tragœdus in nostrum Pompeium petulanter invectus est: "Nostra miseria tu es magnus," millies coactus est dicere. "Tandem virtutem istam veniet tempus cum graviter gemes," totius theatri clamore dixit, itemque cætera. Nam et ejusmodi sunt ii versus, ut in tempus ab inimico Pompeii scripti esse videantur. "Si neque leges, neque mores cogunt," et cætera magno cum fremitu et clamore dicta sunt. Ibid. 19.

Valerius Maximus, who tells the same story, says, that Diphilus, in pronouncing those sentences, stretched out his hands towards Pompey, to point him out to the company. But it appears, from Cicero's account of it, in his letter to Atticus, that Pompey was then at Capua; whither Cæsar sent an express to him, in all haste, to acquaint him with what had passed, and to call him, probably, to Rome. Val. Max. 6. 2.

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height:—and as Apelles, or Protogenes, would have been grieved to see one of their capital pieces besmeared with dirt, so it was a real grief to me, to see the man, whom I had painted with all the colours of my art, become of a sudden so deformed; for though nobody can think, since the affair of Clodius, that I have any reason to be his friend, yet my love for him was so great, that no injury could efface it[1]."

Cæsar, on the other hand, began to reap some part of that fruit, which he expected from their union: he foresaw, from the first, that the odium of it would fall upon Pompey; the benefit accrue to himself[2]: till Pompey, gradually sinking under the envy, and himself insensibly rising by the power of it, they might come at last to act upon a level: or, as Florus states the several views of the three, Cæsar wanted to acquire; Crassus to increase; Pompey to preserve his dignity[3]. So that Pompey, in reality, was but the dupe of the other two; whereas, if he had united himself with Cicero, and through him with the senate, whither his own and his country's interest called him, and where, from the different talents of the men, there could have been no contrast of glory or power; he must have preserved, through life, what his utmost ambition seemed to aim at, the character not only of the first, but of the best citizen in Rome: but, by his alliance with Cæsar, he lent his authority to the nursing up a rival, who gained upon him daily in credit, and grew too strong for him, at last, in power. The people's disaffection began to open his eyes, and make him sensible of his error; which he frankly owned to Cicero, and seemed desirous of entering into measures with him to retrieve it[4]. He saw himself on the brink of a precipice, where to proceed was ruinous, to retreat ignominious: the honest were become his enemies; and the factious had never been his friends. But though it was easy to see his mistake, it was difficult to find a remedy: Cicero pressed the only one, which could be effectual, an immediate breach with Cæsar, and used all arguments to bring him to it; but Cæsar was more suc-

[1] Ut ille tum humilis, ut demissus erat: ut ipse etiam sibi, non iis solum qui aderant, displicebat. O spectaculum uni Crasso jucundum, &c.—Quanquam nemo putabat propter Clodianum negotium me illi amicum esse debere: tamen tantus fuit amor, ut exhauriri nulla posset injuria. Ad Att. 2. 21.

[2] Cæsar animadvertebat se—invidia communis potentiæ in illum relegata, confirmaturum vires suas. Vell. Pat. 2. 44.

[3] Sic igitur Cæsare dignitatem comparare, Crasso augere, Pompeio retinere, cupientibus, omnibusque pariter potentiæ cupidis, de invadenda Repub. facile convenit. Lib. 4. 2. 11.

[4] Sed quod facile sentias, tædet ipsum Pompeium, vehementerque pœnitet, &c. Ad Att. 2. 22.

Primum igitur illud te scire volo, Sampsiceranum, nostrum amicum, vehementer sui status pœnitere, restituique in eum locum cupere, ex quo decidit, doloremque suum impertire nobis, et medicinam interdum aperte quærere; quam ego possum invenire nullam. Ib. 23.

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cessful, and drew Pompey quite away from him[1]: and, having got possession, entangled him so fast, that he could never disengage himself till it was too late.

But, to give a turn to the disposition of the people, or to draw their attention, at least, another way, Cæsar contrived to amuse the city with the discovery of a new conspiracy, to assassinate Pompey. Vettius, who, in Catiline's affair, had impeached Cæsar, and smarted severely for it, was now instructed how to make amends for that step, by swearing a plot upon the opposite party; particularly upon young Curio, the briskest opposer of the triumvirate. For this purpose, he insinuated himself into Curio's acquaintance, and, when he was grown familiar, opened to him a resolution, which he pretended to have taken, of killing Pompey, in expectation of drawing some approbation of it from him: but Curio carried the story to his father, who gave immediate information of it to Pompey; and so the matter, being made public, was brought before the senate. This was a disappointment to Vettius, who had laid his measures so, that he himself should have been seized in the Forum with a poniard, and his slaves taken also with poniards; and, upon his examination, was to have made the first discovery, if Curio had not prevented him. But, being now examined before the senate, he denied, at first, his having any such discourse with Curio; but presently recanted, and offered to discover what he knew, upon promise of pardon, which was readily granted: he then told them, that there was a plot, formed by many of the young nobility, of which Curio was the head: that Paullus was engaged in it, from the first, with Brutus also and Lentulus, the son of the Flamen, with the privity of his father: that Septimius, the secretary of Bibulus, had brought him a dagger from Bibulus himself.—This was thought ridiculous, that Vettius should not be able to procure a dagger, unless the consul had given him one.—Young Curio was called in to answer to Vettius's information, who soon confounded him, and shewed his narrative to be inconsistent and impossible: for he had deposed that the young nobles had agreed to attack Pompey in the Forum, on the day when Gabinius gave his show of gladiators, and that Paullus was to be leader in the attack: but it appeared, that Paullus was in Macedonia at that very time. The senate, therefore, ordered Vettius to be clapped into irons, and that if any man released him, he should be deemed a public enemy.

[1] Ego M. Bibulo, præstantissimo cive, consule, nihil prætermisi, quantum facere, nitique potui, quin Pompeium a Cæsaris conjunctione avocarem. In quo Cæsar felicior fuit: ipse enim Pompeium a mea familiaritate disjunxit. Philip. 2. 10.

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Cæsar, however, unwilling to let the matter drop so easily, brought him out again the next day, and produced him to the people in the rostra; and, in that place, where Bibulus, though consul, durst not venture to shew himself, exhibited this wretch, as his puppet, to utter whatever he should think fit to inspire. Vettius impeached several here, whom he had not named before in the senate; particularly Lucullus and Domitius: he did not name Cicero, but said, that a certain senator, of great eloquence, and consular rank, and a neighbour of the consul, had told him, that the times wanted another Brutus, or Ahala. When he had done, and was going down, being called back again, and whispered by Vatinius, and then asked, aloud, whether he could recollect nothing more, he farther declared, that Piso, Cicero's son-in-law, and M. Laterensis, were also privy to the design[1]. But it happened in this, as it commonly does in all plots, of the same kind, that the too great eagerness of the managers destroyed its effect: for, by the extravagance to which it was pushed, it confuted itself; and was entertained with so general a contempt, by all orders, that Cæsar was glad to get rid of it, by strangling or poisoning Vettius privately, in prison, and giving it out, that it was done by the conspirators[2].

The senate had still one expedient in reserve for mortifying Cæsar, by throwing some contemptible province upon him, at the expiration of his consulship; as the care of the woods or the roads; or what should give him at least no power to molest them[3]. The distribution of the provinces was, by ancient usage and express law, their undoubted prerogative; which had never been invaded, or attempted by the people[4]; so that this piece of revenge, or rather self-defence, seemed to be clearly in their power: but Cæsar, who valued no law or custom, which did not serve his purposes, without any regard to the senate, applied himself to his better friends, the people; and, by his agent, Vatinius, procured from them, by a new and extraordinary law, the grant of Cisalpine Gaul, with the addition of Illyricum, for the term of five years. This was a cruel blow to the power of the senate, and a direct infringement of the old constitution; as it transferred to the people a

[1] Ad Att. 2. 24. in Vatin. 11. Sueton. J. Cæs. 20.

[2] Fregerisne in carcere cervices ipsi illi Vettio, ne quod indicium corrupti judicii extaret? In Vatin. 11.

Cæsar—desperans tam præcipitis consilii eventum, intercepisse veneno indicem creditur. Sueton. J. Cæs. 20. Plut. in Lucull.

[3] Eandem ob causam opera optimatibus data est, ut provinciæ futuris Coss. minimi negotii, id est, sylvæ callesque, decernerentur. Sueton. 19.

[4] Tu provincias consulares, quas C. Gracchus, qui unus maxime popularis fuit, non modo non abstulit ab Senatu; sed etiam ut necesse esset, quotannis constitui per Senatum decreta lege sanxit. Pro Dom. 9.

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right which they had never exercised or pretended to before[1]. It convinced the senate, however, that all opposition was vain; so that when Cæsar soon after declared a desire to have the Transalpine Gaul added to his other provinces, they decreed it to him readily themselves; to prevent his recurring a second time to the people, and establishing a precedent, so fatal to their authority[2].

Clodius began now to threaten Cicero, with all the terrors of his tribunate; to which he was elected without any opposition: and, in proportion as the danger approached, Cicero's apprehensions were every day more and more alarmed. The absence of his friend Atticus, who was lately gone to Epirus, was an additional mortification to him: for Atticus, having a great familiarity with all the Clodian family, might have been of service, either in dissuading Clodius from any attempt, or in fishing out for him, at least, what he really intended. Cicero pressed him, therefore, in every letter, to come back again to Rome: "If you love me," says he, "as much as I am persuaded you do, hold yourself ready to run hither, as soon as I call: though I am doing, and will do, every thing in my power to save you that trouble[3]. My wishes and my affairs require you: I shall want neither counsel, nor courage, nor forces, if I see you here at the time. I have reason to be satisfied with Varro: Pompey talks divinely[4].—How much do I wish that you had staid at Rome! as you surely would have done, if you had imagined how things would happen: we should easily have managed Clodius, or learnt, at least, for certain, what he meant to do. At present he flies about, raves; knows not what he would be at; threatens many, and will take his measures, perhaps, at last from chance. When he reflects, in what a general odium the administration of our affairs now is, he seems disposed to turn his attacks upon the authors of it: but, when he considers their power, and their armies, he falls again upon me, and threatens me both with violence and a trial.—Many things may be transacted by our friend Varro, which, when urged also by you, would have the greater weight; many things may be drawn from Clodius himself;

[1] Eripueras Senatui provinciæ decernendæ potestatem; Imperatoris deligendi judicium; ærarii dispensationem; quæ nunquam sibi populus Romanus appetivit, qui nunquam hæc a summi consilii gubernatione auferre conatus est. In Vatin. 15.

[2] Initio quidem Galliam Cisalpinam, adjecto Illyrico, lege Vatinia accepit: mox per Senatum Comatam quoque: veritis Patribus, ne si ipsi negassent, populus et hanc daret. Sueton. 22.

[3] Tu, si me amas tantum, quantum profecto amas, expeditus facito ut sis; si inclamaro, ut accurras. Sed do operam, et dabo, ne sit necesse. Ad Att. 2. 20.

[4] Te cum ego desidero, tum etiam res ad tempus illud vocat. Plurimum consilii, animi, præsidii denique mihi, si te ad tempus videro, accesserit. Varro mihi satisfacit, Pompeius loquitur divinitus. Ib. 21.

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many discovered, which cannot be concealed from you; but it is absurd to run into particulars, when I want you for all things—the whole depends on your coming before he enters into his magistracy[1]. Wherefore, if this finds you asleep, awake yourself; if standing still, come away; if coming, run; if running, fly: it is incredible, what a stress I lay on your counsel and prudence; but, above all, on your love and fidelity[2]," &c.

Cæsar's whole aim, in this affair, was to subdue Cicero's spirit, and distress him so far, as to force him to a dependance upon him: for which end, while he was privately encouraging Clodius to pursue him, he was proposing expedients to Cicero for his security: he offered to put him into the commission, for distributing the lands of Campania, with which twenty of the principal senators were charged: but, as it was an invitation only into the place of one deceased, and not an original designation, Cicero did not think it for his dignity to accept it; nor cared, on any account, to bear a part in an affair so odious[3]: he then offered, in the most obliging manner, to make him one of his lieutenants in Gaul, and pressed it earnestly upon him; which was both a sure and honourable way of avoiding the danger, and what he might have made use of, so far only as it served his purpose, without embarrassing himself with the duty of it[4]; yet Cicero, after some hesitation, declined this also. He was unwilling to owe the obligation of his safety, to any man, and much more to Cæsar: being desirous, if possible, to defend himself by his own strength; as he could easily have done, if the triumvirate would not have acted against him. But this stiffness so exasperated Cæsar, that he resolved immediately to assist Clodius, with all his power, to oppress him; and, in excuse for it, afterwards, used to throw the whole blame on Cicero himself, for slighting, so obstinately, all his friendly offers which he made to him[5]. Pompey all this while, to prevent his throwing himself, perhaps,

[1] Ibid. 22.

[2] Quamobrem, si dormis, expergiscere; si stas, ingredere; si ingrederis, curre; si curris, advola. Credibile non est, quantum ego in consiliis et prudentia tua, et quod maximum est, quantum in amore et fide ponam. Ad Att. 2. 23.

[3] Cosconio mortuo, sum in ejus locum invitatus. Id erat vocari in locum mortui. Nihil me turpius apud homines fuisset; neque vero ad istam ipsam ἀσφάλειαν quicquam alienius. Sunt enim illi apud bonos invidiosi. Ibid. 19.

[4] A Cæsare valde liberaliter invitor in legationem illam, sibi ut sim legatus. Illa et munitior est, et non impedit, quo minus adsim, cum velim. Ibid. 18.

Cæsar me sibi vult esse legatum. Honestior hæc declinatio periculi. Sed ego hoc nunc repudio. Quid ergo est? Pugnare malo: nihil tamen certi. Ibid. 19.

[5] Ac solet, cum se purgat, in me conferre omnem istorum temporum culpam: ita me sibi fuisse inimicum, ut ne honorem quidem a se accipere vellem. Ibid. 9. 2.

Non caruerunt suspicione oppressi Ciceronis, Cæsar et Pompeius. Hoc sibi contraxisse videbatur Cicero, quod inter XX viros dividendo agro Campano esse noluisset. Vell. Pat. 2. 45.

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into Cæsar's hands, was giving him the strongest assurances, confirmed by oaths and vows, that there was no danger, and that he would sooner be killed himself, than suffer him to be hurt; that both Clodius and his brother Appius had solemnly promised to act nothing against him, but to be wholly at his disposal; and if they did not keep their word, that he would let all the world see, how much he preferred Cicero's friendship to all his other engagements. In Cicero's account of this to Atticus, "Varro," says he, "gives me full satisfaction. Pompey loves me, and treats me with great kindness. Do you believe him? you'll say. Yes, I do. He convinces me, that he is in earnest. Yet, since all men of affairs, in their historical reflections, and even poets too, in their verses, admonish us always to be upon our guard, nor to believe too easily; I comply with them in one thing; to use all proper caution, as far as I am able; but, for the other, find it impossible for me not to believe him [1]."

But, whatever really passed between Clodius and Pompey; Cicero, perceiving that Clodius talked in a different strain to every body else, and denounced nothing but war and ruin to him, began to be very suspicious of Pompey; and prepared to defend himself by his genuine forces, the senate and the knights, with the honest of all ranks, who were ready to fly to his assistance from all parts of Italy [2]. This was the situation of affairs, when Clodius entered upon the tribunate; where his first act was to put the same affront on Bibulus, which had been offered before to Cicero, on laying down that office, by not suffering him to speak to the people, but only to take the accustomed oath.

Q. Metellus Celer, an excellent citizen and patriot, who, from his consulship, obtained the government of Gaul, to which Cæsar now succeeded, died suddenly this summer at Rome, in the vigour of his health and flower of his age, not without sus-

[1] Pompeius omnia pollicetur et Cæsar: quibus ego ita credo, ut nihil de mea comparatione diminuam. Ad Quint. Fr. 1. 2.

Pompeius amat nos, carosque habet. Credis? inquies, Credo: Prorsus mihi persuadet. Sed quia, ut video, pragmatici homines omnibus historicis præceptis, versibus denique cavere jubent, et vetant credere; alterum facio, ut caveam; alterum, ut non credam, facere non possum. Clodius adhuc mihi denunciat periculum: Pompeius affirmat non esse periculum; adjurat, addit etiam, se prius occisum iri ab eo, quam me violatum iri. Ad Att. 2. 20.

Fidem recepisse sibi et Clodium et Appium de me: hanc si ille non servaret, ita laturum, ut omnes intelligerent, nihil antiquius amicitia nostra fuisse, &c. Ibid. 22.

[2] Clodius est inimicus nobis. Pompeius confirmat eum nihil facturum esse contra me. Mihi periculosum est credere: ad resistendum me paro. Studia spero me summa habiturum omnium ordinum. Ad Att. 21.

Si diem Clodius dixerit, tota Italia concurret—sin autem vi agere conabitur—omnes se et suos liberos, amicos, clientes, libertos, servos, pecunias denique suas pollicentur. Ad Quint. Fr. 1. 2.

picion of violence. His wife, the sister of Clodius, a lewd, intriguing woman, was commonly thought to have poisoned him; as well to revenge his opposition to all the attempts of her brother, as to gain the greater liberty of pursuing her own amours. Cicero does not scruple to charge her with it, in his speech for Cælius, where he gives a moving account of the death of her husband, whom he visited in his last moments; when, in broken, faltering accents, he foretold the storm, which was ready to break, both upon Cicero, and the Republic; and, in the midst of his agonies, signified it to be his only concern, in dying, that his friend and his country should be deprived of his help at so critical a conjuncture[1].

By Metellus's death a place became vacant in the college of Augurs: and though Cicero was so shy of accepting any favour from the triumvirate, yet he seems inclined to have accepted this, if it had been offered to him, as he intimates in a letter to Atticus. "Tell me," says he, "every tittle of news that is stirring; and since Nepos is leaving Rome, who is to have his brother's augurate, it is the only thing with which they could tempt me. Observe my weakness! But what have I to do with such things, to which I long to bid adieu, and turn myself entirely to philosophy? I am now in earnest to do it; and wish that I had been so from the beginning[2]." But his inclination to the augurate, at this time, was nothing else, we see, but a sudden start of an unweighed thought; no sooner thrown out than retracted; and dropped only to Atticus, to whom he used to open all his thoughts, with the same freedom, with which they offered themselves to his own mind[3]:

[1] Cum ille—tertio die post quam in curia, quam in rostris, quam in Repub. floruisset, integerrima ætate, optimo habitu, maximis viribus, ciperetur bonis omnibus atque universæ civitati.—Cum me intuens flentem significabat interruptis atque morientibus vocibus, quanta impenderet procella urbi, quanta tempestas civitati—ut non se emori, quam spoliari suo præsidio cum patriam, tum etiam me doleret.—Ex hac igitur domo progressa illa mulier de veneni celeritate dicere audebit? Pro Cælio, 24.

[2] Et numquid novi omnino: et quoniam Nepos proficiscitur, cuinam Auguratus deferatur, quo quidem uno ego ab istis capi possum. Vide levitatem meam! Sed quid ego hæc, quæ cupio deponere, et toto animo atque omni cura φιλοσοφεῖν? Sic, inquam, in animo est; vellem ab initio. Ad Att. 2. 5.

An ingenious French writer, and an English one also, not less ingenious, have taken occasion, from this passage, to form a heavy charge against Cicero, both in his civil and moral character. The Frenchman descants, with great gravity, on the foible of human nature, and the astonishing weakness of our orator, in suffering a thought to drop from him, which must, for ever, ruin his credit with posterity, and destroy that high opinion of his virtue, which he labours every where to inculcate. But a proper attention to the general tenor of his conduct would easily have convinced him of the absurdity of so severe an interpretation; and the facts produced in this history abundantly show that the passage itself cannot admit any other sense, than what I have given to it, as it is rendered also by M. Mongault, the judicious translator of the epistles to Atticus, viz. that the augurate was the only bait that could tempt him, not to go into the measures of the the triumvirate, for that was never in his thoughts but to accept any thing from them, or suffer himself to be obliged to them. See Hist. de l'Exil de Ciceron. p. 42. Considerations on the Life of Cic. p. 27.

[3] Ego tecum, tanquam mecum loquor. Ad Att. 8. 14.

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for it is certain, that he might have had this very augurate, if he had thought it worth asking for; nay, in a letter to Cato, who could not be ignorant of the fact, he says, that he had actually slighted it: which seems, indeed, to have been the case[1]: for though he was within twenty miles of Rome, yet he never stirred from his retreat, to solicit or offer himself for it, which he must necessarily have done, if had any real desire to obtain it.

Cicero's fortunes seemed now to be in a tottering condition: his enemies were gaining ground upon him, and any addition of help from the new magistrates might turn the scale to his ruin. Catulus used to tell him, that he had no cause to fear any thing; for that one good consul was sufficient to protect him; and Rome had never known two bad ones in office together, except in Cinna's tyranny[2]. But that day was now come; and Rome saw, in this year, what it had never seen before, in peaceful times, since its foundation—two profligate men advanced to that high dignity.

These were L. Calpurnius Piso and A. Gabinius; the one, the father-in-law of Cæsar; the other, the creature of Pompey. Before their entrance into office, Cicero had conceived great hopes of them, and not without reason; for, by the marriage of his daughter, he was allied to Piso; who continued to give him all the marks of his confidence, and had employed him in his late election, to preside over the votes of the leading century: and, when he entered into his office, on the first of January, asked his opinion the third in the senate, or the next after Pompey and Crassus[3]: and he might flatter himself also, probably, that on account of the influence which they were under, they would not be very forward to declare themselves against him[4]. But he presently found himself deceived: for Clodius had already secured them to his measures by a private contract, to procure for them, by a grant of the people, two of

[1] Sacerdotium denique, cum, quemadmodum te existimare arbitror, non difficillime consequi possem, non appetivi.—Idem post injuriam acceptam—studui quam ornatissima senatus populique Romani de me judicia intercedere. Itaque et Augur postea fieri volui, quod antea neglexeram. Ep. fam. 15. 4.

[2] Audieram ex sapientissimo homine—Q. Catulo, non sæpe unum consulem improbum, duos vero nunquam post Romam conditam, excepto illo Cinnano tempore, fuisse. Quare meam causam semper fore firmissimam dicere solebat, dum vel unus in Repub. Consul esset. Post red. in Sen. 4.

[3] Consules se optime ostendunt. Ad Quint. Fr. 1. 2.

Tu misericors me affinem tuum, quem tuis comitiis prærogativæ primum custodem præfeceras; quem kalendis Januariis tertio loco sententiam rogaras, constrictum inimicis Reipub. tradidisti. Post red. in Sen. 7. In Pis. 5. 6.

[4] The author of the Exile of Cicero, to aggravate the perfidy of Gabinius, tells us, that Cicero had defended him in a capital cause, and produces a fragment of the oration: but he mistakes the time of the fact; for that defence was not made till several years after this consulship; as we shall see hereafter, in its proper place. Hist. de l'Exil de Cic. p. 115.

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the best governments of the empire; for Piso, Macedonia, with Greece and Thessaly; for Gabinius, Cilicia: and when the last was not thought good enough, and Gabinius seemed to be displeased with his bargain, it was exchanged, soon after, for Syria, with a power of making war upon the Parthians [1]. For this price they agreed to serve him in all his designs, and particularly in the oppression of Cicero; who, on that account, often calls them, not consuls, but brokers of provinces, and sellers of their country [2].

They were, both of them, equally corrupt in their morals, yet very different in their tempers. Piso had been accused, the year before, by P. Clodius, of plundering and oppressing the allies: when by throwing himself at the feet of his judges, in the most abject manner, and in the midst of a violent rain, he is said to have moved the compassion of the bench, who thought it punishment enough, for a man of his birth, to be reduced to the necessity of prostrating himself so miserably, and rising so deformed and besmeared with dirt [3]. But, in truth, it was Cæsar's authority that saved him, and reconciled him, at the same time, to Clodius. In his outward carriage, he affected the mien and garb of a philosopher; and his aspect greatly contributed to give him the credit of that character: he was severe in his looks; squalid in his dress; slow in his speech; morose in his manners; the very picture of antiquity, and a pattern of the ancient Republic; ambitious to be thought a patriot, and a reviver of the old discipline. But this garb of rigid virtue covered a most lewd and vicious mind: he was surrounded, always, with Greeks, to imprint a notion of his learning: but while others entertained them for the improvement of their knowledge, he, for the gratification of his lusts; as his cooks, his pimps, or his drunken companions. In short, he was a dirty, sottish, stupid Epicurean; wallowing in all the low and filthy pleasures of life; till a false opinion of his wisdom, the splendour of his great family, and the smoky images of ancestors, whom he resembled in nothing but his complexion, recommended him to the consulship; which exposed the genuine temper and talents of the man [4].

[1] Fœdus fecerunt cum tribuno pleb. palam, ut ab eo provincias acciperent, quas vellent —id autem fœdus meo sanguine ictum sanciri posse dicebant. Pro Sext. 10.
Cui quidem cum Ciliciam dedisses, mutasti pactionem et—Gabinio, pretio amplificato, Syriam nominatim dedisti. Pro Dom. 9.

[2] Non consules, sed mercatores provinciarum, ac venditores vestræ dignitatis. Post red. in Sen. 4.

[3] L. Piso, a P. Clodio accusatus, quod graves et intolerabiles injurias sociis intulisset, haud dubiæ ruinæ metum fortuito auxilio vitavit—quia jam satis graves eum pœnas sociis dedisse arbitrati sunt huc deductum necessitatis, ut abjicere se tam suppliciter, aut attollere tam deformiter cogeretur. Val. Max. 8. 1.

[4] Quam teter incedebat? quam truculentus? quam terribilis aspectu? Aliquem te ex barbatis illis, exemplum veteris imperii, imaginem antiquitatis, columen Reipub. diceres

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His colleague, Gabinius, was no hypocrite, but a professed rake from the beginning; gay, foppish, luxurious; always curled and perfumed; and living in a perpetual debauch of gaming, wine, and women; void of every principle of virtue, honour, and probity; and so desperate in his fortunes, through the extravagance of his pleasures, that he had no other resource, or hopes of subsistence, but from the plunder of the Republic. In this tribunate, to pay his court to Pompey, he exposed to the mob the plan of Lucullus's house, to show what an expensive fabric one of the greatest subjects of Rome was building, as he would intimate, out of the spoils of the treasury; yet, this vain man, oppressed with debts, and scarce able to show his head, found means, from the perquisites of his consulship, to build a much more magnificent palace than Lucullus himself had done [1]. No wonder, then, that two such consuls, ready to sacrifice the empire itself to their lusts and pleasures, should barter away the safety and fortunes of a private senator, whose virtue was a standing reproof to them, and whose very presence gave some check to the free indulgence of their vices.

Clodius, having gained the consuls, made his next attempt upon the people, by obliging them with several new laws, contrived chiefly for their advantage, which he now promulgated. First, that corn should be distributed gratis to the citizens. Secondly, that no magistrates should take the auspices, or observe the heavens, when the people were actually assembled on public business. Thirdly, that the old companies, or fraternities of the city, which the senate had abolished, should be revived, and new ones instituted. Fourthly, to please those also of higher rank, that the censors should not expel from the senate, or inflict any mark of infamy on any man, who was not first openly accused, and convicted of some crime, by their joint sentence [2]. These laws, though generally agreeable,

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intueri. Vestitus aspere nostra hac purpura plebeia et pene fusca. Capillo ita horrido, ut—tanta erat gravitas in oculo, tanta contractio frontis, ut illo supercilio Respub., tanquam Atlante cœlum, niti videretur. [Pro Sext. 8.] Quia tristem semper, quia taciturnum, quia subhorridum atque incultum videbant, et quod erat eo nomine, ut ingenerata familiæ frugalitas videretur; favebant—etenim animus ejus vultu, flagitia parietibus tegebantur—laudabat homo doctos Philosophos nescio quos—9. Jacebat in suo Græcorum fœtore et vino—Græci stipati, quini in lectulis, sæpe plures. In Pis. 10. 27.

His utitur quasi præfectis libidinum suarum: hi voluptates omnes vestigant atque odorantur; hi sunt conditores instructoresque convivii, &c. Post red. in Sen. 6.

Obrepisti ad honores errore hominum, commendatione fumosarum imaginum, quarum simile nihil habes præter colorem. In Pis. 1.

[1] Alter unguentis affluens, calamistrata coma, despiciens conscios stuprorum—fefellit neminem—hominem emersum subito ex diuturnis tenebris lustrorum ac stuprorum—vino, ganeis, lenociniis, adulteriisque confectum. Pro Sext. 9.

Cur ille gurges, heluatus tecum simul Reipub. sanguinem, ad cœlum tamen extruxit villam in Tusculano visceribus ærarii. Pro Dom. 47.

[2] Vid. Orat. in Pis. 4. et notas Asconii. Dio, l. 38. p. 67.

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were highly unseasonable; tending to relax the public discipline, at a time when it wanted most to be reinforced: Cicero took them all to be levelled at himself, and contrived to pave the way to his ruin; so that he provided his friend, L. Ninnius, one of the tribunes, to put his negative upon them; especially on the law of fraternities; which, under colour of incorporating those societies, gave Clodius an opportunity of gathering an army, and enlisting into his service all the scum and dregs of the city [1]. Dion Cassius says, that Clodius, fearing, lest this opposition should retard the effect of his other projects, persuaded Cicero, in an amicable conference, to withdraw his tribune, and give no interruption to his laws, upon a promise and condition, that he would not make any attempt against him [2]: but we find, from Cicero's account, that it was the advice of his friends which induced him to be quiet against his own judgment; because the laws themselves were popular, and did not personally affect him: though he blamed himself, soon afterwards, for his indolence, and expostulated with Atticus, for advising him to it; when he felt, to his cost, the advantage which Clodius had gained by it [3].

For the true design of all these laws was, to introduce only with better grace, the grand plot of the play—the banishment of Cicero: which was now directly attempted, by a special law, importing, that whoever had taken the life of a citizen, uncondemned, and without a trial, should be prohibited from fire and water [4]. Though Cicero was not named, yet he was marked out by the law: his crime was, the putting Catiline's accomplices to death; which, though not done by his single authority, but by a general vote of the senate, and after a solemn hearing and debate, was alleged to be illegal, and contrary to the liberties of the people. Cicero, finding himself thus reduced to the condition of a criminal, changed his habit upon it, as it was usual in the case of a public impeachment; and appeared about the streets, in a sordid or mourning gown, to excite the compassion of his citizens: whilst Clodius, at the head of his mob, contrived to meet and insult him at every turn; reproaching him for his cowardice and dejection, and throwing dirt and stones at him [5]. But Cicero soon gathered friends enough about him, to secure him from such insults; the whole

[1] Collegia, non ea solum, quæ Senatus sustulerat, restituta, sed innumerabilia quædam nova ex omni fæce urbis ac servitio concitata. In Pis. 4.

[2] Dio, l. 38. p. 67.

[3] Nunquam esses passus mihi persuaderi, utile nobis esse legem de Collegiis perferri. Ad Att. 3. 15.

[4] Qui civem Romanum indemnatum peremisset, ei aqua et igni interdiceretur. Vell. Pat. 2. 45.

[5] Plut. Cic.

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body of the knights, and the young nobility, to the number of twenty thousand [1], with young Crassus at their head, who all changed their habit, and perpetually attended him about the city, to implore the protection and assistance of the people.

The city was now in great agitation, and every part of it engaged on one side or the other. The senate met in the Temple of Concord; while Cicero's friends assembled in the Capitol; whence all the knights and the young nobles went in their habit of mourning, to throw themselves at the feet of the consuls, and beg their interposition in Cicero's favour. Piso kept his house that day, on purpose to avoid them; but Gabinius received them with intolerable rudeness, though their petition was seconded by the entreaties and tears of the whole senate: he treated Cicero's character and consulship with the utmost derision, and repulsed the whole company, with threats and insults, for their fruitless pains to support a sinking cause. This raised great indignation in the assembly; where the tribune, Ninnius, instead of being discouraged by the violence of the consul, made a motion, that the senate also should change their habit, with the rest of the city: which was agreed to, instantly, by an unanimous vote. Gabinius, enraged at this, flew out of the senate into the Forum; where he declared to the people, from the rostra, that men were mistaken to imagine, that the senate had any power in the Republic; that the knights should pay dear for that day's work; when, in Cicero's consulship, they kept guard in the Capitol, with their drawn swords: and, that the hour was now come, when those, who lived at that time in fear, should revenge themselves on their enemies: and, to confirm the truth of what he said, he banished L. Lamia, a Roman knight, two hundred miles from the city, for his distinguished zeal and activity in Cicero's service [2]; an act of power, which no consul before him had ever presumed to exert on any citizen; which was followed presently, by an edict from both the consuls, forbidding the senate to put their late vote in execution, and enjoining them to

[1] Pro me præsente senatus, hominumque viginti millia vestem mutaverunt. Post red. ad Quir. 3.

[2] Hic subito cum incredibilis in Capitolium multitudo ex tota urbe, cunctaque Italia convenisset, vestem mutandam omnes, meque etiam omni ratione, privato consilio, quoniam publicis ducibus Respub. careret, defendendum putarunt. Erat eodem tempore senatus in æde Concordiæ,—cum flens universus ordo cincinnatum consulem orabat, nam alter ille horridus et severus domi se consulto tenebat. Qua tum superbia cœnum illud ac labes amplissimi ordinis preces et clarissimorum civium lacrymas repudiavit? Me ipsum ut contemsit helluo patriæ? Vestris precibus a latrone isto repudiatis vir incredibili fide—L. Ninnius ad senatum de Repub. retulit. Senatusque frequens vestem pro mea salute mutandam censuit—Exanimatus evolat e senatu—advocat concionem—errare homines, si etiam tum senatum aliquid in Rep. posse arbitrarentur.—Venisse tempus iis, qui in timore fuissent, ulciscendi se.—L. Lamiam—in concione relegavit, edixitque ut ab urbe abesset millia passuum ducenta—[Pro Sext. 11, 12, 13. it. post red. in Sen. 5.] Quod ante id tempus civi Romano contigit nemini. Epist. fam. 11. 16.

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resume their ordinary dress[1]. "And where is there," says Cicero, "in all history, a more illustrious testimony, to the honour of any man, than that all the honest, by private inclination, and the senate, by a public decree, should change their habit for the sake of a single citizen[2]?"

But the resolution of changing his gown was too hasty and inconsiderate, and helped to precipitate his ruin. He was not named in the law, nor personally affected by it: the terms of it were general, and seemingly just, reaching only to those, who had taken the life of a citizen illegally. Whether this was his case, or not, was not yet the point in issue, but to be the subject of another trial; so that, by making himself a criminal, before his time, he shortened the trouble of his enemies, discouraged his friends, and made his case more desperate than he needed to have done: whereas, if he had taken the part of commending or slighting the law, as being wholly unconcerned in it; and, when he came to be actually attacked by a second law, and brought to a trial upon it, had stood resolutely upon his defence, he might have baffled the malice of his prosecutors. He was sensible of his error, when it was too late; and oft reproaches Atticus, that, being a stander-by, and less heated in the game than himself, he would suffer him to make such blunders[3].

As the other consul, Piso, had not yet explicitly declared himself, Cicero, accompanied by his son-in-law, who was his near kinsman, took occasion to make him a visit, in hopes to move him to espouse his cause, and support the authority of the senate. They went to him about eleven in the morning, and found him, as Cicero afterwards told the senate, coming out from a little dirty hovel, fresh from the last night's debauch, with his slippers on, his head muffled, and breath so strong of wine, that they could hardly bear the scent of it: he excused his dress, and smell of wine, on the account of his ill health; for which he was obliged, he said, to take some vinous medicines; but he kept them standing all the while, in that filthy place, till they had finished their business. As soon as Cicero entered into the affair, he frankly told them, that Gabinius was so miserably poor, as not to be able to show his head; and must

[1] Cum subito edicunt duo consules, ut ad suum vestitum senatores redirent. Ep. fam. 11. 14.

[2] Quid enim quisquam potest ex omni memoria sumere illustrius, quam pro uno cive et bonos omnes privato consensu, et universum senatum publico consilio mutasse vestem? Ibid. 12.

[3] Nam prior lex nos nihil lædebat: quam si, ut est promulgata, laudare voluissemus, aut, ut erat negligenda, negligere, nocere omnino nobis non potuisset. Hic mihi primum meum consilium defuit; sed etiam obfuit. Cæci, cæci, inquam, fuimus in vestitu mutando, in populo rogando. Quod, nisi nominatim mecum agi cœptum esset, perniciosum fuit.—Me, meos meis tradidi inimicis, inspectante et tacente te; qui, si non plus ingenio valebas quam ego, certe timebas minus. Ad Att. 3. 15.

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be utterly ruined, if he could not procure some rich province; that he had hopes of one from Clodius, but despaired of any thing from the senate; that, for his own part, it was his business to humour him, on this occasion, as Cicero had humoured his colleagues in his consulship; and that there was no reason to implore the help of the consuls, since it was every man's duty to look to himself[1]: which was all that they could get from him.

Clodius, all the while, was not idle, but pushed on his law with great vigour; and, calling the people into the Flaminian circus, summoned thither also the young nobles and the knights, who were so busy in Cicero's cause, to give an account of their conduct to that assembly: but, as soon as they appeared, he ordered his slaves and mercenaries to fall upon them with drawn swords, and volleys of stones, in so rude a manner, that Hortensius was almost killed, and Vibienus, another senator, so desperately hurt, that he died, soon after, of his wounds[2]. Here he produced the two consuls, to deliver their sentiments to the people, on the merit of Cicero's consulship; when Gabinius declared, with great gravity, that he utterly condemned the putting citizens to death without a trial: Piso only said, that he had always been on the merciful side, and had a great aversion to cruelty[3]. The reason of holding this assembly in the Flaminian circus, without the gates of Rome, was to give Cæsar an opportunity of assisting at it, who, being now invested with a military command, could not appear within the walls. Cæsar, therefore, being called upon, after the consuls, to deliver his mind, on the same question, declared, that the proceedings against Lentulus, and the rest, were irregular and illegal: but that he could not approve the design of punishing any body for them: that all the world knew his sense of the matter, and that he had given his vote against taking away their lives; yet he did not think it right to propound a law, at this time, about things that were so long past[4]. This answer was artful, and agreeable to the part which he was then acting;

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[1] Egere——Gabinium; sine provincia stare non posse: spem habere a tribuno pleb.—a senatu quidem desperasse: hujus te cupiditati obsequi, sicut ego fecissem in collega meo: nihil esse quod præsidium consulum implorarem; sibi quemque consulere oportere, &c. In Pis. 6.

[2] Qui adesse nobilissimos adolescentes, honestissimos equites Romanos deprecatores meæ salutis jusserit; eosque operarum suarum gladiis et lapidibus objecerit. Pro Sext. 12.

Vidi hunc ipsum Hortensium, lumen et ornamentum Reipub. pene interfici servorum manu—qua in turba C. Vibienus, senator, vir optimus, cum hoc cum esset una, ita est mulctatus, ut vitam amiserit. Pro Mil. 14.

[3] Pressa voce et temulenta, quod in cives indemnatos esset animadversum, id sibi dixit gravis auctor vehementissime displicere. Post red. in Sen. 6.

Cum esses interrogatus quid sentires de consulatu meo, respondes, crudelitatem tibi non placere. In Pis. 6. Te semper misericordem fuisse. Post red. in Sen. 7.

[4] Dio, l. 38. p. 69.

for while it confirmed the foundation of Clodius's law, it carried a show of moderation towards Cicero; or, as an ingenious writer expresses it "left appearances only to the one, but did real service to the other[1]."

In this same assembly, Clodius got a new law likewise enacted, that made a great alteration in the constitution of the Republic; viz. the repeal of the Ælian and Fusian laws; by which the people were left at liberty to transact all public business, even on the days called Fasti, without being liable to be obstructed by the magistrates, on any pretence whatsoever[2]. The two laws, now repealed, had been in force about a hundred years[3]; and made it unlawful to act any thing with the people, while the augurs or consuls were observing the heavens, and taking the auspices. This wise constitution was the main support of the aristocratical interest, and a perpetual curb to the petulance of factious tribunes, whose chief opportunity of doing mischief lay in their power of obtruding dangerous laws upon the city, by their credit with the populace. Cicero, therefore, frequently laments the loss of these two laws, as fatal to the Republic; he calls them, the most sacred and salutary laws of the state: the fences of their civil peace and quiet; the very walls and bulwarks of the Republic, which had held out against the fierceness of the Gracchi; the audaciousness of Saturninus; the mobs of Drusus; the bloodshed of Cinna; the arms of Sylla[4]; to be abolished, at last, by the violence of this worthless tribune.

Pompey, who had hitherto been giving Cicero the strongest assurances of his friendship, and been frequent and open in his visits to him, began now, as the plot ripened towards a crisis, to grow cool and reserved; while the Clodian faction, fearing, lest he might be induced, at last, to protect him, were employing all their arts to infuse jealousies and suspicions into him, of a design against him, from Cicero. They posted some of their confidents at Cicero's house, to watch his coming thither, and to admonish him, by whispers and billets put into

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[1] Exil. de Cic. p. 133.

[2] Iisdem consulibus sedentibus atque inspectantibus lata lex est, ne auspicia valerent, ne quis obnunciaret, ne quis legi intercederet; ut omnibus fastis diebus legem ferre liceret: ut lex Ælia, lex Fusia ne valeret. Qua una rogatione quis non intelligat, universam Rempublicam esse deletam! [Pro Sext. 15.] Sustulit duas leges, Æliam et Fusiam, maxime Reipub. salutares. De Harusp. resp. 27.

The Dies Fasti were the days on which the courts of law were open, and the prætors sat to hear causes, which were marked for that purpose in the calendars: but, before this Clodian law, it was not allowed to transact any business upon them with the people.

[3] Centum prope annos legem Æliam et Fusiam tenueramus. In Pis. 5.

[4] Deinde sanctissimas leges, Æliam et Fusiam, quæ in Gracchorum ferocitate, et in audacia Saturnini, et in colluvione Drusi, et in cruore Cinnano, etiam inter Syllana arma vixerunt, solus conculcaris ac pro nihilo putaris. In Vatin. 9. Propugnacula murique tranquillitatis et otii. In Pis. 4.

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his hands, to be cautious of venturing himself there, and to take better care of his life; which was inculcated to him, likewise, so strongly at home, by perpetual letters and messages, from pretended friends, that he thought fit to withdraw himself from the city, to his house on the Alban hill[1]. It cannot be imagined, that he could entertain any real apprehension of Cicero; both Cicero's character, and his own, make that incredible: but if he had conceived any, it was not, as Cicero says, against him, but against the common enemies of them both, lest they might possibly attempt somewhat in Cicero's name; and, by the opportunity of charging it upon Cicero, hope to get rid of them both at the same time. But the most probable conjecture is, that, being obliged by his engagements with Cæsar to desert Cicero, and suffer him to be driven out of the city, he was willing to humour these insinuations, as giving the most plausible pretext of excusing his perfidy.

But Cicero had still with him, not only all the best, but much the greatest part of the city, determined to run all hazards, and expose their lives for his safety[2]; and was more than a match for all the strength of Clodius and the consuls, if the triumvirate only would stand neuter. Before things came, therefore, to extremity, he thought it advisable to press Pompey, in such a manner, as to know, for certain, what he had to expect from him: some of his chief friends undertook this task; Lucullus, Torquatus, Lentulus, &c. who, with a numerous attendance of citizens, went to find him at his Alban villa, and to intercede with him, not to desert the fortunes of his old friend. He received them civilly, though coldly; referring them wholly to the consuls, and declaring, that he, being only a private man, could not pretend to take the field against an armed tribune, without a public authority; but if the consuls, by a decree of the senate, would enter into the affair, he would presently arm himself in their defence[3]. With this answer they addressed themselves again to the consuls, but with no better success than before; Gabinius treated them rudely; but Piso calmly told them, that he was not so stout a consul as

[1] Cum iidem illum, ut me metueret, me caveret, monuerunt; iidem me, mihi illum uni esse inimicissimum, dicerent.—Pro Dom. 11.

Quem—domi meæ certi homines ad eam rem compositi monuerunt, ut esset cautior: ejusque vitæ a me insidias apud me domi positas esse dixerunt: atque hanc ei suspicionem alii litteris mittendis, alii nunciis, alii coram ipsi excitaverunt, ut ille, cum a me certe nihil timeret, ab illis, ne quid meo nomine molirentur, cavendum putaret. Pro Sext. 18.

[2] Si ego in causa tam bona, tanto studio senatus, consensu tam incredibili bonorum omnium, tam parato, tota denique Italia ad omnem contentionem expedita. Ibid. 16.

[3] Nonne ad te L. Lentulus, L. Torquatus, M. Lucullus venit? Qui omnes ad eum multique mortales oratum in Albanum obsecratumque venerant, ne meas fortunas desereret, cum Reipub. fortunis conjunctas.—Se contra armatum tribunum pleb. sine consilio publico decertare nolle: Consulibus ex senatus consulto Rempub. defendentibus, se arma sumpturum. In Pis. 31.

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Torquatus and Cicero had been; that there was no need of arms, or fighting; that Cicero might save the Republic a second time, if he pleased, by withdrawing himself; for if he staid, it would cost an infinite quantity of civil blood; and, in short, that neither he, nor his colleague, nor his son-in-law, Cæsar, would relinquish the party of the tribune [1].

After this repulse, Cicero resolved to make his last effort on Pompey, by throwing himself, in person, at his feet. Plutarch tells us, that Pompey slipt out at the back door, and would not see him: but it is certain, from Cicero's account, that he was admitted to an audience; and when he began to press, and even supplicate him, in a manner the most affecting, that Pompey flatly refused to help him: alleging, in excuse of himself, the necessity, which he was under, of acting nothing against the will of Cæsar [2]. This experiment convinced Cicero, that he had a much greater power to contend with, than what had yet appeared in sight: he called, therefore, a council of his friends, with intent to take his final resolution, agreeably to their advice. The question was, Whether it was best to stay, and defend himself by force; or to save the effusion of blood, by retreating, till the storm should blow over? Lucullus advised the first; but Cato, and, above all, Hortensius, warmly urged the last; which, concurring also with Atticus's advice, as well as the fears and entreaties of all his own family, made him resolve to quit the field to his enemies, and submit to a voluntary exile [3].

A little before his retreat, he took a small statue of Minerva, which had long been reverenced in his family, as a kind of tutelar deity, and carrying it to the Capitol, placed it in the temple of Jupiter, under the title of Minerva, the guardian of the city [4]. His view might possibly be to signify, that, after he had done all which human prudence could contrive, for the defence of the Republic, he was now forced to give it up to the protection of the gods; since nothing less than the interposition of some deity could preserve it from ruin; or rather, as he himself seems to intimate, in the uncertain issue of his flight, and the plunder of his goods, which was likely to ensue, he had a mind to preserve this sacred image, in the most

[1] Quid, infelix, responderis?—Te non esse tam fortem, quam ipse Torquatus in consulatu fuisset, aut ego: nihil opus esse armis, nihil contentione: me posse iterum Rempub. servare, si cessissem; infinitam cædem fore, si restitissem. Deinde ad extremum, neque se, neque generum, neque collegam suum tribuno pleb. defuturum. In Pis. 31.

[2] Is, qui nos sibi quondam ad pedes stratos ne sublevabat quidem, qui se nihil contra hujus voluntatem facere posse aiebat. Ad Att. 10. 4.

[3] Lacrymæ meorum me ad mortem ire prohibuerunt. Ibid. 4. Plut. in Cic.

[4] Nos, qui illam custodem urbis, omnibus ereptis nostris rebus ac perditis, violari ab impiis passi non sumus, eamque ex nostra domo in ipsius patris domum detulimus. De Leg. 2. 17.

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conspicuous part of the city, as a monument of his services, which would naturally excite an affectionate remembrance of him in the people, by letting them see, that his heart was still there, where he had deposited his gods. After this act, he withdrew himself in the night, escorted by a numerous guard of friends, who, after a day's journey or two, left him, with great expressions of tenderness, to pursue his way towards Sicily; which he proposed for the place of his residence, and where, for his eminent services to the island, he assured himself of a kind reception and safe retreat.

SECTION V.

THE wretched alternative to which Cicero was reduced, of losing either his country or his life, is sufficient to confute all the cavils of those, who, from a hint or two in his writings, obscurely thrown out, and not well understood, are so forward to charge him with the levity of temporizing, or selling himself for any bribe, which could feed his vanity: for nothing is more evident, than that he might not only have avoided this storm, but obtained whatever honours he pleased, by entering into the measures of the triumvirate, and lending his authority to the support of their power; and that the only thing which provoked Cæsar to bring this calamity upon him, was, to see all his offers slighted, and his friendship utterly rejected by him[1]. This he expressly declares to the senate, who were conscious of the truth of it; that Cæsar had tried all means to induce him to take part in the acts of his consulship: had offered him commissions and lieutenancies, of what kind and with what privileges he should desire; to make him even a fourth in the alliance of the three, and to hold him in the same rank of friendship with Pompey himself. "All which I refused," says he, "not out of slight to Cæsar, but constancy to my principles; and because I thought the acceptance of them unbecoming the character which I sustained; how wisely, I will not dispute; but am sure, that it was firmly and bravely; when, instead of baffling the malice of my enemies, as I could easily have done, by that help, I chose to suffer any violence,

[1] Hoc sibi contraxisse videbatur Cicero, quod inter xx. viros dividendo agro Campano esse noluisset. Vell. Pat. 2. 45. Ad Att. 9. 2.

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rather than to desert your interest, and descend from my own rank[1]."

Cæsar continued at Rome, till he saw Cicero driven out of it: but had no sooner laid down his consulship, than he began to be attacked and affronted himself, by two of the new prætors, L. Domitius and C. Memmius; who called in question the validity of his acts, and made several efforts, in the senate, to get them annulled by public authority. But the senate had no stomach to meddle with an affair so delicate; so that the whole ended in some fruitless debates and altercations; and Cæsar, to prevent all attempts of that kind, in his absence, took care always, by force of bribes, to secure the leading magistrates to his interests; and so went off to his province of Gaul[2]. But as this unexpected opposition gave some little ruffle to the triumvirate, so it served them, as an additional excuse for their behaviour towards Cicero; alleging, that their own dangers were nearer to them than other people's, and that they were obliged, for their own security, not to irritate so popular a tribune as Clodius[3].

As soon as it was known that Cicero was gone, Clodius filled the Forum with his band of slaves and incendiaries, and published a second law, to the Roman people, as he called them, though there was not one honest citizen, or man of credit among them[4]. The law, as we may gather from the scattered passages of it, was conceived in the following terms:

Whereas, M. T. Cicero has put Roman citizens to death, unheard and uncondemned; and for that end forged the authority and decree of the senate: may it please you to ordain, that he be interdicted from fire and water: that nobody presume to harbour or receive him, on pain of death; and that whoever shall move, speak, vote, or take any step towards recalling him, he shall be treated as a public enemy; unless

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[1] Consul egit eas res, quarum me participem esse voluit.—Me ille ut Quinqueviratum acciperem rogavit; me in tribus sibi conjunctissimis Consularibus esse voluit; mihi legationem, quam vellem, quanto cum honore vellem, detulit. Quæ ego non ingrato animo, sed obstinatione quadam sententiæ repudiavi, &c. De Prov. Cons. 17.

[2] Functus Consulatu, C. Memmio, L. Domitio Prætoribus, de superioris anni actis referentibus, cognitionem Senatui detulit; nec illo suscipiente, triduoque per irritas altercationes absumpto, in provinciam abiit—ad securitatem igitur posteri temporis in magno negotio habuit obligare semper annuos magistratus, et e petitoribus non alios adjuvare, aut ad honorem pati pervenire, quam qui sibi recepissent propugnaturos absentiam suam.—Sueton. J. Cæs. 23.

[3] Illi autem aliquo tum timore perterriti, quod acta illa, atque omnes res anni superioris labefactari a Prætoribus, infirmari a Senatu, atque principibus civitatis putabant, Tribunum popularem a se alienare nolebant, suaque sibi propiora pericula esse, quam mea, loquebantur. Pro Sext. 18.

[4] Non denique suffragii latorem in ista tua proscriptione quenquam, nisi furem ac sicarium reperire potuisti. Pro Dom. 18.

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those should first be recalled to life, whom Cicero unlawfully put to death[1].

The law was drawn by Sext. Clodius, the kinsman and prime-minister of the tribune; though Vatinius also laid some claim to it, and was the only one, of senatorian rank, who openly approved it[2]. It was essentially null and invalid, both for the matter and the form: for, in the first place, it was not properly a law, but what they called a privilege, or an act, to inflict penalties on a particular citizen by name, without any previous trial; which was expressly prohibited by the most sacred and fundamental constitutions of the Republic[3]. Secondly, the terms of it were so absurd, that they annulled themselves; for it enacted, not that Cicero may or should be, but that he be interdicted; which was impossible; since no power on earth, says Cicero, can make a thing to be done, before it be done[4]. Thirdly, the penal clause being grounded on a suggestion notoriously false, that Cicero had forged the decrees of the senate, it could not possibly stand, for want of a foundation[5]. Lastly, though it provided that nobody should harbour him, yet it had not ordered him to be expelled, or enjoined him to quit the city[6]. It was the custom, in all laws made by the tribes, to insert the name of the tribe which was first called to vote, and of the man who first voted in it for the law; that he might be transmitted down with the law itself, as the principal espouser and promoter of it[7]. This honour was given to one Sedulius, a mean, obscure fellow, without any settled habitation, who yet, afterwards, declared, that he was not in Rome at the time, and knew nothing at all of the matter: which gave Cicero occasion to observe, when he was reproaching Clodius with this act, that Sedulius might easily

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[1] Vid. Pro Dom. 18, 19, 20. Post red. in Sen. 2, 10.

[2] Hanc tibi legem S. Clodius scripsit—homini egentissimo ac facinorosissimo S. Clodio, socio tui sanguinis.—Hoc tu scriptore, hoc consiliario, hoc ministro—Rempub. perdidisti. Pro Dom. 2, 10, 18. Ille unus ordinis nostri discessu meo—palam exsultavit —Pro Sext. 64.

[3] Vetant leges sacratæ, vetant XII. tabulæ, leges privatis hominibus irrogari. Id est enim Privilegium. Pro Dom. 17.

[4] Non tulit ut interdicatur sed ut interdictum sit.—Sexte noster, bona venia, quoniam jam dialecticus es—quod factum non est, ut sit factum, ferri ad populum, aut verbis ullis sanciri, aut suffragiis confirmari potest? ibid. 18. Quid si iis verbis scripta est ista proscriptio, ut se ipsa dissolvat? ibid. 19.

N. B. The distinction here intimated between interdicatur, and interdictum sit, deserves the attention of all grammarians. They are commonly used indifferently, as terms wholly equivalent; yet, according to Cicero's criticism, the one, we see, makes the sense absurd, where the other is just and proper.

[5] Est enim, quod M. Tullius falsum Senatus consultum retulerit, si igitur retulit falsum Senatus consultum, tum est rogatio: si non retulit, nulla est. Pro Dom. 19.

[6] Tulisti de me ne reciperer, non ut exirem—pœna est, qui receperit; quam omnes neglexerunt; ejectio nulla est. Ibid. 20.

[7] Tribus Sergia principium fuit: pro Tribu, Sextus L. F. Varro primus scivit. This was the form, as appears from fragments of the old laws. Vid. Frontin. de Aquæd.—Fragment. Legis Thoriæ, apud Rei Agrar. Scriptores. Liv. 9. 38.

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be the first voter, who, for the want of a lodging, used to lie all night in the Forum; but it was strange, that when he was driven to the necessity of forging a leader, he should not be able to find a more reputable one[1].

With this law against Cicero, there was another published, at the same time, which, according to the stipulation already mentioned, was to be the pay and price for it; to grant to the two consuls the provinces above specified, with a provision of whatever troops and money they thought fit[2]. Both the laws passed without opposition; and Clodius lost no time in putting the first of them in execution; but fell to work, immediately, in plundering, burning, and demolishing Cicero's houses, both in the city and the country. The best part of his goods were divided between the two consuls; the marble columns of his palatine house were carried publicly to Piso's father-in-law; and the rich furniture of his Tusculan villa, to his neighbour Gabinius; who removed even the trees of his plantations into his own grounds[3]; and, to make the loss of his house in Rome irretrievable, Clodius consecrated the area, on which it stood, to the perpetual service of religion, and built a temple upon it to the goddess Liberty[4].

While Cicero's house was in flames, the two consuls, with all their seditious crew around them, were publicly feasting and congratulating each other for their victory, and for having revenged the death of their old friends on the head of Cicero: where, in the gaiety of their hearts, Gabinius openly bragged, that he had always been the favourite of Catiline; and Piso, that he was cousin to Cethegus[5]. Clodius, in the meanwhile, not content with exerting his vengeance only on Cicero's houses, pursued his wife and children with the same fury; and made several attempts to get young Cicero, the son, into his

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[1] Sedulio principe, qui se illo die confirmat Romæ non fuisse. Quod si non fuit, quid te audacius, qui in ejus nomen incideris? Quid desperatius, qui ne ementiendo quidem potueris auctorem adumbrare meliorem? Sin autem is primus scivit, quod facile potuit, propter inopiam tecti in foro pernoctans. Pro Dom. 30. Quam Sedulius se negat scivisse. Ibid. 31.

[2] Ut provincias acciperent, quas ipsi vellent: exercitum et pecuniam quantam vellent. Pro Sext. x. in Pison. 16. Illo ipso die—mihi Reique pub. pernicies, Gabinio et Pisoni provincia rogata est. Pro Sext. 24.

[3] Uno eodemque tempore domus mea diripiebatur, ardebat: bona ad vicinum consulem de Palatio; de Tusculano ad item alterum vicinum consulem deferebantur. Post red. in Sen. 7.

Cum domus in Palatio, villa in Tusculano, altera ad alterum consulem transferebatur, columnæ marmoreæ ex ædibus meis, inspectante populo Romano, ad socerum consulis portabantur; in fundum autem vicini consulis non instrumentum, aut ornamenta villæ, sed etiam arbores transferebantur. Pro Dom. 24.

[4] Cum suis dicat se manibus domum civis optimi evertisse, et eam iisdem manibus consecrasse. Ibid. 40.

[5] Domus ardebat in Palatio—Consules epulabantur, et in conjuratorum gratulatione versabantur; cum alter se Catilinæ delicias, alter Cethegi consobrinum fuisse diceret. Pro Dom. 24. in Pison. 11. Pro Sext. 24.

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hands, then about six years old, with an intent to kill him[1]: but the child was carefully guarded by the friends of the family, and removed from the reach of his malice. Terentia had taken sanctuary in the temple of Vesta, but was dragged out of it forcibly, by his orders, to the public office, or tribunal, where he was sitting, to be examined, about the concealment of her husband's effects: but, being a woman of a singular spirit and resolution, she bore all his insults with a masculine courage[2].

But while Clodius seemed to aim at nothing, in this affair, but the gratification of his revenge, he was carrying on a private interest, at the same time, which he had much at heart. The house, in which he himself lived, was contiguous to a part of Cicero's ground; which, being now laid open, made that side of the Palatine hill the most airy and desirable situation in Rome: his intention, therefore, was, by the purchase of another house, which stood next to him, to make the whole area his own, with the benefit of the fine portico and temple annexed: so that he had no sooner demolished Cicero's house, than he began to treat with the owner of the next Q. Seius Postumus, a Roman knight, who absolutely refused to sell it, and declared, that Clodius, of all men, should never have it, while he lived: Clodius threatened to obstruct his windows; but finding that neither his threats, nor offers availed any thing, he contrived to get the knight poisoned; and so bought the house, after his death, at the sale of his effects, by outbidding all who offered for it. His next step was to secure the remaining part of Cicero's area, which was not included in the consecration, and was now also exposed, by his direction, to a public auction; but as it was not easy to find any citizen who would bid for it, and he did not care to buy it in his own name, he was forced to provide an obscure, needy fellow, called Scato, to purchase it for him, and, by that means, became master of the most spacious habitation in all the city[3].

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[1] Vexabatur uxor mea: liberi ad necem quærebantur. Pro Sext. 24.
Quid vos uxor mea misera violarat? Quam vexavistis, raptavistis—quid mea filia?—Quid parvus filius?—Quid fecerat, quod eum toties per insidias interficere voluistis?—Pro Dom. 23.

[2] A te quidem omnia fieri fortissime, atque amantissime video: nec miror; nam ad me P. Valerius—scripsit id quod ego maximo cum fletu legi, quemadmodum a Vestæ ad tabulam Valeriam ducta esses. Ep. Fam. 14. 2.

[3] Ipse cum loci illius, cum ædium cupiditate flagraret. Pro Dom. 41.
Monumentum iste, nunquam aut religionem ullam excogitavit: habitare laxe et magnifice voluit: duasque et magnas et nobiles domos conjungere. Eodem puncto temporis quo meus discessus isti causam cædis eripuit, a Q. Seio contendit, ut domum sibi venderet. Cum ille id negaret, primo se luminibus ejus esse obstructurum minabatur. Affirmabat Postumus, se vivo, domum suam istius nunquam futuram. Acutus adolescens ex istius sermone intellexit, quid fieri oporteret. Hominem veneno apertissime sustulit. Emit domum, licitatoribus defatigatis—in Palatio pulcherrimo prospectu porticum cum conclavibus pavimentatam trecentum pedum concupierat; amplissimum

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This desolation of Cicero's fortunes at home, and the misery which he suffered abroad, in being deprived of every thing that was dear to him, soon made him repent of the resolution of his flight; which he ascribes to the envy and treachery of his counsellors, who, taking the advantage of his fears, and the perplexity which he was under, pushed him to an act both ruinous and inglorious. This he chiefly charges on Hortensius; and though he forbears to name him to Atticus, on account of the strict friendship between them, yet he accuses him very freely to his brother, Quintus, of coming every day insidiously to his house, and, with the greatest professions of zeal and affection, perpetually insinuating, to his hopes and fears, that, by giving way to the present rage, he could not fail of being recalled, with glory, in three days time[1]. Hortensius was particularly intimate, at this time, with Pompey; and might, possibly, be employed to urge Cicero to this step, in order to save Pompey the disgrace of being forced to act against him with a high hand. But let that be as it will, it was Pompey's conduct which shocked Cicero the most; not for its being contrary to his oaths, which the ambitious can easily dispense with, but to his interest, which they never neglect, but through weakness. The consideration of what was useful to Pompey, made him depend on his assistance[2]: he could have guarded against his treachery, but could not suspect him of the folly, of giving himself entirely up to Cæsar, who was the principal mover and director of the whole affair.

In this ruffled and querulous state of his mind, stung with the recollection of his own mistakes, and the perfidy of his friends, he frequently laments, that he had not tried the fate of arms, and resolved either to conquer bravely, or fall honourably: which he dwells so much upon, in his letters, as to seem persuaded, that it would have been his wisest course. But this is a problem not easy to be solved: it is certain, that his enemies were using all arts, to urge him to the resolution of retreating; as if they apprehended the consequences of his stay,

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eristylum, facile ut omnium domos et laxitate et dignitate superaret: et homo religiosus, um ædes meas emeret et venderet, tamen illis tantis tenebris, non ausus est suum nomen mptioni ascribere. Posuit scilicet Scatonem illum. Pro Dom. 44.

At in iis ædibus, quas tu Q. Scio Equite Romano—per te apertissime interfecto, tenes. De Harusp. respon. 14.

[1] Me summa simulatione amoris, summaque assiduitate quotidiana sceleratissime, asidiosissimeque tractavit, adjuncto etiam Arrio, quorum ego consiliis, promissis, præeptis destitutus, in hanc calamitatem incidi. Ad Quint. Fr. 1. 3.

Sæpe triduo summa cum gloria dicebar esse rediturus. Ibid. 4.

[2] Sed si quisquam fuisset, qui me Pompeii minus liberali responso perterritum, a urpissimo consilio revocaret. Ad Att. 3. 15.

Multa, quæ mentem exturbarent meam: subita defectio Pompeii. Ad Quin. Fr. 1. 4.

Nullum est meum peccatum, nisi quod iis credidi, a quibus nefas putaram esse me ecipi, aut etiam quibus ne id expedire quidem arbitrabar. Ibid.

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and that the real aim of the triumvirate was, not to destroy, but to humble him: yet, it is no less certain, that all resistance must have been in vain, if they had found it necessary to exert their strength against him; and that they had already proceeded too far, to suffer him to remain in the city, in defiance of them; and if their power had been actually employed to drive him away, his return must have been the more desperate, and they the more interested to keep him out; so that it seems to have been his most prudent part, and the most agreeable to his character, to yield as he did, to the necessity of the times.

But we have a full account of the motives of his retreat, in the speeches which he made after his return, both to the senate and the people, "When I saw the senate," says he, "deprived of its leaders; myself partly pushed, and partly betrayed by the magistrates, the slaves enrolled by name, under the colour of fraternities; the remains of Catiline's forces brought again into the field, under their old chiefs; the knights terrified with proscriptions; the corporate towns with military execution; and all with death and destruction: I could still have defended myself by arms; and was advised to it by my brave friends, nor did I want that same courage, which you had all seen me exert on other occasions: but when I saw, at the same time, that, if I conquered my present enemy, there were many more behind, whom I had still to conquer; that, if I happened to be conquered, many honest men would fall both with me, and after me; that there were people enough ready to revenge the tribune's blood, while the punishment of mine would be left to the forms of a trial and to posterity; I resolved not to employ force in defending my private safety, after I had defended that of the public without it; and was willing, that honest men should rather lament the ruin of my fortunes than make their own desperate, by adhering to me: and if, after all, I had fallen alone, that would have been dishonourable to myself; if amidst the slaughter of my citizens, fatal to the Republic[1]."

In another speech: "If in so good a cause," says he, "supported with such zeal by the senate; by the concurrence of all honest men; by the ready help of all Italy; I had given way to the rage of a despicable tribune, or feared the levity of two contemptible consuls, I must own myself to have been a coward, without heart or head—but there were other things which moved me. That fury Clodius was perpetually proclaiming in his harangues, that what he did against me, was done by the authority of Pompey, Crassus, and Cæsar—that these three were his counsellors in the cabinet, his leaders in

[1] Post red. in Sen. 13, 14.

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the field; one of whom had an army already in Italy, and the other two could raise one whenever they pleased. What then? Was it my part to regard the vain brags of an enemy, falsely thrown out against those eminent men? No; it was not his talking, but their silence, which shocked me; and, though they had other reasons for holding their tongues, yet, to one in my circumstances, their saying nothing was a declaration; their silence a confession: they had cause, indeed, to be alarmed on their own account, lest their acts, of the year before, should be annulled by the prætors and the senate—many people, also, were instilling jealousies of me into Pompey, and perpetually admonishing him to beware of me; and as for Cæsar, whom some imagined to be angry with me, he was at the gates of the city with an army, the command of which he had given to Appius, my enemy's brother. When I saw all this, which was open and manifest to every body; what could I do? When Clodius declared, in a public speech, that I must either conquer twice or perish: so that neither my victory, nor my fall, would have restored the peace of the Republic[1]."

Clodius, having satiated his revenge upon Cicero, proposed another law, not less violent and unjust, against Ptolemy, king of Cyprus; to deprive him of his kingdom, and reduce it to a Roman province, and confiscate the whole estate. This prince was brother to the king of Egypt, and reigning by the same right of hereditary succession; in full peace and amity with Rome; accused of no practices, nor suspected of any designs against the Republic; whose only crime was to be rich and covetous; so that the law was an unparalleled act of injustice, and what Cicero, in a public speech, did not scruple to call a mere robbery[2]. But Clodius had an old grudge to the king, for refusing to ransom him, when he was taken by the pirates, and sending him only the contemptible sum of two talents[3]: "and what," says Cicero, "must other kings think of their security, to see their crowns and fortunes at the disposal of a tribune and six hundred mercenaries[4]?" The law passed, however, without any opposition; and to sanctify it, as it were, and give it the better face and

[1] Pro Sext. 16—18, 19.

[2] Qui cum lege nefaria Ptolemæum, Regem Cypri, fratrem Regis Alexandrini, eodem jure regnantem, causa incognita, publicasses, populumque Romanum scelere obligasses: cum in ejus regnum, bona, fortunas, latrocinium hujus imperii immisisses, cujus cum patre, avo, majoribus, societas nobis et amicitia fuisset. Pro Dom. 8.

Rex amicus, nulla injuria commemorata, nullis repetitis rebus, cum bonis omnibus publicaretur. Pro Sext. 26. De quo nulla unquam suspicio durior. Ibid. 27.

[3] Dio, 38. p. 78. Appian. l. 2. 441.

[4] Eu! cur cæteri Reges stabilem esse fortunam suam arbitrentur, cum—videant, per tribunum aliquem et sexcentas operas se fortunis spoliari, et regno omni posse nudari? Pro Sext. 27.

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colour of justice, Cato was charged with the execution of it: which gave Clodius a double pleasure, by imposing so shameful a task upon the gravest man in Rome. It was a part, likewise, of the same law, as well as of Cato's commission, to restore certain exiles of Byzantium, whom their city had driven out, for crimes against the public peace[1]. The engaging Cato, in such dirty work, was a master-piece, and served many purposes of great use to Clodius: first, to get rid of a troublesome adversary, for the remainder of his magistracy; secondly, to fix a blot on Cato himself, and show, that the most rigid pretenders to virtue might be caught by a proper bait: thirdly, to stop his mouth, for the future, as he openly bragged, from clamouring against extraordinary commissions: fourthly, to oblige him, above all, to acknowledge the validity of his acts, by his submitting to bear a part in them[2]. The tribune had the satisfaction to see Cato taken in his trap; and received a congratulatory letter upon it from Cæsar, addressed to him in the familiar style, of Cæsar to Clodius; which he read publicly to the people, as a proof of the singular intimacy between them[3]. King Ptolemy, in the meanwhile, as soon as he heard of the law, and of Cato's approach towards Cyprus, put an end to his life by poison; unable to bear the disgrace of losing, at once, both his crown and his wealth. Cato executed his commission with great fidelity: and returned, the year following, in a kind of triumph to Rome, with all the king's effects reduced into money, amounting to about a million and half sterling; which he delivered, with great pomp, into the public treasury[4].

This proceeding was severely condemned by Cicero; though he touches it in his public speeches with some tenderness, for the sake of Cato; whom he labours to clear from any share of the iniquity: "The commission," says he, "was contrived, not to adorn, but to banish Cato; not offered, but imposed upon

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[1] Hujus pecuniæ deportandæ, et, si quis suum jus defenderet, bello gerendo Catonem præfecisti. Pro Dom. 8.

At etiam eo negotio M. Catonis splendorem maculare voluerunt. Pro Sext. 28.

Tu una lege tulisti, ut Cyprius Rex—cum bonis omnibus sub præcone subjiceretur, et exules Byzantium reducerentur. Eidem, inquit, utraque de re negotium dedi. Pro Dom. 20.

[2] Sub honorificentissimo ministerii titulo M. Catonem a Rep. relegavit. [Vell. Pat. 2. 45.] Non illi ornandum M. Catonem, sed relegandum putaverunt: qui in concione palam dixerint, linguam se evellisse Catoni, quæ semper contra extraordinarias potestates libera fuisset. Quod si ille repudiasset, dubitatis quin ei vis esset allata, cum omnia acta illius anni per illum unum labefactari viderentur? Pro Sext. 28, 29.

Gratulari tibi, quod idem in posterum M. Catonem, tribunatu tuo removisses. Pro Dom. 9.

[3] Litteras in concione recitasti, quas tibi a C. Cæsare missas esse diceres. Cæsar Pulchro. Cum etiam ea argumentatus, amoris esse hoc signum, cum nominibus tantum uteretur. Ibid.

[4] Plut.—Cato. Flor. 3. 9.

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him. Why did he then obey it; just as he had sworn to obey other laws, which he knew to be unjust, that he might not expose himself to the fury of his enemies, and, without doing any good, deprive the Republic of such a citizen. If he had not submitted to the law, he could not have hindered it; the stain of it would still have stuck upon the Republic, and he himself suffered violence for rejecting it; since it would have been a precedent for invalidating all the other acts of that year: he considered, therefore, that since the scandal of it could not be avoided, he was the person best qualified to draw good out of evil, and to serve his country well, though in a bad cause [1]." But howsoever this may colour, it cannot justify Cato's conduct, who valued himself highly upon his Cyprian transactions; and, for the sake of that commission, was drawn in, as Clodius expected, to support the authority from which it flowed, and to maintain the legality of Clodius's tribunate, in some warm debates even with Cicero himself [2].

Among the other laws made by Clodius, there was one, likewise, to give relief to the private members of corporate towns, against the public injuries of their communities. The purpose of it was specious, but the real design, to screen a creature of his own, one Merula, of Anagnia, who had been punished, or driven from his city, for some notorious villanies, and who, in return for this service, erected a statue to his patron, on part of the area of Cicero's house, and inscribed it to Clodius, the author of so excellent a law. But as Cicero told him, afterwards, in one of his speeches, the place itself where the statue stood, the scene of so memorable an injury, confuted both the excellency of the law and the inscription [3].

But it is time for us to look after Cicero in his flight; who left Rome about the end of March; for, on the eighth of April, we find him at Vibo, a town in the most southern part of Italy; where he spent several days, with a friend named Sica: here he received the copy of the law made against him; which, after some alteration and correction, fixed the limits of his exile to the distance of four hundred miles from Italy [4]. His thoughts had hitherto been wholly bent on Sicily; but when he was arrived within sight of it, the prætor, C. Virgilius, sent him word, that he must not set his foot in it. This

[1] Pro Sext. 28. 29. [2] Plut. in Cato. Dio, l. 39. 100.

[3] Legem de injuriis publicis tulisti, Anagnino nescio cui Merulæ per gratiam, qui tibi ob eam legem statuam tibi in meis ædibus posuit; ut locus ipse in tua tanta injuria legem et inscriptionem Statuæ refelleret. Quæ res Anagninis multo majori dolori fuit, quam quæ idem ille gladiator scelera Anagniæ fecerat. Pro Dom. 30.

[4] Allata est nobis rogatio de pernicie mea, in qua quod correctum est, audieramus esse ejusmodi, ut mihi ultra quadringenta millia liceret esse—statim iter Brundisium versus contuli—ne et Sica, apud quem eram, periret.—Ad Att. 3. 4.

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was a cruel shock to him, and the first taste of the misery of disgrace; that an old friend, who had been highly obliged to him [1], of the same party and principles, should refuse him shelter in a calamity, which he had drawn upon himself by his services to the Republic; speaking of it afterwards, when it was not his business to treat it severely, "See," says he, "the horror of these times; when all Sicily was coming out to meet me, the prætor, who had often felt the rage of the same tribune, and in the same cause, would not suffer me to come into the island. What shall I say? That Virgilius, such a citizen, and such a man, had lost all benevolence, all remembrance of our common sufferings, all his piety, humanity, and faith towards me? No such thing: he was afraid, how he should singly sustain the weight of that storm, which had overpowered our joint forces [2]."

This unexpected repulse from Sicily obliged him to change his route, and turn back again towards Brundisium, in order to pass into Greece: he left Vibo, therefore, that he might not expose his host Sica to any danger, for entertaining him; expecting to find no quiet, till he could remove himself beyond the bounds prescribed by the law. But in this he found himself mistaken; for all the towns on his road received him with the most public marks of respect; inviting him to take up his quarters with them, and guarding him, as he passed through their territories, with all imaginable honour and safety to his person. He avoided, however, as much as possible, all public places; and when he came to Brundisium, would not enter into the city, though it expressed the warmest zeal for his service, and offered to run all hazards in his defence [3].

In this interval, he was pressing Atticus in every letter, and in the most moving terms, to come to him; and, when he removed from Vibo, gave him daily intelligence of all his stages, that he might know still where to find him; taking it for granted, that he would not fail to follow him [4]. But Atticus seems to

[1] Plut. in Cic.

[2] Siciliam petivi animo, quæ et ipsa erat mihi, sicut domus una, conjuncta; et obtinebatur a Virgilio: quocum me uno vel maxime tum vetusta amicitia, tum mei fratris collegia, tum Respub. sociarat. Vide nunc caliginem temporum illorum. Cum ipsa pæne insula mihi sese obviam ferre vellet, prætor ille ejusdem tribuni pleb. concionibus propter eandem Reipub. causam sæpe vexatus, nihil amplius dico, nisi me in Siciliam venire noluit, &c. Pro Cn. Planc. 40.

[3] Cum omnia illa Municipia, quæ sunt a Vibone Brundisium, in fide mea essent, iter mihi tutum, multis minitantibus, magno cum suo metu præstiterunt. Brundisium veni, vel potius ad mœnia accessi. Urbem unam mihi amicissimam declinavi, quæ se vel potius exscindi, quam e suo complexu ut eriperer facile pateretur. Ibid. 41.

[4] Sed te oro, ut ad me Vibonem statim venias.—Si id non feceris mirabor, sed confido te esse facturum. Ad Att. 3. 1.

Nunc, ut ad te antea scripsi, si ad nos veneris, consilium totius rei capiemus. Ibid. 2.

Iter Brundisium versus contuli—nunc tu propera, ut nos consequare, si modo recipiemur. Adhuc invitamur benigne. Ibid. 3.

Nihil mihi optatius cadere posse, quam ut tu me quam primum consequare. Ibid. 4.

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have given him no answer on this head, nor to have had any thoughts of stirring from Rome: he was persuaded, perhaps, that his company abroad could be of no other use to him, than to give some little relief to his present chagrin; whereas his continuance in the city might be of the greatest; not only in relieving, but removing his calamity, and procuring his restoration: or, we may imagine, what his character seems to suggest, that though he had a greater love for Cicero, than for any man, yet it was always with an exception, of not involving himself in the distress of his friend, or disturbing the tranquillity of his life, by taking any share of another's misery; and that he was following only the dictates of his temper and principles, in sparing himself a trouble, which would have made him suffer more than his philosophy could easily bear. But, whatever was the cause, it gave a fresh mortification to Cicero; who, in a letter upon it, says, "I made no doubt but that I should see you at Tarentum or Brundisium: it would have been convenient for many reasons, and, above all, for my design of spending some time with you in Epirus, and regulating all my measures by your advice: but since it has not happened, as I wished, I shall add this also to the great number of my other afflictions[1]." He was now lodged in the villa of M. Lenius Flaccus, not far from the walls of Brundisium, where he arrived on the 17th of April, and on the last of the same month embarked for Dyrrhachium. In his account of himself to his wife, "I spent thirteen days," says he, "with Flaccus, who, for my sake, slighted the risk of his fortunes and life: nor was deterred by the penalty of the law from performing, towards me, all the rights of friendship and hospitality; I wish that it may ever be in my power to make him a proper return; am sure that I shall always think myself obliged to do it[2]."

During his stay with Flaccus, he was in no small perplexity about the choice of a convenient place for his residence abroad: Atticus offered him his house in Epirus; which was a castle of some strength, and likely to afford him a secure retreat. But since Atticus could not attend him thither, in person, he

[1] Non fuerat mihi dubium, quin te Tarenti aut Brundisii visurus essem: idque ad multa pertinuit; in eis, et ut in Epiro consisteremus, et de reliquis rebus tuo consilio uteremur. Quoniam id non contigit, erit hoc quoque in magno numero nostrorum malorum. Ad Att. 3. 6.

[2] In hortos M. Lenii Flacci me contuli: cui cum omnis metus, publicatio bonorum, exilium, mors proponeretur, hæc perpeti, si acciderent, maluit, quam custodiam mei capitis dimittere. Pro Planc. 41.

Nos Brundisii apud M. Lenium Flaccum dies XIII. fuimus, virum optimum: qui periculum fortunarum et capitis sui præ mea salute neglexit: neque legis improbissimæ pœna deductus est, quo minus hospitii et amicitiæ jus, officiumque præstaret. Huic utinam gratiam aliquando referre possimus; habebimus quidem semper. Ep. Fam. 14. 4.

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dropped all thoughts of that, and was inclined to go to Athens: till he was informed, that it would be dangerous for him to travel into that part of Greece; where all those, who had been banished for Catiline's conspiracy, and especially Autronius, then resided; who would have had some comfort, in their exile, to revenge themselves on the author of their misery, if they could have caught him[1].

Plutarch tells us, that, in sailing out of Brundisium, the wind, which was fair, changed of a sudden, and drove him back again; and when he passed over to Dyrrhachium, in the second attempt, that there happened an earthquake, and a great storm immediately after his landing; from which, the soothsayers foretold, that his stay abroad would not be long. But it is strange, that a writer, so fond of prodigies, which nobody else takes notice of, should omit the story of Cicero's dream, which was more to his purpose, and is related by Cicero himself; that, in one of the stages of his flight, being lodged in the villa of a friend, after he had lain restless and wakeful a great part of the night, he fell into a sound sleep, near break of day, and when he awaked, about eight in the morning, told his dream to those round him: that, as he seemed to be wandering, disconsolate, in a lonely place, C. Marius, with his fasces wreathed with laurel, accosted him, and demanded, why he was so melancholy; and when he answered, that he was driven out of his country, by violence, Marius took him by the hand, and bidding him be of courage, ordered the next lictor to conduct him into his monument; telling him, that there he should find safety: upon this, the company presently cried out, that he would have a quick and glorious return[2]. All which was exactly fulfilled; for his restoration was decreed in a certain temple, built by Marius, and, for that reason, called Marius's monument; where the senate happened to be assembled on that occasion[3].

This dream was much talked of in the family, and Cicero himself, in that season of his dejection, seemed to be pleased with it; and on the first news, of the decree's passing in Marius's monument, declared that nothing could be more divine: yet, in disputing afterwards on the nature of dreams, he asserts them all to be vain and fantastical, and nothing else

[1] Quod me rogas et hortaris, ut apud te in Epiro sim; voluntas tua mihi valde grata est.—Sed itineris causa ut diverterem, primum est devium; deinde ab Autronio et cæteris quatridui; deinde sine te. Nam castellum munitum habitanti mihi prodesset, transeunti non est necessarium. Quod si auderem, Athenas peterem: sane ita cadebat ut vellem. Nunc et nostri hostes ibi sunt, et te non habemus. Ad Att. 3. 7.

[2] De Divin. 1. 28. Val. Max. 1. 7.

[3] Valerius Maximus calls this monument of Marius, the temple of Jupiter; but it appears, from Cicero's account, to have been the temple of Honour and Virtue.

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but the imperfect traces, and confused impressions, which our waking thoughts leave upon the mind; that, in his flight, therefore, as it was natural for him to think much upon his countryman Marius, who had suffered the same calamity, so that was the cause of his dreaming of him; and that no old woman could be so silly, as to give any credit to dreams, if, in the infinite number and variety of them, they did not sometimes happen to hit right[1].

When he came to Dyrrhachium, he found confirmed, what he had heard before in Italy, that Achaia, and the neighbouring parts of Greece, were possessed by those rebels, who had been driven from Rome on Catiline's account. This determined him to go into Macedonia, before they could be informed of his arrival, where his friend, Cn. Plancius was then quæstor; who no sooner heard of his landing, than he came to find him at Dyrrhachium; where out of regard to his present circumstances, and the privacy which he affected, dismissing his officers, and laying aside all the pomp of magistracy, he conducted him, with the observance of a private companion, to his head-quarters at Thessalonica, about the 21st of May. L. Appuleius was the prætor, or chief governor of the province: but though he was an honest man, and Cicero's friend, yet he durst not venture to grant him his protection, or shew him any public civility, but contented himself with conniving only at what his quæstor Plancius did[2].

While Cicero staid at Dyrrhachium, he received two expresses from his brother Quintus, who was now coming home from Asia, to inform him of his intended route, and to settle the place of their meeting: Quintus's design was, to pass from Ephesus to Athens, and thence, by land, through Macedonia; and to have an interview with his brother, at Thessalonica: but the news which he met with at Athens, obliged him to hasten his journey towards Rome, where the faction were preparing to receive him with an impeachment, for the mal-administration of his province: nor had Cicero, at last, resolution

[1] Maximeque reliquiæ earum rerum moventur in animis, et agitantur, de quibus vigilantes aut cogitavimus aut egimus. Ut mihi temporibus illis multum in animo Marius versabatur, recordanti, quam ille gravem suum casum magno animo, quam constanti tulisset. Hanc credo causam de illo somniandi fuisse. De Divin. 2. 67.

An tu censes ullam anum tam deliram futuram fuisse, ut somniis crederet, nisi ista casu nonnunquam forte temere concurrerent? De Divin. 68.

[2] Quo cum venissem cognovi, id quod audieram, refertam esse Græciam sceleratissimorum hominum ac nefariorum.—Qui antequam de meo adventu audire potuissent, in Macedoniam ad Planciumque perrexi—nam simulac me Dyrrhachium attigisse audivit, statim ad me lictoribus dimissis, insignibus abjectis, veste mutata profectus est.—Thessalonicam me in Quæstoriumque perduxit. Pro Planc. 41. Post red. in Sen. 14.

Hic ego nunc de Prætore Macedoniæ nihil dicam amplius, nisi eum et civem optimum semper et mihi amicum fuisse, sed eadem timuisse, quæ cæteros. Pro Planc. ibid.

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enough to see him; being unable to bear the tenderness of such a meeting, and much more, the misery of parting; and he was apprehensive, besides, that if they once met, they should not be able to part at all, whilst Quintus's presence at home was necessary to their common interests: so that, to avoid one affliction, he was forced, he says, to endure another most cruel one, that of shunning the embraces of a brother[1].

L. Tubero, however, his kinsman, and one of his brother's lieutenants, paid him a visit, on his return towards Italy, and acquainted him with what he had learnt in passing through Greece, that the banished conspirators, who resided there, were actually forming a plot to seize and murder him; for which reason he advised him to go into Asia; where the zeal and affection of the province would afford him the safest retreat, both on his own and his brother's account[2]. Cicero was disposed to follow this advice, and leave Macedonia; for the Prætor Appuleius, though a friend, gave him no encouragement to stay; and the consul Piso, his enemy, was coming to the command of it the next winter: but all his friends at Rome dissuaded his removal to any place more distant from them; and Plancius treated him so affectionately, and contrived to make all things so easy to him, that he dropped the thoughts of changing his quarters. Plancius was in hopes that Cicero would be recalled with the expiration of his quæstorship, and that he should have the honour of returning with him to Rome, to reap the fruit of his fidelity, not only from Cicero's gratitude, but the favour of the senate and the people[3]. The only inconvenience that Cicero found, in his present situation, was the number of soldiers and concourse of people, who frequented the place, on account of business with the quæstor: for he was so shocked and dejected by his misfortune, that, though the cities of Greece were offering their services and

[1] Quintus Frater cum ex Asia venisset ante Kalend. Mai. et Athenas venisse Idib. valde fuit ei properandum, ne quid absens acciperet calamitatis, siquis forte fuisset, qui contentus nostris malis non esset. Itaque eum malui properare Romam, quam ad me venire: et simul, dicam enim quod verum est,—animum inducere non potui, ut aut illum amantissimum mei, mollissimo animo tanto in mœrore aspicerem—atque etiam illud timebam, quod profecto accidisset, ne a me digredi non posset.—Hujus acerbitatis eventum altera acerbitate non videndi fratris vitavi. Ad Att. 3. 9. Ad Quint. Fra. 1. 3.

[2] Cum ad me L. Tubero, meus necessarius, qui Fratri meo legatus fuisset, decedens ex Asia venisset, easque insidias, quas mihi paratas ab exulibus conjuratis audierat, animo amicissimo detulisset. In Asiam me ire, propter ejus provinciæ mecum et cum fratre meo necessitudinem. Pro Planc. 41.

[3] Plancius, homo officiosissimus, me cupit esse secum et adhuc retinet—sperat posse fieri, ut mecum in Italiam decedat. Ep. Fam. 14. 1.

Longius, quum ita vobis placet, non discedam. Ibid. 2.

Me adhuc Plancius liberalitate sua retinet—spes homini est injecta, non eadem, quæ mihi, posse nos una decedere: quam rem sibi magno honori sperat fore. Ad Att. 3. 22.

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compliments, and striving to do him all imaginable honours[1], yet he refused to see all company, and was so shy of the public, that he could hardly endure the light[2].

For it cannot be denied, that, in this calamity of his exile, he did not behave himself with that firmness, which might reasonably be expected from one, who had borne so glorious a part in the Republic; conscious of his integrity, and suffering in the cause of his country: for his letters are generally filled with such lamentable expressions of grief and despair, that his best friends, and even his wife was forced to admonish him, sometimes, to rouse his courage[3], and remember his former character. Atticus was constantly putting him in mind of it; and sent him word of a report, that was brought to Rome, by one of Crassus's freed-men, that his affliction had disordered his senses: to which he answered; that his mind was still sound, and wished only, that it had been always so, when he placed his confidence on those, who perfidiously abused it to his ruin[4].

But these remonstrances did not please him; he thought them unkind and unseasonable, as he intimates in several of his letters, where he expresses himself very movingly on this subject. "As to your chiding me," says he, "so often and so severely, for being too much dejected; what misery is there, I pray you, so grievous, which I do not feel in my present calamity? Did any man ever fall from such a height of dignity, in so good a cause, with the advantage of such talents, experience, interest; such support of all honest men? Is it possible for me to forget what I was? Or not to feel what I am? From what honour, what glory, I am driven? From what children? What fortunes? What a brother? Whom, though I love, and have ever loved better than myself, yet (that you may perceive, what a new sort of affliction I suffer) I refused to see; that I might neither augment my own grief, by the sight of his, nor offer myself to him thus ruined, whom he had left so flourishing: I omit many other things intolerable to me: for I am hindered by my tears: tell me, then, whether I am still to be reproached for grieving? or for suffering myself, rather, to be deprived of what I ought never to have parted with, but with my life: which I might easily

[1] Plut. in Cic.

[2] Odi enim celebritatem, fugio homines, lucem aspicere vix possum. Ad Att. 3. 7.

[3] Tu quod me hortaris, ut animo sim magno, &c. Ep. Fam. 14. 4.

[4] Nam quod scribis te audire, me etiam mentis errore ex dolore affici: mihi vero mens integra est; atque utinam tam in periculo fuisset, cum ego, iis, quibus salutem meam carissimam esse arbitrabar, inimicissimis, crudelissimisque usus sum. Ad Att. 3. 13.

Accepi quatuor epistolas a te missas; unam, qua me objurgas, ut sim firmior; alteram, qua Crassi libertum ais tibi de mea sollicitudine maciequ narrasse. Ibid. 15.

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have prevented, if some perfidious friends had not urged me to my ruin, within my own walls[1]," &c. In another letter; "Continue," says he, "to assist me as you do, with your endeavours, your advice, and your interest; but spare yourself the pains of comforting, and much more of chiding me: for when you do this I cannot help charging it to your want of love and concern for me; whom I imagine to be so afflicted with my misfortune, as to be inconsolable even yourself[2]."

He was now, indeed, attacked in his weakest part; the only place in which he was vulnerable: to have been as great in affliction, as he was in prosperity, would have been a perfection not given to man: yet, this very weakness flowed from a source, which rendered him the more amiable in all the other parts of life; and the same tenderness of disposition, which made him love his friends, his children, his country, more passionately than other men, made him feel the loss of them more sensibly: "I have twice," says he, "saved the Republic; once, with glory; a second time, with misery: for I will never deny myself to be a man; or brag of bearing the loss of a brother, children, wife, country, without sorrow. For what thanks had been due to me for quitting what I did not value[3]." In another speech; "I own my grief to have been extremely great; nor do I pretend to that wisdom, which those expected from me, who gave out, that I was too much broken by my affliction: for such a hardness of mind, as of body, which does not feel pain, is a stupidity rather than a virtue. I am not one of those to whom all things are indifferent; but love myself and my friends, as our common humanity requires; and he who, for the public good, parts with what he holds the dearest, gives the highest proof of love to his country[4]."

There was another consideration, which added no small sting to his affliction: to reflect, as he often does, not only on what he had lost, but how he had lost it, by his own fault; in suffering himself to be imposed upon and deluded by false and

[1] Ibid. 10.

[2] Tu me, ut facis, opera, consilio, gratia juva: consolari jam desine: objurgare vero noli: quod cum facis, ego tuum amorem et dolorem desidero: quem ita affectum mea ærumna esse arbitror, ut te ipsum nemo consolari possit. Ibid.

[3] Unus bis Rempub. servavi, semel gloria, iterum ærumna mea. Neque enim in hoc me hominem esse inficiabor unquam: ut me optimo fratre, carissimis liberis, fidelissima conjuge, vestro conspectu, patria, hoc honoris gradu sine dolore caruisse glorier. Quod si fecissem, quod a me beneficium haberetis, cum pro vobis ea, quæ mihi essent vilia, reliquissem. Pro Sext. 22.

[4] Accepi magnum atque incredibilem dolorem: non nego: neque istam mihi ascisco sapientiam, quam nonnulli in me requirebant, qui me animo nimis fracto et afflicto esse loquebantur—eamque animi duritiem, sicut corporis, quod cum uritur non sentit, stuporem potius, quam virtutem putarem—non tam sapiens quam ii, qui nihil curant, sed tam amans tuorum ac tui, quam communis humanitas postulat—qui autem ea relinquit Reipub. causa, a quibus summo cum dolore divellitur, ei patria cara est. Pro Dom. 36, 37.

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envious friends. This he frequently touches upon in a strain, which shews, that it galled him very severely: "Though my grief," says he, "is incredible, yet I am not disturbed so much by the misery of what I feel, as the recollection of my fault. Wherefore, when you hear, how much I am afflicted, imagine that I am suffering the punishment of my folly, not of the event, for having trusted too much to one, whom I did not take to be a rascal[1]." It must needs be cruelly mortifying to one of his temper, nicely tender of his reputation, and passionately fond of glory, to impute his calamity to his own blunders, and fancy himself the dupe of men not so wise as himself: yet, after all, it may reasonably be questioned, whether his inquietude of this sort, was not owing rather to the jealous and querulous nature of affliction itself, than to any real foundation of truth: for Atticus would never allow his suspicions to be just, not even against Hortensius, where they seemed to lie the heaviest[2]. This is the substance of what Cicero himself says, to excuse the excess of his grief; and the only excuse, indeed, which can be made for him; that he did not pretend to be a stoic, nor aspire to the character of a hero: yet we see some writers, labouring to defend him, even against himself; and endeavouring to persuade us, that all this air of dejection and despair was wholly feigned and assumed, for the sake of moving compassion, and engaging his friends to exert themselves the more warmly, in soliciting his restoration; lest his affliction should destroy him, before they could effect it[3].

When he had been gone a little more than two months, his friend Ninnius, the tribune, made a motion, in the senate, to recal him, and repeal the law of Clodius; to which the whole house readily agreed with eight of the tribunes, till one of the other two, Ælius Ligus, interposed his negative: they proceeded however to a resolution, that no other business should be transacted, till the consuls had actually prepared a new law for that purpose[4]. About the same time, Quintus

[1] Etsi incredibili calamitate afflictus sum, tamen non tam est ex miseria, quam ex culpæ nostræ recordatione—quare cum me afflictum et confectum luctu audies, existimato me stultitiæ meæ pœnam ferre gravius, quam eventi; quod ei crediderim, quem nefarium esse non putarim. Ad Att. 3. 8. vid. 9, 14, 15, 19, &c.

[2] Nam quod purgas eos, quos ego mihi scripsi invidisse, et in eis Catonem: ego vero tantum illum puto a scelere isto abfuisse, ut maxime doleam plus apud me simulationem aliorum, quam istius fidem valuisse. Cæteri, quos purgas, debent mihi purgati esse, tibi sunt. Ibid. 15.

[3] Absens potius se dolere simulavit, ut suos, quod diximus, magis commoveret: et præsens item se doluisse simulavit, ut vir prudentissimus, scenæ, quod aiunt, serviret. Corrad. Quest. p. 291.

[4] Decrevit senatus frequens de meo reditu Kal. Jun. dissentiente nullo, referente L. Ninnio—intercessit Ligus iste nescio qui, additamentum inimicorum meorum. Omnia senatus rejiciebat, nisi de me primum consules retulissent. Pro Sext. 31.

Non multo post discessum meum me universi revocavistis referente L. Ninnio. Post r d. in Sen. 2.

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Cicero, who left Asia on the first of May, arrived at Rome, and was received with great demonstrations of respect, by persons of all ranks, who flocked out to meet him[1]. Cicero suffered an additional anxiety on his account, lest the Clodian cabal, by means of the impeachment, which they threatened, should be able to expel him too: especially, since Clodius's brother, Appius, was the prætor, whose lot it was to sit on those trials[2]. But Clodius was now losing ground apace; being grown so insolent, on his late success, that even his friends could not bear him any longer: for having banished Cicero, and sent Cato out of his way, he began to fancy himself a match for Pompey: by whose help, or connivance at least, he had acquired all his power; and, in open defiance of him, seized by stratagem, into his hands, the son of king Tigranes, whom Pompey had brought with him from the east, and kept a prisoner at Rome, in the custody of Flavius the Prætor; and, instead of delivering him up, when Pompey demanded him, undertook, for a large sum of money, to give him his liberty, and send him home. This, however, did not pass without a sharp engagement between him and Flavius, who marched out of Rome, with a body of men, well armed, to recover Tigranes by force: but Clodius proved too strong for him, and killed a great part of his company, and among them Papirius, a Roman knight of Pompey's intimate acquaintance, while Flavius also, himself, had some difficulty to escape with life[3].

This affront roused Pompey to think of recalling Cicero; as well to correct the arrogance of Clodius, as to retrieve his credit, and ingratiate himself with the senate and people: he dropped some hints of his inclination to Cicero's friends, and particularly to Atticus, who presently gave him part of the agreeable news: upon which Cicero, though he had no opinion of Pompey's sincerity, was encouraged to write to him; and sent a copy of his letter to Atticus, telling him, at the same time, that if Pompey could digest the affront which he had re-

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[1] Huic ad urbem venienti tota obviam civitas cum lacrymis, gemituque processerat. Pro Sext. 31.

[2] Mihi etiam unum de malis in metu est, fratris miseri negotium. Ad Att. 3. 8.

De Quinto Fratre nuntii nobis tristes—sane sum in meo infinito mœrore sollicitus, et eo magis, quod Appii quæstio est. Ibid. 17.

[3] Me expulso, Catone amandato, in eum ipsum se convertit, quo auctore, quo adjutore, in concionibus ea, quæ gerebat, omnia, quæque gesserat, se fecisse et facere dicebat. Cn. Pompeium—diutius furori suo veniam daturum non arbitrabatur. Qui ex ejus custodia per insidias regis amici filium, hostem captivum surripuisset; et ea injuria virum fortissimum lacessisset. Speravit iisdem se copiis cum illo posse confligere, quibuscum ego noluissem bonorum periculo dimicare. Pro Dom. 25.

Ad quartum ab urbe lapidem pugna facta est: in qua multi ex utraque parte ceciderunt; plures tamen ex Flavii, inter quos M. Papirius, Eques Romanus, publicanus, familiaris Pompeio. Flavius sine comite Romam vix perfugit. Ascon. in Milon. 14.

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ceived, in the case of Tigranes, he should despair of his being moved by any thing [1]. Varro, likewise, who had a particular intimacy with Pompey, desired Atticus to let Cicero know, that Pompey would certainly enter into his cause, as soon as he heard from Cæsar, which he expected to do every day. This intelligence, from so good an author, raised Cicero's hopes, till, finding no effects of it for a considerable time, he began to apprehend, that there either was nothing at all in it, or that Cæsar's answer was averse, and had put an end to it [2]. The fact, however, shews, what an extraordinary deference Pompey paid to Cæsar, that he would not take a step in this affair, at Rome, without sending first to Gaul, to consult him about it.

The city was alarmed, at the same time, by the rumour of a second plot against Pompey's life, said to be contrived by Clodius, one of whose slaves was seized at the door of the senate, with a dagger, which his master had given him, as he confessed, to stab Pompey: which, being accompanied with many daring attacks on Pompey's person, by Clodius's mob, made him resolve to retire from the senate and the Forum, till Clodius was out of his tribunate, and shut himself up in his own house, whither he was still pursued, and actually besieged by one of Clodius's freedmen, Damio. An outrage so audacious could not be overlooked by the magistrates, who came out, with all their forces, to seize or drive away Damio; upon which a general engagement ensued, where Gabinius, as Cicero says, was forced to break his league with Clodius, and fight for Pompey; at first faintly and unwillingly, but, at last, heartily; while Piso, more religious, stood firm to his contract, and fought on Clodius's side, till his fasces were broken, and he, himself, wounded, and forced to run away [3].

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[1] Sermonem tuum et Pompeii cognovi ex tuis literis. Motum in Repub. non tantum impendere video, quantum tu aut vides, aut ad me consolandum affers. Tigrane enim neglecto sublata sunt omnia—literarum exemplum, quas ad Pompeium scripsi, misi tibi. Ad Att. 3. 8.

Pompeium etiam simulatorem puto. Ad Quint. Fr. 1. 3.

Ex literis tuis plenus sum expectatione de Pompeio, quidnam de nobis velit, aut ostendat. Si tibi stultus esse videor, qui sperem, facio tuo jussu. Ad Att. 3. 14.

[2] Expectationem nobis non parvam attuleras, cum scripseras Varronem tibi pro amicitia confirmasse, causam nostram Pompeium certe suscepturum; et simul a Cæsare literæ, quas expectaret, remisse essent, auctorem etiam daturum. Utrum id nihil fuit, an adversatæ sunt Cæsaris literæ? Ibid. 18.

[3] Cum hæc non possent diutius jam sustinere, initur consilium de interitu Cn. Pompeii: quo patefacto, ferroque deprehenso, ille inclusus domi tamdiu fuit, quamdiu inimicus meus in tribunatu. Pro Sext. 32.

Deprehensus denique cum ferro ad senatum is, quem ad Cn. Pompeium interimendum collocatum fuisse constabat. In Pison. 12.

Cum tamen—Gabinius collegit ipse se vix: et contra suum Clodium, primum simulate; deinde non libenter; ad extremum tamen pro Cn. Pompeio vere, vehementerque pugnavit. Tu tamen homo religiosus et sanctus, fœdus frangere noluisti—itaque in illo tumultu fracti fasces, ictus ipse, quotidie tela, lapides, fugæ. Ibid.

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Whether any design was really formed against Pompey's life, or the story was contrived to serve his present views, it seems probable, at least, that his fears were feigned, and the danger too contemptible, to give him any just apprehension; but the shutting himself up, at home, made an impression upon the vulgar, and furnished a better pretence for turning so quick upon Clodius, and quelling that insolence which he himself had raised; for this was the constant tenor of his politics, to give a free course to the public disorders, for the sake of displaying his own importance to more advantage; that, when the storm was at the height, he might appear at last, in the scene, like a deity of the theatre, and reduce all again to order; expecting still, that the people, tired and harassed by these perpetual tumults, would be forced to create him dictator, for settling the quiet of the city.

The consuls elect were, P. Cornelius Lentulus, and Q. Metellus Nepos: the first was Cicero's warm friend, the second his old enemy; the same, who put that affront upon him in laying down his consulship: his promotion, therefore, was a great discouragement to Cicero, who took it for granted, that he would employ all his power to obstruct his return; and reflected, as he tells us, that, though it was a great thing to drive him out, yet, as there were many who hated, and more who envied him, it would not be difficult to keep him out[1]. But Metellus, perceiving which way Pompey's inclination, and Cæsar's also, was turning, found reason to change his mind, or, at least, to dissemble it: and promised, not only to give his consent, but his assistance, to Cicero's restoration. His colleague, Lentulus, in the meanwhile, was no sooner elected, than he revived the late motion of Ninnius, and proposed a vote to recal Cicero; and when Clodius interrupted him, and recited that part of his law, which made it criminal to move any thing about it, Lentulus declared it to be no law, but a mere proscription and act of violence[2]. This alarmed Clodius, and obliged him to exert all his arts, to support the validity of the law: he threatened ruin and destruction to all who should dare to oppose it; and, to imprint the greater terror, fixed upon the doors of the senate-house, that clause which prohibited all men to speak or act in any manner for Cicero's return, on pain of being treated as enemies. This gave a further disquiet to Cicero, lest it should dishearten his active friends, and furnish an excuse to the indolent, for doing nothing: he insinuates,

[1] Inimici sunt multi, invidi pene omnes. Ejicere nos magnum fuit, excludere facile est. Ep. Fam. 14. 3.

[2] Cum a tribuno pleb. vetaretur, cum præclarum caput recitaretur, ne quis ad vos referret—totam illam, ut ante dixi, proscriptionem, non legem putavit. Post red. in Sen. 4.

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therefore, to Atticus, what might be said to obviate it; that all such clauses were only bugbears, without any real force; or otherwise, no law could ever be abrogated; and whatever effect this was intended to have, that it must needs fall, of course, with the law itself[1].

In this anxious state of his mind, jealous of every thing that could hurt, and catching at every thing that could help him, another little incident happened, which gave him a fresh cause of uneasiness: for some of his enemies had published an invective oration, drawn up by him, for the entertainment only of his intimate friends, against some eminent senator, not named, but generally supposed to be Curio, the father, who was now disposed and engaged to serve him: he was surprised and concerned, that the oration was made public; and his instructions upon it, to Atticus, are somewhat curious, and show how much he was struck with the apprehension of losing so powerful a friend. "You have stunned me," says he, "with the news of the oration's being published: heal the wound, as you promise, if you possibly can: I wrote it long ago in anger, after he had first written against me; but had suppressed it so carefully, that I never dreamt of its getting abroad, nor can imagine how it slipped out: but since, as fortune would have it, I never had a word with him in person, and it is written more negligently than my other orations usually are, I cannot but think that you may disown it, and prove it not to be mine: pray take care of this, if you see any hopes for me; if not, there is the less reason to trouble myself about it[2]."

His principal agents and solicitors at Rome were his brother Quintus, his wife Terentia, his son-in-law Piso, Atticus, and Sextius. But the brother and the wife, being both of them naturally peevish, seem to have given him some additional disquiet, by their mutual complaints against each other, which obliged him to admonish them, gently, in his letters, that since their friends were so few, they ought to live more amicably among themselves[3].

Terentia, however, bore a very considerable part of the

[1] Tute scripsisti, quoddam caput legis Clodium in Curiæ poste fixisse, ne referri, neve dici liceret. Ad Att. 3. 15.

Sed vides nunquam esse observatas sanctiones earum legum, quæ abrogarentur. Nam si id esset, nulla fere abrogari posset:—sed cum lex abrogatur, illud ipsum abrogatur, quo non eam abrogari oporteat. Ibid. 23.

[2] Percussisti autem me de oratione prolata; cui vulneri, ut scribis, medere, si quid potes. Scripsi equidem olim iratus, quod ille prior scripserat; sed ita compresseram, ut nunquam manaturam putarem. Quo modo exciderit nescio. Sed quia nunquam accidit, ut cum eo verbo uno concertarem; et quia scripta mihi videtur negligentius, quam cæteræ, puto posse probari non esse meam. Id, si putas me posse sanari, cures velim: sin plane perii, minus laboro. Ibid. 12.

[3] De Quinto fratre nihil ego te accusavi, sed vos, cum præsertim tam pauci estis, volui esse quam conjunctissimos. Ep. Fam. 14. 1.

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whole affair; and, instead of being daunted by the depression of the family, and the ruin of their fortunes, seems to have been animated rather the more to withstand the violences of their enemies, and procure her husband's restoration. But one of Cicero's letters to her, in these unhappy circumstances, will give the clearest view of her character, and the spirit with which she acted.

"CICERO TO TERENTIA.

"Do not imagine that I write longer letters to any one than to you, unless it be when I receive a long one from somebody else, which I find myself obliged to answer. For I have nothing either to write, nor, in my present situation, employ myself on any thing that is more troublesome to me; and when it is to you and our dear Tulliola, I cannot write without a flood of tears. For I see you the most wretched of women, whom I wished always to see the happiest, and ought to have made so; as I should have done, if I had not been so great a coward. I am extremely sensible of Piso's services to us; have exhorted him, as well as I could, and thanked him as I ought. Your hopes, I perceive, are in the new tribunes; that will be effectual, if Pompey concur with them: but I am afraid still of Crassus. You do every thing for me, I see, with the utmost courage and affection: nor do I wonder at it; but lament our unhappy fate, that my miseries can only be relieved by your suffering still greater: for our good friend, P. Valerius, wrote me word, what I could not read without bursting into tears, how you were dragged from the temple of Vesta to the Valerian bank. Alas, my light, my darling, to whom all the world used to sue for help! that you, my dear Terentia, should be thus insulted; thus oppressed with grief and distress! and that I should be the cause of it; I, who have preserved so many others, that we ourselves should be undone! As to what you write about the house, that is, about the area; I shall then take myself to be restored, when that shall be restored to us. But those things are not in our power. What affects me more nearly is, that when so great an expense is necessary, it should all lie upon you, who are so miserably stripped and plundered already. If we live to see an end of these troubles, we shall repair all the rest. But if the same fortune must ever depress us, will you throw away the poor remains that are left for your subsistence? For God's sake, my dear life, let others supply the money who are able, if they are willing: and if you love me, do nothing that can hurt your health, which is already so impaired: for you are perpetually in my thoughts, both day and night. I see that you decline no sort of trouble; but am

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afraid how you will sustain it. Yet the whole affair depends on you. Pay the first regard, therefore, to your health, that we may attain the end of all your wishes and your labours. I know not whom to write to, except to those who write to me, or of whom you send me some good account. I will not remove to a greater distance, since you are against it; but would have you write to me as often as possible, especially if you have any hopes that are well-grounded. Adieu, my dear love, adieu.—The 5th of October, from Thessalonica."

Terentia had a particular estate of her own, not obnoxious to Clodius's law, which she was now offering to sale, for a supply of their present necessities: this is what Cicero refers to, where he intreats her not to throw away the small remains of her fortunes; which he presses still more warmly in another letter, putting her in mind, that if their friends did not fail in their duty, she could not want money; and if they did, that her own would do but little towards making them easy: he implores her, therefore, not to ruin the boy, who, if there was any thing left to keep him from want, would with a moderate share of virtue and good fortune, easily recover the rest[1]. The son-in-law, Piso, was extremely affectionate and dutiful in performing all good offices, both to his banished father and the family; and resigned the quæstorship of Pontus and Bithynia, on purpose to serve them the more effectually by his presence in Rome: Cicero makes frequent acknowledgment of his kindness and generosity: "Piso's humanity, virtue, and love for us all is so great," says he, "that nothing can exceed it: the gods grant that it may one day be a pleasure; I am sure it will always be an honour to him[2]."

Atticus likewise supplied them liberally with money: he had already furnished Cicero, for the exigencies of his flight, with above 2,000*l.*, and, upon succeeding to the great estate of his uncle Cæcilius, whose name he now assumed, made him a fresh offer of his purse[3]: yet his conduct did not wholly

[1] Tantum scribo, si erunt in officio amici, pecunia non deerit, si non erunt, tu efficere tua pecunia non poteris. Per fortunas miseras nostras, vide ne puerum perditum perdamus: cui si aliquid erit, ne egeat, mediocri virtute opus est, et mediocri fortuna, ut cætera consequatur. Ep. Fam. 14. 1.

[2] Qui Pontum et Bithyniam Quæstor pro mea salute neglexit.—Post red. in Sen. 15.

Pisonis humanitas, virtus, amor in nos omnes tantus est ut nihil supra esse possit. Utinam ea res ei voluptati sit, gloriæ quidem video fore. Ep. Fam. 14. 1.

[3] Ciceroni, ex patria fugienti H. S. ducenta et quinquaginta millia donavit. Corn. Nep. Vit. Att. 4.

Quod te in tanta hæreditate ab omni occupatione expedisti, valde mihi gratum est. Quod facultates tuas ad meam salutem polliceris, ut omnibus rebus a te præter cæteros juver, id quantum sit præsidium video—Ad Att. 3. 20.

This Cæcilius, Atticus's uncle, was a famous churl and usurer, sometimes mentioned in Cicero's letters, who adopted Atticus, by his will, and left him three-fourths of his estate, which amounted to above 80,000*l.* sterling. He had raised this great fortune, by the favour chiefly of Lucullus, whom he flattered to the last, with a pro-

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satisfy Cicero, who thought him too cold and remiss in his service: and fancied, that it flowed from some secret resentment, for having never received from him, in his flourishing condition, any beneficial proofs of his friendship: in order therefore to rouse his zeal, he took occasion to promise him, in one of his letters, that, whatever reason he had to complain on that score, it should all be made up to him, if he lived to return: "If fortune," says he, "ever restore me to my country, it shall be my special care, that you, above all my friends, have cause to rejoice at it: and though, hitherto, I confess you have reaped but little benefit from my kindness, I will manage so, for the future, that, whenever I am restored, you shall find yourself as dear to me, as my brother and my children: if I have been wanting, therefore, in my duty to you, or rather, since I have been wanting, pray pardon me; for I have been much more wanting to myself[1]." But Atticus begged of him to lay aside all such fancies, and assured him, that there was not the least ground for them; and that he had never been disgusted by any thing, which he had either done, or neglected to do, for him; entreating him to be perfectly easy on that head, and to depend always on his best services, without giving himself the trouble, even of reminding him[2]. Yet, after all, the suspicion itself, as it comes from one who knew Atticus so perfectly, seems to leave some little blot upon his character: but, whatever cause there might be for it, it is certain, that Cicero, at least, was as good as his word, and by the care which he took, after his return, to celebrate Atticus's name in all his writings, has left the most illustrious testimony to posterity of his sincere esteem and affection for him.

Sextius was one of the tribunes elect: and, being entirely devoted to Cicero, took the trouble of a journey into Gaul, to solicit Cæsar's consent to his restoration; which, though he obtained, as well by his own intercession, as by Pompey's

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mise of making him his heir, yet left the bulk of his estate to Atticus, who had been very observant of his humour: for which fraud, added to his notorious avarice and extortion, the mob seized his dead body, and dragged it infamously about the streets. Val. Max. 7. 8. Cicero, congratulating Atticus upon his adoption, addresses his letter to Q. Cæcilius, Q. F. Pomponianus, Atticus. For, in assuming the name of the adopter, it was usual to add also their own family name, though changed in its termination, from Pomponius to Pomponianus, to preserve the memory of their real extraction: to which some added, also, the surname, as Cicero does in the present case. Ad Att. 3. 20.

[1] Ego, si me aliquando vestri et patriæ compotem fortuna fecerit, certe efficiam, ut maxime lætere unus ex omnibus amicis; meaque officia ac studia, quæ parum antea luxerunt (fatendum est enim) sic exequar, ut me æque tibi ac fratri et liberis nostris restitutum putes. Si quid in te peccavi, ac potius quoniam peccavi, ignosce: in me enim ipsum peccavi vehementius. Ibid. 15.

[2] Quod me vetas quicquam suspicari accidisse ad animum tuum, quod secus a me erga te commissum, aut pretermissum videretur, geram tibi morem et liberabor ista cura. Tibi tamen eo plus debeo, quo tua in me humanitas fuerit excelsior, quam in te mea. Ibid. 20.

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letters, yet it seems to have been with certain limitations, not agreeable to Cicero; for, on Sextius's return to Rome when he drew up the copy of a law, which he intended to propose, upon his entrance into office; conformable, as we may imagine, to the conditions stipulated with Cæsar; Cicero greatly disliked it; as being too general, and without the mention even of his name, nor providing sufficiently either for his dignity, or the restitution of his estate; so that he desires Atticus to take care to get it amended by Sextius[1].

The old tribunes in the meanwhile, eight of whom were Cicero's friends, resolved to make one effort more, to obtain a law in his favour, which they jointly offered to the people, on the twenty-eighth of October: but Cicero was much more displeased with this, than with Sextius's: it consisted of three articles; the first of which restored him only to his former rank, but not to his estate; the second was only matter of form, to indemnify the proposers of it: the third enacted, that if there was any thing in it, which was prohibited to be promulgated by any former law, particularly by that of Clodius, or which involved the author of such promulgation in any fine or penalty, that, in such case, it should have no effect. Cicero was surprised, that his friends could be induced to propose such an act, which seemed to be against him, and to confirm that clause of the Clodian law, which made it penal to move any thing for him: whereas, no clauses of that kind had ever been regarded, or thought to have any special force, but fell of course, when the laws themselves were repealed: he observes, that it was an ugly precedent for the succeeding tribunes, if they should happen to have any scruples; and that Clodius had already taken the advantage of it, when, in a speech to the people, on the third of November, he declared, that this act of the tribunes was a proper lesson to their successors, to let them see how far their power extended. He desires Atticus, therefore, to find out, who was the contriver of it, and how Ninnius and the rest came to be so much overseen, as not to be aware of the consequences of it[2].

The most probable solution of it is, that these tribunes hoped to carry their point with less difficulty, by paying this deference

[1] Hoc interim tempore, P. Sextius designatus iter ad C. Cæsarem pro mea salute suscepit. Quid egerit, quantum profecerit, nihil ad causam. Pro Sext. 33.
Rogatio Sextii neque dignitatis satis habet nec cautionis. Nam et nominatim ferre oportet, et de bonis diligentius scribi: et id animadvertas velim. Ad Att. 3. 20.

[2] Quo major est suspicio malitiæ alicujus, cum id, quod ad ipsos nihil pertinebat, erat autem contra me, scripserunt. Ut novi tribuni pleb., si essent timidiores, multo magis sibi eo capite utendum putarent. Neque id a Clodio prætermissum est, dixit enim in concione ad diem III. Non. Novemb. hoc capite designatis tribunis pleb. præscriptum esse quid liceret. Ut Ninnium et cæteros fugerit investiges velim, et quis attulerit, &c. Ibid. 23.

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to Clodius's law, the validity of which was acknowledged by Cato, and several others of the principal citizens[1]; and they were induced to make this push for it, before they quitted their office, from a persuasion, that if Cicero was once restored, on any terms, or with what restrictions soever, the rest would follow of course; and that the recovery of his dignity would necessarily draw after it every thing else that was wanted: Cicero seems to have been sensible of it himself on second thoughts, as he intimates, in the conclusion of his letter. "I should be sorry," says he, "to have the new tribunes insert such a clause in their law; yet, let them insert what they please, if it will but pass and call me home, I shall be content with it[2]." But the only project of a law which he approved, was drawn by his cousin, C. Visellius Aculeo, an eminent lawyer of that age, for another of the new tribunes, T. Fadius, who had been his quæstor, when he was consul: he advised his friends, therefore, if there was any prospect of success, to push forward that law, which entirely pleased him[3].

In this suspense of his affairs at Rome, the troops, which Piso had provided for his government of Macedonia, began to arrive in great numbers at Thessalonica[4]: this greatly alarmed him, and made him resolve to quit the place without delay: and, as it was not advisable to move farther from Italy, he ventured to come still nearer, and turned back again to Dyrrhachium: for though this was within the distance forbidden to him by law, yet he had no reason to apprehend any danger, in a town particularly devoted to him, and which had always been under his special patronage and protection. He came thither on the twenty-fifth of November, and gave notice of his removal to his friends at Rome, by letters of the same date, begun at Thessalonica and finished at Dyrrhachium[5]: which shews the great haste, which he thought necessary, in making this sudden change of his quarters. Here he received another piece of news, which displeased him; that, with the consent and assistance of his managers at Rome, the provinces of the consuls elect had been furnished with money and troops by a decree of

[1] Video enim quosdam clarissimos viros, aliquot locis judicasse, te cum plebe jure agere potuisse. Pro Dom. 16.

[2] Id caput sane nolim novos tribunos pleb. ferre: sed perferant modo quidlibet: uno capite quo revocabor, modo res conficiatur, ero contentus. Ad Att. 3. 23.

[3] Sed si est aliquid in spe, vide legem, quam T. Fadio scripsit Visellius: ea mihi perplacet. Ibid.

[4] Me adhuc Plancius retinet. Sed jam cum adventare milites dicerentur, faciendum nobis erit, ut ab eo discedamus. Ibid. 22.

[5] Dyrrhachium veni quod et libera civitas est, et in me officiosa. Ep. Fam. 14. 1. Nam ego eo nomine sum Dyrrhachii, ut quam celerrime quid agatur, audiam, et sum tuto. Civitas enim hæc semper a me defensa est. Ibid. 3. Quod mei studiosos habeo Dyrrhachinos, ad eos perrexi, cum illa superiora Thessalonicæ scripsissem. Ad Att. 3. 22. Ep. Fam. 14. 1.

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the senate: but, in what manner it affected him, and what reason he had to be uneasy at it, will be explained by his own letter upon it to Atticus.

"When you first sent me word," says he, "that the consular provinces had been settled and provided for by your consent; though I was afraid, lest it might be attended with some ill consequence, yet I hoped that you had some special reason for it, which I could not penetrate; but, having since been informed, both by friends and letters, that your conduct is universally condemned, I am extremely disturbed at it; because the little hopes, that were left, seem now to be destroyed: for should the new tribunes quarrel with us upon it, what farther hopes can there be? and they have reason to do so; since they were not consulted in it, though they had undertaken my cause, and have lost by our concession all that influence, which they would otherwise have had over it; especially, when they declare that it was for my sake only, that they desired the power of furnishing out the consuls; not with design to hinder them, but to secure them to my interest; whereas, if the consuls have a mind to be perverse, they may now be so, without any risk; yet, let them be never so well disposed, can do nothing without the consent of the tribunes. As to what you say, that, if you had not agreed to it, the consuls would have carried their point with the people; that could never have been done, against the will of the tribunes: I am afraid, therefore, that we have lost by it the affection of the tribunes; or, if that still remains, have lost, at least, our hold on the consuls. There is another inconvenience still, not less considerable; for that important declaration, as it was represented to me, that the senate would enter into nothing till my affair was settled, is now at an end; and in a case not only unnecessary, but new and unprecedented: for I do not believe, that the provinces of the consuls had ever before been provided for, until their entrance into office: but having now broken through that resolution, which they had taken in my cause, they are at liberty to proceed to any other business, as they please. It is not, however, to be wondered at, that my friends, who were applied to, should consent to it; for it was hard for any one, to declare openly against a motion, so beneficial to the two consuls; it was hard, I say, to refuse any thing to Lentulus, who has always been my true friend; or to Metellus, who has given up his resentments with so much humanity; yet I am apprehensive, that we have alienated the tribunes, and cannot hold the consuls: write me word, I desire you, what turn this has taken, and how the whole affair stands, and write with your usual frankness; for I love to know the

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truth, though it should happen to be disagreeable.—The tenth of December[1]."

But Atticus, instead of answering this letter, or rather indeed before he received it, having occasion to visit his estate in Epirus, took his way thither, through Dyrrhachium, on purpose to see Cicero, and explain to him, in person, the motives of their conduct. Their interview was but short; and, after they parted, Cicero, upon some new intelligence, which gave him fresh uneasiness, sent another letter after him into Epirus, to call him back again: "After you left me," says he, "I received letters from Rome, from which I perceive, that I must end my days in this calamity; and, to speak the truth (which you will take in good part) if there had been any hopes of my return, you, who love me so well, would never have left the city at such a conjuncture: but I say no more, lest I be thought either ungrateful, or desirous to involve my friends too in my ruin; one thing I beg, that you would not fail, as you have given your word, to come to me, wherever I shall happen to be, before the first of January[2]."

While he was thus perplexing himself with perpetual fears and suspicions, his cause was proceeding very prosperously at Rome, and seemed to be in such a train, that it could not be obstructed much longer: for the new magistrates, who were coming on with the new year, were all, except the prætor Appius, supposed to be his friends; while his enemy Clodius was soon to resign his office, on which the greatest part of his power depended; Clodius himself was sensible of the daily decay of his credit, through the superior influence of Pompey; who had drawn Cæsar away from him, and forced even Gabinius to desert him: so that, out of rage and despair, and the desire of revenging himself on these new and more powerful enemies, he would willingly have dropped the pursuit of Cicero; or consented even to recal him, if he could have persuaded Cicero's friends and the senate to join their forces with him against the triumvirate. For this end, he produced Bibulus, and the other augurs, in an assembly of the people, and demanded of them, whether it was not unlawful to transact any public business, when any of them were taking the auspices? To which they all answered in the affirmative. Then he asked Bibulus, whether he was not actually observing the heavens, as oft as any of Cæsar's laws were proposed to the people? To which he answered in the affirmative: but being produced a second time, by the prætor Appius, he added, that he took the auspices also, in the same manner, at the time when Clodius's

[1] Ad Att. 3. 24.

[2] Ibid. 25.

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act of adoption was confirmed by the people: but Clodius, while he gratified his present revenge, little regarded how much it turned against himself; but insisted, that all Cæsar's acts ought to be annulled by the senate, as being contrary to the auspices; and, on that condition, declared publicly, that he himself would bring back Cicero, the guardian of the city, on his own shoulders[1].

In the same fit of revenge, he fell upon the consul Gabinius, and, in an assembly of the people, which he called for that purpose, with his head veiled, and a little altar and fire before him, consecrated his whole estate. This had been sometimes done against traitorous citizens; and, when legally performed, had the effect of a confiscation, by making the place and effects ever after sacred and public: but, in the present case, it was considered only as an act of madness: and the tribune Ninnius, in ridicule of it, consecrated Clodius's estate in the same form and manner, that whatever efficacy was ascribed to the one, the other might justly challenge the same[2].

But the expected hour was now come, which put an end to his detestable tribunate: it had been uniform and of a piece from the first to the last; the most infamous and corrupt that Rome had ever seen: there was scarce an office bestowed at home, or any favour granted to a prince, state, or city abroad, but what he openly sold to the best bidder: the poets, says Cicero, could not feign a Charybdis, so voracious as his rapine: he conferred the title of king on those who had it not, and took it away from those who had[3]; and sold the rich priesthoods of Asia, as the Turks are said to sell the Grecian bishoprics, without regarding whether they were full or vacant; of which Cicero gives us a remarkable instance. There was a celebrated temple of Cybele, at Pessinus in Phrygia, where that goddess was worshipped with singular devotion, not only by all Asia, but Europe too; and where the Roman generals themselves often used to pay their vows, and make their offerings. Her priest was in quiet possession, without any rival pretender, or any complaint against him; yet Clodius, by a law of the

[1] Tu tuo præcipitante jam et debilitato tribunatu, auspiciorum patronus subito extitisti. Tu M. Bibulum in concione, tu Augures produxisti. Te interrogante Augures responderunt, cum de cœlo servatum sit, cum populo agi non posse—tua denique omnis actio posterioribus mensibus fuit, omnia, quæ C. Cæsar egisset, quæ contra auspicia essent acta, per senatum rescindi oportere. Quod si fieret, dicebas, te tuis humeris me, custodem urbis, in urbem relaturum. Pro Dom. 15.

[2] Tu, tu, inquam, capite velato, concione advocata, foculo posito bona tui Gabinii consecrasti in—quid? exemplo tuo bona tua nonne L. Ninnius—consecravit? quod si, quia ad te pertinet, ratum esse negas oportere; ea jura constituisti in præclaro tribunatu tuo, quibus in te conversis, recusares, alios everteres.—Pro Dom. 47, 48.

[3] Reges, qui erant, vendidit; qui non erant, appellavit—quam denique tam immanem Charybdim poëtæ fingendo exprimere potuerunt, quæ tantos exhaurire gurgites posset, quantas iste prædas—exsorbuit? De Harusp. resp. 27.

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people, granted this priesthood to one Brogitarus, a petty sovereign in those parts, to whom he had before given the title of king: "and I shall think him a king indeed," says Cicero, "if ever he be able to pay the purchase money:" but the spoils of the temple were destined to that use, and would soon have been applied to it, if Deiotarus, king of Galatia, a prince of noble character, and a true friend to Rome, had not defeated the impious bargain, by taking the temple into his protection, and maintaining the lawful priest against the intruder: not suffering Brogitarus, though his son-in-law, to pollute or touch any thing belonging to it[1].

All the ten new tribunes had solemnly promised to serve Cicero; yet Clodius found means to corrupt two of them, S. Antilius Serranus, and Numerius Quinctius Gracchus; by whose help he was enabled still to make head against Cicero's party, and retard his restoration some time longer: but Piso and Gabinius, perceiving the scene to be opening apace in his favour, and his return to be unavoidable, thought it time to get out of his way, and retire to their several governments, to enjoy the reward of their perfidy: so that they both left Rome, with the expiration of their year, and Piso set out for Macedonia, Gabinius for Syria.

A. Urb. 696. Cic. 50. Coss.—P. Cornel. Lentul. Spinther. Q. Cæcil. Metel. Nepos.

On the first of January, the new consul, Lentulus, after the ceremony of his inauguration, and his first duty paid, as usual, to religion, entered directly into Cicero's affair, and moved the senate for his restoration[2]; while his colleague, Metellus, declared, with much seeming candour, that though Cicero and he had been enemies, on account of their different sentiments in politics, yet he would give up his resentments to the authority of the fathers, and the interests of the Republic[3].

[1] Qui accepta pecunia Pessinuntem ipsum, sedem domiciliumque Matris Deorum vastaris, et Brogitaro, Gallogræco, impuro homini ac nefario—totum illum locum fanumque vendideris. Sacerdotem ab ipsis aris, pulvinaribusque detraxeris.—Quæ Reges omnes, qui Asiam Europamque tenuerunt, semper summa religione coluerunt. —Quæ Majores nostri tam sancta duxerunt, ut—nostri imperatores maximis et periculosissimis bellis huic Deæ vota facerent, eaque in ipso Pessinunte ad illam ipsam principem aram et in illo loco Fanoque persolverent.—Putabo regem, si habuerit unde tibi solvat.—Nam cum multa regia sunt in Deiotaro, tum illa maxime, quod tibi nummum nullum dedit.—Quod Pessinuntem per scelus a te violatum, et sacerdote, sacrisque spoliatum recuperavit.—Quod cæremonias ab omni vetustate acceptas a Brogitaro pollui non sinit, mavultque generum suum munere tuo, quam illud Fanum antiquitate religionis carere.—De Harusp. resp. 13. Pro Sext. 26.

[2] Kalendis Januariis.—P. Lentulus Consul—simul ac de solemni religione retulit, nihil humanarum rerum sibi prius, quam de me agendum judicavit. Post red. ad Quir. 5.

[3] Quæ etiam collegæ ejus moderatio de me? Qui cum inimicitias sibi mecum ex Reipub. dissensione susceptas esse dixisset, eas se Patribus conscriptis dixit et temporibus Reipub. permissurum.—Pro Sext. 32.

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

Upon which L. Cotta, a person of consular and censorian rank, being asked his opinion the first, said, that nothing had been done against Cicero, agreeably to right or law, or the custom of their ancestors; that no citizen could be driven out of the city without a trial; and that the people could not condemn, nor even try a man capitally, but in an assembly of their centuries: that the whole was the effect of violence, turbulent times, and an oppressed Republic: that, in so strange a revolution and confusion of all things, Cicero had only stepped aside, to provide for his future tranquillity, by declining the impending storm; and, since he had freed the Republic from no less danger by his absence, than he had done before by his presence, that he ought not only to be restored, but to be adorned with new honours: that what his mad enemy had published against him, was drawn so absurdly, both in words and sentiments, that, if it had been enacted in proper form, it could never obtain the force of a law: that, since Cicero, therefore, was expelled by no law, he could not want a law to restore him, but ought to be recalled by a vote of the senate. Pompey, who spoke next, having highly applauded what Cotta said, added, that, for the sake of Cicero's future quiet, and to prevent all farther trouble from the same quarter, it was his opinion, that the people should have a share in conferring that grace, and their consent be joined also to the authority of the senate. After many others had spoken, likewise, with great warmth, in the defence and praise of Cicero, they all came, unanimously, into Pompey's opinion, and were proceeding to make a decree upon it, when Serranus, the tribune, rose up and put a stop to it; not flatly interposing his negative, for he had not the assurance to do that, against such a spirit and unanimity of the senate, but desiring, only, a night's time to consider of it. This unexpected interruption incensed the whole assembly; some reproached, others entreated him; and his father-in-law, Oppius, threw himself at his feet, to move him to desist: but all that they could get from him, was a promise to give way to the decree the next morning; upon which they broke up. But the tribune, says Cicero, employed the night, not as people fancied he would, in giving back the money, which he had taken, but in making a better bargain, and doubling his price; for the next morning, being grown more hardy, he absolutely prohibited the senate from proceeding to any act[1]. This conduct of Serranus surprised Cicero's

[1] Tum princeps rogatus sententiam L. Cotta dixit. Nihil de me actum esse jure, nihil more majorum, nihil legibus, &c. Quare me, qui nulla lege abessem, non restitui lege sed senatus auctoritate oportere.

Post eum rogatus sententiam Cn. Pompeius, approbata laudataque Cottæ sententia,

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

friends, being not only perfidious and contrary to his engagements, but highly ungrateful to Cicero; who in his consulship had been his special encourager and benefactor[1].

The senate, however, though hindered at present from passing their decree, were too well united, and too strongly supported, to be baffled much longer by the artifices of a faction: they resolved, therefore, without farther delay, to propound a law to the people for Cicero's restoration; and the twenty-second of the month was appointed for the promulgation of it. When the day came, Fabricius, one of Cicero's tribunes, marched out with a strong guard, before it was light, to get possession of the rostra: but Clodius was too early for him; and, having seized all the posts and avenues of the Forum, was prepared to give him a warm reception: he had purchased some gladiators, for the shows of his ædileship, to which he was now pretending: and borrowed another band of his brother Appius; and with these well armed, at the head of his slaves and dependents, he attacked Fabricius, killed several of his followers, wounded many more, and drove him quite out of the place: and, happening to fall in at the same time with Cispius, another tribune, who was coming to the aid of his colleague, he repulsed him also with a great slaughter. The gladiators, heated with this taste of blood, opened their way on all sides with their swords, in quest of Quintus Cicero; whom they met with at last, and would certainly have murdered, if, by the advantage of the confusion and darkness, he had not hid himself under the bodies of his slaves and freedmen, who were killed around him; where he lay concealed, till the fray was over. The tribune, Sextius, was treated still more roughly; for, being particularly pursued and marked out for destruction, he was so desperately wounded, as to be left for dead upon the spot; and escaped death, only by feigning it: but while he lay in that condition, supposed to be killed, Clodius reflecting that the murder of a tribune, whose person was sacred, would raise such a storm as might occasion his ruin, took a sudden resolution to kill one of his own tribunes, in order to charge it upon his adversaries, and so balance the account, by making both sides equally obnoxious: the victim doomed

dixit, sese otii mei causa, ut omni populari concertatione defungerer, censere; ut ad senatus auctoritatem populi quoque Romani beneficium adjungeretur. Cum omnes certatim, aliusque alio gravius de mea salute dixisset, fieretque sine ulla varietate discessio: surrexit Atilius; nec ausus est, cum esset emptus, intercedere; noctem sibi ad deliberandum postulavit. Clamor senatus, querelæ, preces, socer ad pedes abjectus. Ille, se affirmare postero die moram nullam esse facturum. Creditum est: discessum est: illi interea deliberatori merces, interposita nocte, duplicata est. Pro Sext. 34.

Deliberatio non in reddenda, quemadmodum nonnulli arbitrabantur, sed, ut patefactum est, in augenda mercede consumta est. Post red. ad Quir. 5.

[1] Is tribunus pleb. quem ego maximis beneficiis quæstorem consul ornaveram. Ibid.

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

to this sacrifice was Numerius Quinctius, an obscure fellow, raised to this dignity by the caprice of the multitude, who, to make himself the more popular, had assumed the surname of Gracchus; "but the crafty clown," says Cicero, having got some hint of the design, and finding that his blood was to wipe off the envy of Sextius's, disguised himself presently in the habit of a muleteer, the same in which he first came to Rome, and with a basket upon his head, while some were calling out for Numerius, others for Quinctius, passed undiscovered by the confusion of the two names; but he continued in this danger till Sextius was known to be alive: and if that discovery had not been made sooner than one would have wished, though they could not have fixed the odium of killing their mercenary where they designed it; yet they would have lessened the infamy of one villany, by committing another, which all people would have been pleased with." According to the account of this day's tragedy, the Tiber, and all the common sewers, were filled with dead bodies, and the blood wiped up with sponges in the Forum, where such heaps of slain had never before been seen, but in the civil dissensions of Cinna and Octavius [1].

Clodius, flushed with this victory, set fire, with his own hands, to the temple of the nymphs; where the books of the censors and the public registers of the city were kept, which were all consumed with the fabric itself [2]. He then attacked the houses of Milo the tribune, and Cæcilius the prætor, with fire and sword; but was repulsed in both attempts with loss: Milo took several of Appius's gladiators prisoners, who, being brought before the senate, made a confession of what they knew, and were sent to jail: but were presently released by

[1] Princeps rogationis, vir mihi amicissimus, Q. Fabricius, templum aliquanto ante lucem occupavit. Cum forum, comitium, curiam multa de nocte armatis hominibus, ac servis occupavissent, impetum faciunt in Fabricium, manus afferunt, occidunt nonnullos, vulnerant multos: venientem in forum, virum optimum M. Cispium—vi depellunt; cædem in foro maximam faciunt. Universi districtis gladiis in omnibus fori partibus fratrem meum oculis quærebant, voce poscebant. Pulsus e rostris in comitio jacuit, seque servorum et libertorum corporibus obtexit.

Multis vulneribus acceptis ac debilitato corpore contrucidato, Sextius se abjecit exanimatus; neque ulla alia re ab se mortem, nisi mortis opinione, depulit. At vero illi ipsi parricidæ—adeo vim facinoris sui perhorruerant, ut si paullo longior opinio mortis Sextii fuisset, Gracchum illum suum, transferendi in nos criminis causa, occidere cogitarint. Sensit rusticulus, non incautus; mulioni eam penulam arripuit, cum qua primum Romam ad comitia venerit; messoria se corbe contexit: cum quærerent alii Numerium, alii Quinctium, gemini nominis errore servatus est, atque hoc scitis omnes; usque adeo hominem in periculo fuisse, quoad scitum sit, Sextium vivere. Quod nisi esset patefactum paullo citius, quem vellem, &c. Meministis tum, Judices, corporibus civium Tiberim compleri, cloacas referciri, e foro spongiis effingi sanguinem. Lapidationes persæpe vidimus; non ita sæpe, sed nimium tamen sæpe gladios; cædem vero tantam, tantos acervos corporum extructos, nisi forte illo Cinnano atque Octaviano die, quis unquam in foro vidit? Pro Sext. 35—38.

[2] Eum qui Ædem Nympharum incendit, ut memoriam publicam recensionis, tabulis publicis impressam, extingueret. Pro Mil. 27. Parad. 4. de Harusp. resp. 27.

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Serranus[1]. Upon these outrages, Milo impeached Clodius in form, for the violation of the public peace: but the consul Metellus, who had not yet abandoned him, with the prætor Appius, and the tribune Serranus, resolved to prevent any process upon it; and, by their edicts, prohibited either the criminal himself to appear, or any one to cite him[2]. Their pretence was, that the quæstors were not yet chosen, whose office it was to make the allotment of the judges; while they, themselves, kept back the election, and were pushing Clodius, at the same time, into the ædileship; which would screen him, of course, for one year from any prosecution. Milo, therefore, finding it impracticable to bring him to justice in the legal method, resolved to deal with him in his own way, by opposing force to force; and, for this end, purchased a band of gladiators, with which he had daily skirmishes with him in the streets; and acquired a great reputation of courage and generosity, for being the first, of all the Romans, who had ever bought gladiators, for the defence of the Republic[3].

This obstruction given to Cicero's return, by an obstinate and desperate faction, made the senate only the more resolute to effect it: they passed a second vote, therefore, that no other business should be done, till it was carried; and, to prevent all farther tumults and insults upon the magistrates, ordered the consuls to summon all the people of Italy, who wished well to the state, to come to the assistance and defence of Cicero[4]. This gave new spirits to the honest citizens, and drew a vast concourse to Rome from all parts of Italy, where there was not a corporate town, of any note, which did not testify its respect to Cicero, by some public act or monument. Pompey was at Capua, acting as chief magistrate of his new colony; where he presided in person, at their making a decree to Cicero's honour, and took the trouble, likewise, of visiting all the other colonies and chief towns in those parts, to appoint them a day of general rendezvous at Rome, to assist at the promulgation of the law[5].

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[1] Gladiatores—comprehensi, in senatum introducti, confessi, in vincula conjecti a Milone, emissi a Serrano. Pro Sext. 39.

[2] Ecce tibi consul, prætor, tribunus pleb. nova novi generis edicta proponunt: ne reus adsit, ne citetur. Pro Sext. 41.

[3] Sed honori summo Miloni nostro nuper fuit, quod gladiatoribus emptis Reipub. causa, quæ salute nostra continebatur, omnes P. Clodii conatus furoresque compressit. De Offic. 2. 17.

[4] Itaque postea nihil vos civibus, nihil sociis, nihil Regibus respondistis. Post red. in Sen. 3.

Quid mihi præclarius accidere potuit, quam quod illo referente vos decrevistis, ut cuncti ex omni Italia, qui Remp. salvam vellent, ad me unum—restituendum, et defendendum venirent? Ibid. 9.

In una mea causa factum est ut literis consularibus ex S. C. cuncta ex Italia omnes, qui Remp. salvam vellent, convocarentur. Pro Sext. 60.

[5] Qui in colonia nuper constituta, cum ipse gereret magistratum, vim et crudelita-

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Lentulus, at the same time, was entertaining the city with shows and stage plays, in order to keep the people in good humour, whom he had called from their private affairs in the country, to attend the public business. The shows were exhibited in Pompey's theatre, while the senate, for the convenience of being near them, was held in the adjoining temple of honour and virtue, built by Marius, out of the Cimbric spoils, and called, for that reason, Marius's monument: here, according to Cicero's dream, a decree now passed in proper form for his restoration; when, under the joint influence of those deities, honour, he says, was done to virtue; and the monument of Marius, the preserver of the empire, gave safety to his countryman, the defender of it [1].

The news of this decree no sooner reached the neighbouring theatre, than the whole assembly expressed their satisfaction by claps and applauses, which they renewed upon the entrance of every senator: but when the consul Lentulus took his place, they all rose up, and, with acclamations, stretched-out hands, and tears of joy, publicly testified their thanks to him. But when Clodius ventured to show himself, they were hardly restrained from doing him violence; throwing out reproaches, threats, and curses upon him: so that, in the shows of gladiators, which he could not bear to be deprived of, he durst not go to his seat in the common and open manner, but used to start up into it at once, from some obscure passage under the benches, which, on that account, was jocosely called the Appian way; where he was no sooner espied, than so general a hiss ensued, that it disturbed the gladiators, and frightened their very horses. "From these significations," says Cicero, "he might learn the difference between the genuine citizens of Rome, and those packed assemblies of the people, where he used to domineer; and that the men, who lord it in such assemblies, are the real aversion of the city; while those, who dare not show their heads in them, are received with all demonstrations of honour by the whole people [2]."

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tem privilegii auctoritate honestissimorum hominum, et publicis literis consignavit: principesque Italiæ totius præsidium ad meam salutem implorandum putavit. Post red. in Sen. 11.

Hic municipia, coloniasque adiit: hic Italiæ totius auxilium imploravit. Pro Dom. 12.

[1] Cum in templo Honoris-Virtutis, honos habitus esset virtuti; Caiique Marii, conservatoris hujus imperii, monumentum, municipi ejus et Reipub. defensori sedem ad salutem præbuisset. Pro Sext. 54. it. 56.

[2] Audito S. C., ore ipsi atque absenti senatui plausus est ab universis datus: deinde, cum senatoribus singulis spectatum e senatu redeuntibus: cum vero ipse, qui ludos faciebat, consul assedit, stantes, et manibus passis gratias agentes, et lacrymantes gaudio, suam erga me benevolentiam ac misericordiam declararunt; at cum ille furibundus venisset, vix se populus Romanus tenuit. Ibid. 55. Is, cum quotidie gladiatores spectaret, nunquam est conspectus, cum veniret: emergebat subito, cum sub tabulas subrepserat—itaque illa via latebrosa, qua ille spectatum veniebat, Appia jam vocabatur: qui tamen quo tempore conspectus erat, non modo gladiatores, sed equi ipsi gladiatorum

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When the decree passed, the famed tragedian, Æsopus, who acted, as Cicero says, the same good part in the Republic, that he did upon the stage, was performing the part of Telamon, banished from his country, in one of Accius's plays; where, by the emphasis of his voice, and the change of a word or two in some of the lines, he contrived to turn the thoughts of the audience on Cicero. "What he! who always stood up for the Republic! who, in doubtful times, spared neither life nor fortunes—the greatest friend, in the greatest danger—of such parts and talents—O father—I saw his houses and rich furniture all in flames—O ungrateful Greeks; inconstant people; forgetful of services!—to see such a man banished; driven from his country; and suffer him to continue so!"—At each of which sentences there was no end of clapping. In another tragedy, of the same poet, called Brutus, when, instead of Brutus, he pronounced Tullius, who established the liberty of his citizens; the people were so affected, that they called for it again a thousand times. This was the constant practice through the whole time of his exile: there was not a passage in any play, which could possibly be applied to his case, but the whole audience presently catched it up, and by their claps and applauses, loudly signified their zeal and good wishes for him [1].

Though a decree was regularly obtained for Cicero's return, Clodius had the courage and address still to hinder its passing into a law: he took all occasions of haranguing the people against it; and when he had filled the forum with his mercenaries, he used to demand of them aloud, contrary to the custom of Rome, whether they would have Cicero restored or not; upon which his emissaries, raising a sort of dead cry in the negative, he laid hold of it, as the voice of the Roman people, and declared the proposal to be rejected [2]. But the senate, ashamed to see their authority thus insulted, when the whole city was on their side, resolved to take such measures,

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repentinis sibilis extimescebant. Videtisne igitur, quantum inter populum Romanum, et concionem intersit? Dominos concionum omni odio populi notari? Quibus autem consistere in operarum concionibus non liceat, eos omni populi Romani significatione decorari? Ibid. 59.

[1] Recenti nuncio de illo S. C. ad ludos scenamque perlato, summus artifex, et mehercule semper partium in Repub. tanquam in scena, optimatium, flens et recenti lætitia et misto dolore ac desiderio mei—summi enim poëtæ ingenium non solum arte sua sed etiam dolore exprimebat. Quid enim? qui Remp. certo animo adjuverit, statuerit, steterit, cum Achivis,—re dubia nec dubitarit vitam offerre, nec capiti pepercerit,—summum amicum summo in bello—summo ingenio præditum—O Pater—hæc omnia vidi inflammari—O ingratifici Argivi, inanes Graii, immemores beneficii!—exulare sinitis, sistis pelli, pulsum patimini—quæ significatio fuerit omnium, quæ declaratio voluntatis ab universo populo Romano?

Nominatim sum appellatus in Bruto, Tullius, qui libertatem civibus stabiliverat. Millies revocatum est. Ibid. 56. 7. 8.

[2] Ille tribunus pleb. qui de me—non majorum suorum, sed Græculorum instituto, concionem interrogare solebat, velletne me redire: et cum erat reclamatum semivivis mercenariorum vocibus; populum Romanum negare dicebat. Ibid. 59.

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in the support of their decrees, that it should not be possible to defeat them. Lentulus, therefore, summoned them into the Capitol, on the twenty-fifth of May, where Pompey began the debate, and renewed the motion for recalling Cicero; and, in a grave and elaborate speech, which he had prepared in writing, and delivered from his notes, gave him the honour of having saved his country [1]. All the leading men of the senate spoke after him, to the same effect; but the consul, Metellus, notwithstanding his promises, had been acting, hitherto, a double part; and was, all along, the chief encourager and supporter of Clodius: when Servilius, therefore, rose up, a person of the first dignity, who had been honoured with a triumph and the censorship, he addressed himself to his kinsman Metellus; and calling up from the dead all the family of the Metelli, laid before him the glorious acts of his ancestors, with the conduct and unhappy fate of his brother, in a manner so moving, that Metellus could not hold out any longer against the force of the speech, nor the authority of the speaker; but, with tears in his eyes, gave himself up to Servilius, and professed all future services to Cicero: in which he proved very sincere, and from this moment, assisted his colleague in promoting Cicero's restoration; so that, in a very full house, of four hundred and seventeen senators, when all the magistrates were present, the decree passed, without one dissenting voice, but Clodius's [2]: which gave occasion to Cicero to write a particular letter of thanks to Metellus, as he had done once before, upon his first declaration for him [3].

Some may be apt to wonder, why the two tribunes, who were Cicero's enemies still, as much as ever, did not persevere to inhibit the decree; since the negative of a single tribune had an indisputable force to stop all proceedings: but when that negative was wholly arbitrary and factious, contrary to the apparent interest and general inclination of the citizens; if the tribune could not be prevailed with, by gentle means, to recal

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[1] Idem ille consul, cum illa incredibilis multitudo Romam, et pæne Italia ipsa venisset, vos frequentissimos in Capitolium convocavit. [Post red. in Sen. 10.] Cum vir is, qui tripartitas orbis terrarum oras atque regiones tribus triumphis huic imperio adjunctas notavit, de scripto sententia dicta, mihi uni testimonium patriæ conservatæ dedit. Ibid. 61.

[2] Q. Metellus, et inimicus et frater inimici, perspecta vestra voluntate, omnia privata odia deposuit: quem P. Servilius—et auctoritatis et orationis suæ divina quadam gravitate, ad sui generis communisque sanguinis facta virtutesque revocavit, ut haberet in consilio et fratrem ab inferis—et omnes Metellos, præstantissimos cives—itaque extitit non modo salutis defensor,—verum etiam adscriptor dignitatis meæ. Quo quidem die, cum vos 417, ex senatu essetis, magistratus autem hi omnes adessent, dissensit unus—Post red. in Sen. 10.

Collacrymavit vir egregius ac vere Metellus; totumque se P. Servilio dicenti etiam tum tradidit. Nec illam divinam gravitatem, plenam antiquitatis, diutius—potuit sustinere. Pro Sext. 62.

[3] Epist. Fam. 5. 4.

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it, the senate used to enter into a debate upon the merit of it, and proceed to some extraordinary resolution, of declaring the author of such an opposition an enemy to his country, and answerable for all the mischief that was likely to ensue: or of ordering the consuls to take care that the Republic received no detriment; which votes were thought to justify any methods, how violent soever, of removing either the obstruction, or the author of it; who seldom cared to expose himself to the rage of an inflamed city, headed by the consuls and the senate, and to assert his prerogative at the peril of his life.

This, in effect, was the case at present; when the consul, Lentulus, assembled the senate again the next day, to concert some effectual method for preventing all farther opposition, and getting the decree enacted into a law: but, before they met, he called the people likewise to the rostra; where he, and all the principal senators in their turns, repeated to them the substance of what they had said before in the senate, in order to prepare them for the reception of the law: Pompey particularly exerted himself, in extolling the praises of Cicero; declaring, that the Republic owed its preservation to him, and that their common safety was involved in his: exhorting them to defend and support the decree of the senate, the quiet of the city, and the fortunes of a man, who had deserved so well of them: that this was the general voice of the senate; of the knights; of all Italy; and, lastly, that it was his own earnest and special request to them, which he not only desired, but implored them to grant[1]. When the senate afterwards met, they proceeded to several new and vigorous votes, to facilitate the success of the law: first, that no magistrate should presume to take the auspices, so as to disturb the assembly of the people, when Cicero's cause was to come before them: and that, if any one attempted it, he should be treated as a public enemy.

Secondly, that if, through any violence or obstruction, the law was not suffered to pass, within the five next legal days of assembly, Cicero should then be at liberty to return, without any farther authority.

Thirdly, that public thanks should be given to all the people of Italy, who came to Rome for Cicero's defence; and that they should be desired to come again, on the day when the suffrages of the people were to be taken.

Fourthly, that thanks should be given likewise to all the

[1] Quorum princeps ad rogandos et ad cohortandos vos fuit Cn. Pompeius—primum vos docuit, meis consiliis Rempub. esse servatam, causamque meam cum communi salute conjunxit; hortatusque est, ut auctoritatem senatus, statum civitatis, fortunas civis bene meriti defenderetis: tum in perorando posuit, vos rogari a senatu, rogari ab equitibus, rogari ab Italia cuncta: denique ipse ad extremum pro mea vos salute non rogavit solum, verum etiam obsecravit. Post red. ad Quir. 7.

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states and cities, which had received and entertained Cicero; and that the care of his person should be recommended to all foreign nations in alliance with them; and that the Roman generals, and all who had command abroad, should be ordered to protect his life and safety [1].

One cannot help pausing awhile, to reflect on the great idea, which these facts imprint of the character and dignity of Cicero; to see so vast an empire in such a ferment on his account, as to postpone all their concerns and interests, for many months successively, to the safety of a single senator [2]; who had no other means of exciting the zeal, or engaging the affections of his citizens, but the genuine force of his personal virtues, and the merit of his eminent services: as if the Republic itself could not stand without him, but must fall into ruins, if he, the main pillar of it, was removed; whilst the greatest monarchs on earth, who had any affairs with the people of Rome, were looking on to expect the event, unable to procure any answer or regard to what they were soliciting till this affair was decided: Ptolemy, the king of Egypt, was particularly affected by it: who being driven out of his kingdom, came to Rome about this time, to beg help and protection against his rebellious subjects; but, though he was lodged in Pompey's house, it was not possible for him to get an audience, till Cicero's cause was at an end.

The law, now prepared for his restoration, was to be offered to the suffrage of the centuries: this was the most solemn and honourable way of transacting any public business, where the best and gravest part of the city had the chief influence, and where a decree of the senate was previously necessary to make the act valid: but, in the present case, there seem to have been four or five several decrees, provided at different times, which had all been frustrated by the intrigues of Clodius and his friends, till these last votes proved decisive and effectual [3]. Cicero's resolution upon them was, to wait till the law should be proposed to the people; and if, by the artifices of his ene-

[1] Quod est postridie decretum in curia—ne quis de cœlo servaret; ne quis moram ullam afferret; si quis aliter fecisset, eum plane eversorem Reipub. fore.

Addidit, si diebus quinque quibus agi de me potuisset, non esset actum, redirem in patriam omni auctoritate recuperata.

Ut iis, qui ex tota Italia salutis meæ causa convenerant, agerentur gratiæ: atque iidem ad res redeuntes, ut venirent, rogarentur.

Quem enim unquam senatus civem, nisi me, nationibus exteris commendavit? cujus unquam propter salutem nisi meam, senatus publice sociis populi Romani gratias egit? De me uno P. C. decreverunt, ut qui provincias cum imperio obtinerent, qui quæstores legatique essent, salutem et vitam meam custodirent. Pro Sext. 60. 61.

[2] Nihil vos civibus, nihil sociis, nihil Regibus respondistis. Nihil Judices sententiis, nihil populus suffragiis, nihil hic ordo auctoritate declaravit: mutum forum, elinguem curiam, tacitam et fractam civitatem videbatis. Post red. in Sen. 3.

[3] Vid. Pro Sext. 60. et Notas Manutii ad 61.

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mies, it should then be obstructed, to come away directly upon the authority of the senate, and rather hazard his life, than bear the loss of his country any longer [1]. But the vigour of the late debates had so discouraged the chiefs of the faction, that they left Clodius single in the opposition; Metellus dropped him, and his brother Appius was desirous to be quiet [2]; yet, it was above two months still, from the last decree, before Cicero's friends could bring the affair to a general vote, which they effected, at last, on the fourth of August.

There had never been known so numerous and solemn an assembly of the Roman people as this: all Italy was drawn together on the occasion: it was reckoned a kind of sin to be absent; and neither age nor infirmity was thought a sufficient excuse, for not lending a helping hand to the restoration of Cicero: all the magistrates exerted themselves in recommending the law, excepting Appius and the two tribunes, who durst not venture, however, to oppose it; the meeting was held in the field of Mars, for the more convenient reception of so great a multitude; where the senators divided among themselves the task of presiding in the several centuries, and seeing the poll fairly taken: the result was, that Cicero was recalled from exile, by the unanimous suffrage of all the centuries; and to the infinite joy of the whole city [3].

Clodius, however, had the hardiness, not only to appear, but to speak in this assembly against the law; but nobody regarded or heard a word that he said: he now found the difference mentioned above, between a free convention of the Roman people, and those mercenary assemblies, where a few desperate citizens, headed by slaves and gladiators, used to carry all before them: "Where now," says Cicero, "were those tyrants of the Forum, those haranguers of the mob, those disposers of kingdoms?"—This was one of the last genuine acts of free Rome; one of the last efforts of public liberty, exerting itself to do honour to its patron and defender: for the union of the triumvirate had already given it a dangerous wound, and their dissension, which not long after ensued, entirely destroyed it.

But it gave some damp to the joy of this glorious day, that

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[1] Mihi in animo est legum lationem expectare, et si obtrectabitur, utar auctoritate senatus, et potius vita quam patria carebo. Ad Att. 3. 26.

[2] Redii cum maxima dignitate, fratre tuo altero consule reducente, altero prætore petente. Pro Dom. 33.

[3] Quo die quis civis fuit, qui non nefas esse putaret, quacunque aut ætate aut valetudine esset, non se de salute mea sententiam ferre? Post red. in Sen. xi.

Nemo sibi nec valetudinis excusationem nec senectutis satis justam putavit. Pro Sext. 52.

De me cum omnes magistratus promulgassent, præter unum prætorem, a quo non erat postulandum, fratrem inimici mei, prætorque duos de lapide emptos tribunos plebis—nullis comitiis unquam multitudinem hominum tantam, neque splendidiorem fuisse,—vos rogatores, vos distributores, vos custodes fuisse tabularum.—In Pison. 15.

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Cicero's son-in-law, Piso, happened to die not long before it, to the extreme grief of the family; without reaping the fruits of his piety, and sharing the pleasure and benefit of Cicero's return. His praises, however, will be as immortal as Cicero's writings, from whose repeated character of him we learn, that, for parts, probity, virtue, modesty, and for every accomplishment of a fine gentleman and fine speaker, he scarce left his equal behind him, among all the young nobles of that age[1].

Cicero had resolved to come home, in virtue of the senate's decree, whether the law had passed or not; but, perceiving, from the accounts of all his friends, that it could not be defeated any longer, he embarked for Italy on the fourth of August; the very day on which it was enacted: and landed the next day at Brundisium, where he found his daughter Tullia already arrived to receive him. The day happened to be the annual festival of the foundation of the town, as well as of the dedication of the temple of safety at Rome; and the birth-day likewise of Tullia: as if Providence had thrown all these circumstances together to enhance the joy and solemnity of his landing; which was celebrated by the people with the most profuse expressions of mirth and gaiety. Cicero took up his quarters again with his old host Lenius Flaccus, who had entertained him so honourably in his distress, a person of great learning as well as generosity: here he received the welcome news in four days from Rome, that the law was actually ratified by the people with an incredible zeal and unanimity of all the centuries[2]. This obliged him to pursue his journey in all haste, and take leave of the Brundisians, who by all the offices of private duty, as well as public decrees, endeavoured to testify their sincere respect for him. The fame of his landing, and progress towards the city, drew infinite multitudes from all

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[1] Piso ille gener meus, cui pietatis suæ fructum, neque ex me, neque a populo Romano ferre licuit. Pro Sext. 31.

Studio autem neminem nec industria majore cognovi; quanquam ne ingenio quidem qui præstiterit, facile dixerim, C. Pisoni, genero meo. Nullum illi tempus vacabat, aut a forensi dictione, aut a commentatione domestica, aut a scribendo aut a cogitando. Itaque tantos processus faciebat, ut evolare non excurrere videretur, &c.—alia de illo majora dici possunt. Nam nec continentia, nec pietate, nec ullo genere virtutis, quenquam ejusdem ætatis cum illo conferendum puto. Brut. p. 397, 398.

[2] Pridie Non. Sextil. Dyrrhachio sum profectus, illo ipso die quo lex est lata de nobis. Brundisium veni Nonis: ibi mihi Tulliola mea præsto fuit, natali suo ipso die, qui casu idem natalis erat Brundisinæ coloniæ; et tuæ vicinæ salutis. Quæ res animadversa a multitudine, summa Brundisinorum gratulatione celebrata est. Ante diem sextum Id. Sext. cognovi—litteris Quinti fratris, mirifico studio omnium ætatum atque ordinum, incredibili concursu Italiæ, legem comitiis centuriatis esse perlatum. Ad Att. 4. 1.

Cumque me domus eadem optimorum et doctissimorum virorum, Lenii Flacci, et Patris et Fratris ejus lætissima accepisset, quæ proximo anno mœrens receperat, et suo periculo præsidioque defenderat. Pro Sext 63.

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parts, to see him as he passed, and congratulate him on his return: so that the whole road was but one continued street from Brundisium to Rome, lined on both sides with crowds of men, women, and children; nor was there a præfecture, town, or colony through Italy, which did not decree him statues or public honours, and send a deputation of their principal members to pay him their compliments: so that it was rather less than the truth, as Plutarch says, what Cicero himself tells us, that all Italy brought him back upon its shoulders[1]. "But that one day," says he, "was worth an immortality; when on my approach towards the city, the senate came out to receive me, followed by the whole body of the citizens; as if Rome itself had left its foundations, and marched forward to embrace its preserver[2]."

As soon as he entered the gates he saw the steps of all the temples, porticos, and even the tops of houses covered with people, who saluted him with an universal acclamation, as he marched forward towards the Capitol, where fresh multitudes were expecting his arrival; yet, in the midst of all this joy, he could not help grieving, he says, within himself, to reflect, that a city so grateful to the defender of its liberty, had been so miserably enslaved and oppressed[3]. The Capitol was the proper seat or throne, as it were, of the majesty of the empire; where stood the most magnificent fabric of Rome, the Temple of Jupiter, or of that god whom they styled the Greatest and the Best[4]; to whose shrine all, who entered the city in pomp or triumph, used always to make their first visit. Cicero, therefore, before he had saluted his wife and family, was obliged to discharge himself here of his vows and thanks for his safe return; where, in compliance with the popular superstition, he paid his devotion also to that tutelary Minerva, whom, at his quitting Rome, he had placed in the temple of her father. From this office of religion he was conducted by the same company, and with the same acclamations, to his

[1] Meus quidem reditus is fuit, ut a Brundisio usque Romam agmen perpetuum totius Italiæ viderem. Neque enim regio fuit ulla, neque præfectura, neque municipium aut colonia, ex qua non publice ad me venerint gratulatum. Quid dicam adventus meos? Quid effusiones ex oppidis? Quid concursum ex agris patrum familias cum conjugibus ac liberis? &c. in Pison. 22.

Italia cuncta pæne suis humeris reportavit. Post red. in Sen. 15.

Itinere toto urbes Italiæ festos dies agere adventus mei videbantur. Viæ multitudine legatorum undique missorum celebrabantur. Pro Sext. 63.

[2] Unus ille dies mihi quidem instar immortalitatis fuit—cum Senatum egressum vidi, populumque Romanum universum, cum mihi ipsa Roma, prope convulsa sedibus suis, ad complectendum conservatorem suum procedere visa est. In Pison. 22.

[3] Iter a porta, in Capitolium ascensus, domum reditus erat ejusmodi, ut summa in lætitia illud dolerem, civitatem tam gratam, tam miseram atque oppressam fuisse. Pro Sext. 63.

[4] Quocirca te, Capitoline, quem propter beneficia, populus Romanus Optimum, propter vim, Maximum, nominavit. Pro Dom. 57.

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brother's house, where this great procession ended: which, from one end of it to the other, was so splendid and triumphant, that he had reason, he says, to fear, lest people should imagine that he, himself, had contrived his late flight, for the sake of so glorious a restoration[1].

SECTION VI.

CICERO'S return was, what he himself truly calls it, the beginning of a new life to him[2]; which was to be governed by new maxims, and a new kind of policy; yet, so as not to forfeit his old character. He had been made to feel in what hands the weight of power lay, and what little dependence was to be placed on the help and support of his aristocratical friends: Pompey had served him on this important occasion very sincerely, and with the concurrence also of Cæsar; so as to make it a point of gratitude, as well as prudence, to be more observant of them than he had hitherto been: the senate, on the other hand, with the magistrates and the honest of all ranks, were zealous in his cause; and the consul Lentulus, above all, seemed to make it the sole end and glory of his administration[3]. This uncommon consent of opposite parties in promoting his restoration, drew upon him a variety of obligations, which must needs often clash and interfere with each other; and which it was his part still to manage so, as to make them consistent with his honour, his safety, his private and his public duty: these were to be the springs and motives of his new life; the hinges on which his future conduct was to turn; and, to do justice severally to them all, and assign to each its proper weight and measure of influence, required his utmost skill and address[4].

The day after his arrival, on the fifth of September, the consuls summoned the senate, to give him an opportunity of

[1] Ut tua mihi conscelerata illa vis non modo non propulsanda, sed etiam emenda fuisse videatur.

[2] Alterius vitæ quoddam initium ordimur. [Ad Att. 4. 1.] In another place he calls his restoration to his former dignity, παλιγγενεσίαν, [Ibid. 6. 6.] or a new birth; a word borrowed probably from the Pythagorean school, and applied afterwards by the sacred writers to the renovation of our nature by baptism, as well as our resurrection to life after death in the general resurrection. Mat. xix. 29. Tit. iii. 5.

[3] Hoc specimen virtutis, hoc indicium animi, hoc lumen consulatus sui fore putavit, si me mihi, si meis, si Reipub. reddidisset. Post red. in Sen. 4.

[4] Sed quia sæpe concurrit, propter aliquorum de me meritorum inter ipsos contentiones, ut eodem tempore in omnes verear ne vix possim gratus videri. Sed ego hoc meis ponderibus examinabo, non solum quid cuique debeam, sed etiam quid cujusque intersit, et quid a me cujusque tempus poscat. Pro Plancio, 32.

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paying his thanks to them in public, for their late services; where, after a general profession of his obligations to them all, he made his particular acknowledgments to each magistrate by name; to the consuls, the tribunes, the prætors: he addressed himself to the tribunes, before the prætors; not for the dignity of their office, for in that they were inferior, but for their greater authority in making laws; and, consequently, their greater merit in carrying his law into effect. The number of his private friends was too great to make it possible for him to enumerate or thank them all; so that he confined himself to the magistrates, with exception only to Pompey[1], whom, for the eminence of his character, though, at present, only a private man, he took care to distinguish by a personal address and compliment. But as Lentulus was the first in office, and had served him with the greatest affection, so he gives him the first share of his praise; and, in the overflowing of his gratitude, styles him, the parent and the god of his life and fortunes[2]. The next day he paid his thanks likewise to the people, in a speech from the rostra; where he dwelt chiefly on the same topics which he had used in the senate, celebrating the particular merits and services of his principal friends, especially of Pompey; whom he declares to be the greatest man for virtue, wisdom, and glory, who was then living, or had lived, or ever would live; and that he owed more to him, on this occasion, than it was even lawful, almost, for one man to owe to another[3].

Both these speeches are still extant, and a passage or two from each will illustrate the temper and disposition in which he returned: in speaking to the senate, after a particular recital of the services of his friends, he adds; "as I have a pleasure in enumerating these, so I willingly pass over in silence what others wickedly acted against me: it is not my present business to remember injuries: which, if it were in my power to revenge, I should choose to forget; my life shall be applied to other purposes; to repay the good offices of those who have deserved it of me; to hold fast the friendships, which have

[1] Cum perpaucis nominatim gratias egissem, quod omnes enumerari nullo modo possent, scelus autem esset quenquam præteriri. Ibid. 30.

Hodierno autem die nominatim a me magistratibus statui gratias esse agendas, et de privatis uni, qui pro salute mea municipia, coloniasque adiisset.—Post red. in Sen. 12.

[2] Princeps P. Lentulus, parens ac deus nostræ vitæ, fortunæ, &c. ibid. 4. It was a kind of maxim among the ancients, that to do good to a mortal, was to be a god to a mortal. Deus est mortali, juvare mortalem. [Plin. Hist. 2. 7.] Thus Cicero, as he calls Lentulus here his god, so, on other occasions, gives the same appellation to Plato. Deus ille noster Plato—[Ad Att. 4. 16.] to express the highest sense of the benefits received from them.

[3] Cn. Pompeius, vir omnium qui sunt, fuerunt, erunt, princeps virtute, sapientia, ac gloria. Huic ego homini, Quirites, tantum debeo, quantum hominem homini debere vix fas est. Post red. ad Quir. 7.

been tried, as it were, in the fire: to wage war with declared enemies; to pardon my timorous, nor yet expose my treacherous friends; and to balance the misery of my exile by the dignity of my return[1]." To the people he observes; that there were four sorts of enemies, who concurred to oppress him: the first, who, out of hatred to the Republic, were mortal enemies to him for having saved it: the second, who, under a false pretence of friendship, infamously betrayed him: the third, who, through their inability to obtain what he had acquired, were envious of his dignity: the fourth, who, though by office they ought to have been the guardians of the Republic, bartered away his safety, the peace of the city, and the dignity of the empire, which were committed to their trust. "I will take my revenge," says he, "on each of them, agreeably to the different manner of their provocation; on the bad citizens, by defending the Republic strenuously; on my perfidious friends, by never trusting them again; on the envious, by continuing my steady pursuit of virtue and glory; on those merchants of provinces, by calling them home to give an account of their administration: but I am more solicitous how to acquit myself of my obligations to you, for your great services, than to resent the injuries and cruelties of my enemies: for it is much easier to revenge an injury than to repay a kindness, and much less trouble to get the better of bad men, than to equal the good[2]."

This affair being happily over, the senate had leisure again to attend to public business; and there was now a case before them of a very urgent nature, which required a present remedy; an unusual scarcity of corn and provisions in the city, which had been greatly increased by the late concourse of people from all parts of Italy, on Cicero's account, and was now felt very severely by the poorer citizens: they had borne it with much patience, while Cicero's return was in agitation; comforting themselves with a notion, that if he was once restored, plenty would be restored with him; but finding the one, at last, effected without the other, they began to grow clamorous, and unable to endure their hunger any longer.

Clodius could not let slip so fair an opportunity of exciting some new disturbance, and creating fresh trouble to Cicero, by charging the calamity to his score: for this end, he employed a number of young fellows to run all night about the streets, making a lamentable outcry for bread: and calling upon Cicero to relieve them from the famine to which he had reduced them; as if he had got some hidden store, or maga-

[1] Post red. in Sen. 9.

[2] Post red. ad Quir. 9.

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zine of corn, secreted from common use[1]. He sent his mob also to the theatre, in which the prætor Cæcilius, Cicero's particular friend, was exhibiting the Apollinarian shows, where they raised such a terror, that they drove the whole company out of it: then, in the same tumultuous manner, they marched to the Temple of Concord, whither Metellus had summoned the senate; but, happening to meet with Metellus in the way, they presently attacked him with volleys of stones; with some of which they wounded even the consul himself, who, for the greater security, immediately adjourned the senate into the capitol. They were led on by two desperate ruffians, their usual commanders, M. Lollius and M. Sergius; the first of whom had in Clodius's tribunate undertaken the task of killing Pompey; the second had been captain of the guard to Catiline, and was probably of his family[2]: but Clodius, encouraged by this hopeful beginning, put himself at their head in person, and pursued the senate into the capitol, in order to disturb their debates, and prevent their providing any relief for the present evil; and, above all, to excite the meaner sort to some violence against Cicero. But he soon found to his great disappointment, that Cicero was too strong in the affections of the city, to be hurt again so soon: for the people themselves saw through his design, and were so provoked at it, that they turned universally against him, and drove him out of the field with all his mercenaries; when, perceiving that Cicero was not present in the senate, they called out upon him by name, with one voice, and would not be quieted till he came in person to undertake their cause, and propose some expedient for their relief. He had kept his house all that day, and resolved to do so, till he saw the issue of the tumult; but when he understood that Clodius was repulsed, and that his presence was universally required by the consuls, the senate, and the whole people, he came to the senate house, in the midst of their debates, and being presently asked his opinion, proposed that Pompey should be entreated to undertake the province of restoring plenty to the city; and to enable him to execute it

[1] Qui facultate oblata, ad imperitorum animos incitandos, renovaturum te illa funesta latrocinia ob annonæ causam putavisti. Pro Dom. 5.

Quid? puerorum illa concursatio nocturna? num a te ipso instituta me frumentum flagitabant? Quasi vero ego aut rei frumentariæ præfuissem, aut compressum aliquod frumentum tenerem. Ibid. 6.

[2] Cum homines theatrum primo, deinde ad senatum concurrissent impulsu Clodii. Ad Att. 4. 1.

Concursus est ad templum Concordiæ factus, senatum illuc vocante Metello—qui sunt homines a Q. Metello, in senatu palam nominati, a quibus ille se lapidibus appetitum, etiam percussum esse dixit. Quis est iste Lollius? Qui te tribuno pleb.—Cn. Pompeium interficiendum depoposcit.—Quis est Sergius? armiger Catilinæ, stipator tui corporis, signifer seditionis—his atque hujusmodi ducibus, cum tu in annonæ caritate in consules, in senatum—repentinos impetus comparares. Pro Dom. 5.

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with effect, should be invested with an absolute power over all the public stores and corn-rents of the empire through all the provinces: the motion was readily accepted, and a vote immediately passed, that a law should be prepared for that purpose and offered to the people[1]. All the consular senators were absent, except Messala and Afranius; they pretended to be afraid of the mob; but the real cause was their unwillingness to concur in granting this commission to Pompey. The consuls carried the decree with them into the rostra, and read it publicly to the people; who, on the mention of Cicero's name, in which it was drawn, gave an universal shout of applause; upon which, at the desire of all the magistrates, Cicero made a speech to them, setting forth the reasons and necessity of the decree, and giving them the comfort of a speedy relief, from the vigilance and authority of Pompey[2]. The absence, however, of the consular senators, gave a handle to reflect upon the act, as not free and valid, but extorted by fear, and without the intervention of the principal members; but the very next day, in a fuller house, when all those senators were present, and a motion was made to revoke the decree, it was unanimously rejected[3]; and the consuls were ordered to draw up a law conformable to it, by which the whole administration of the corn and provisions of the republic was to be granted to Pompey for five years, with a power of choosing fifteen lieutenants to assist him in it.

This furnished Clodius with fresh matter of abuse upon Cicero; he charged him with ingratitude, and the desertion of the senate, which had always been firm to him, in order to pay his court to a man, who had betrayed him; and that he was so silly, as not to know his own strength and credit in the city, and how able he was to maintain his authority without the help

[1] Ego vero domi me tenui, quamdiu turbulentum tempus fuit—cum servos tuos ad rapinam, ad bonorum cædem paratos—armatos etiam in Capitolium tecum venisse constabat—scio me domi mansisse—posteaquam mihi nunciatum est, populum Romanum in Capitolium—convenisse, ministros autem scelerum tuorum perterritos, partim amissis gladiis, partim ereptis diffugisse; veni non solum sine ullis copiis, ac manu, verum etiam cum paucis amicis. Pro Dom. 3.

Ego denique—a populo Romano universo, qui tum in Capitolium convenerat, cum illo die minus valerem, nominatim in senatum vocabar. Veni exspectatus; multis jam sententiis dictis, rogatus sum sententiam; dixi Reipub. saluberrimam, mihi necessariam. Ibid. 7.

Factum est S. C. in meam sententiam, ut cum Pompeio ageretur, ut eam rem susciperet, lexque ferretur. Ad Att. 4. 1.

[2] Cum abessent Consulares, quod tuto se negarent posse sententiam dicere, præter Messalam et Afranium. Ibid.

Quo S. C. recitato, cum continuo more hoc insulso et novo plausum, meo nomine recitando dedisset, habui concionem. Ibid.

[3] At enim liberum Senatus judicium propter metum non fuit. Pro Dom. 4.

Postridie Senatus frequens, et omnes Consulares nihil Pompeio postulanti negarunt. Ad Att. 4. 1.

Cum omnes adessent, cœptum est referri de inducendo S. C.; ab universo Senatu reclamatum est. Pro Dom. 4.

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of Pompey[1]. But Cicero defended himself, by saying, that they must not expect to play the same game upon him, now that he was restored, with which they had ruined him before, by raising jealousies between him and Pompey; that he had smarted for it too severely already, to be caught again in the same trap; that, in decreeing this commission to Pompey, he had discharged both his private obligations to a friend, and his public duty to the state; that those who grudged all extraordinary power to Pompey, must grudge the victories, the triumphs, the accession of dominion and revenue, which their former grants of this sort had procured to the empire; that the success of those shewed what fruit they were to expect from this[2].

But what authority soever this law conferred on Pompey, his creatures were not yet satisfied with it; so that Messius, one of the tribunes, proposed another, to give him the additional power of raising what money, fleets, and armies he thought fit; with a greater command through all the provinces, than their proper governors had in each. Cicero's law seemed modest, in comparison of Messius's: Pompey pretended to be content with the first, whilst all his dependants were pushing for the last: they expected that Cicero would come over to them; but he continued silent, nor would stir a step farther; for his affairs were still in such a state, as obliged him to act with caution, and to manage both the senate and the men of power; the conclusion was that Cicero's law was received by all parties, and Pompey named him for his first lieutenant, declaring that he should consider him as a second self, and act nothing without his advice[3]. Cicero accepted the employment, on condition that he might be at liberty to use or resign it at pleasure, as he found it convenient to his affairs[4]: but he soon after quitted it to his brother, and chose to continue in

[1] Tune es ille, inquit, quo Senatus carere non potuit?—quo restituto, Senatus auctoritatem restitutam putabamus? quam primum adveniens prodidisti. Pro Dom. 2.

Nescit quantum auctoritate valeat, quas res gesserit, qua dignitate sit restitutus. Cur ornat eum a quo desertus est? Ibid. 11.

[2] Desinant homines iisdem machinis sperare me restitutum posse labefactari, quibus antea stantem perculerunt—data merces est erroris mei magna, ut me non solum pigeat stultitiæ meæ, sed etiam pudeat. Ibid. 11.

Cn. Pompeio—maxima terra marique bella extra ordinem esse commissa: quarum rerum si quem pœniteat, eum victoriæ populi Romani necesse est pœnitere. Ibid. 8.

[3] Legem Consules conscripserunt—alteram Messius, qua omnis pecuniæ dat potestatem, et adjungit classem et exercitum, et majus imperium in provinciis, quam sit eorum, qui eas obtinent. Illa nostra lex Consularis nunc modesta videtur, hæc Messii non ferenda. Pompeius illam velle se dicit; Familiares hanc. Consulares duce Favonio fremunt, nos tacemus; et eo magis quod de domo nostra nihil adhuc Pontifices responderunt.

Ille legatos quindecim cum postularet, me principem nominavit, et ad omnia me alterum se fore dixit. Ad Att. 4. 1.

[4] Ego me a Pompeio legari ita sum passus, ut nulla re impedirer, quod ne, si vellem, mihi esset integrum. Ibid. 2.

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

the city, where he had the pleasure to see the end of his law effectually answered; for the credit of Pompey's name immediately reduced the price of victuals in the markets, and his vigour and diligence in prosecuting the affair, soon established a general plenty.

Cicero was restored to his former dignity, but not to his former fortunes; nor was any satisfaction yet made to him for the ruin of his houses and estates: a full restitution indeed had been decreed, but was reserved to his return; which came now before the senate, to be considered and settled by public authority, where it met still with great obstruction. The chief difficulty was about his Palatine house, which he valued above all the rest, and which Clodius, for that reason, had contrived to alienate, as he hoped, irretrievably; by demolishing the fabric, and dedicating a temple upon the area to the goddess Liberty: where, to make his work the more complete, he pulled down also the adjoining portico of Catulus, that he might build it up anew, of the same order with his temple; and by blending the public with private property, and consecrating the whole to religion, might make it impossible to separate or restore any part to Cicero; since a consecration, legally performed, made the thing consecrated unapplicable ever after to any private use.

This portico was built, as has been said, on the spot where Fulvius Flaccus formerly lived, whose house was publicly demolished, for the treason of its master: and it was Clodius's design to join Cicero's to it, under the same denomination; as a perpetual memorial of a disgrace and punishment inflicted by the people[1]. When he had finished the portico, therefore, and annexed his temple to it, which took up but a small part, scarce a tenth, of Cicero's house, he left the rest of the area void, in order to plant a grove, or walks of pleasure upon it, as had been usual in such cases; where, as it has been observed, he was prosecuting a particular interest, as well as indulging his malice, in obstructing the restitution of it to Cicero.

The affair was to be determined by the college of priests, who were the judges in all cases relating to religion: for the senate could only make a provisional decree, that if the priests discharged the ground from the service of religion, then the consuls should take an estimate of the damage, and make a contract for rebuilding the whole at the public charge, so as to restore it to Cicero in the condition in which he left it[2]. The

[1] Ut domus M. Tullii Ciceronis cum domo Fulvii Flacci ad memoriam pœnæ publico constitutæ conjuncta esse videatur. Pro Dom. 38.

[2] Qui si sustulerint religionem, aream præclaram habebimus: superficiem Consules ex S. C. æstimabunt. Ad Att. 4. 1.

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priests, therefore, of all orders, were called together on the last of September, to hear this cause, which Cicero pleaded in person before them: they were men of the first dignity and families in the republic: and there never was, as Cicero tells us, so full an appearance of them in any cause, since the foundation of the city: he reckons up nineteen by name: a great part of whom were of consular rank[1]. His first care, before he entered into the merits of the question, was to remove the prejudices, which his enemies had been labouring to instil, on the account of his late conduct in favour of Pompey, by explaining the motives, and shewing the necessity of it; contriving, at the same time, to turn the odium on the other side, by running over the history of Clodius's tribunate, and painting all its violences in the most lively colours; but the question on which the cause singly turned, was about the efficacy of the pretended consecration of the house, and the dedication of the temple: to shew the nullity, therefore, of this act, he endeavours to overthrow the very foundation of it, and prove Clodius's tribunate to be originally null and void, from the invalidity of his adoption, on which it was entirely grounded: he shews, that the sole end of adoption, which the law acknowledged, was to supply the want of children, by borrowing them, as it were, from other families; that it was an essential condition of it, that he who adopted had no children of his own, nor was in condition to have any: that the parties concerned were obliged to appear before the priests, to signify their consent, the cause of the adoption, the circumstances of the families interested in it, and the nature of their religious rites; that the priests might judge of the whole, and see that there was no fraud or deceit in it, nor any dishonour to any family or person concerned: that nothing of all this had been observed in the case of Clodius: that the adopter was not full twenty years old, when he adopted a senator, who was old enough to be his father: that he had no occasion to adopt, since he had a wife and children, and would probably have more, which he must necessarily disinherit by this adoption, if it was real: that Clodius had no other view than, by the pretence of an adoption, to make himself a plebeian and tribune, in order to overturn the state: that the act itself, which confirmed the adoption, was null and illegal, being transacted while Bibulus was observing the auspices, which was contrary to express law, and huddled over in three hours by Cæsar, when it ought to have

[1] Nego unquam post sacra constituta, quorum eadem est antiquitas, quæ ipsius urbis, ulla de re, ne de capite quidem Virginum Vestalium, tam frequens collegium judicasse. De Harusp. resp. 6, 7.

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been published for three market days, successively, at the interval of nine days each[1]: that if the adoption was irregular and illegal, as it certainly was, the tribunate must needs be so too, which was entirely built upon it: but granting the tribunate, after all, to be valid, because some eminent men would have it so, yet the act, made afterwards, for his banishment, could not possibly be considered as a law, but as a privilege only, made against a particular person; which the sacred laws, and the laws of the twelve tables, had utterly prohibited: that it was contrary to the very constitution of the republic, to punish any citizen, either in body or goods, till he had been accused in proper form, and condemned of some crime, by competent judges: that privileges, or laws to inflict penalties on single persons, by name, without a legal trial, were cruel and pernicious, and nothing better than proscriptions, and of all things not to be endured in their city[2]. Then, in entering upon the question of his house, he declares, that the whole effect of his restoration depended upon it; that if it was not given back to him, but suffered to remain a monument of triumph to his enemy, of grief and calamity to himself, he could not consider it as a restoration, but a perpetual punishment: that his house stood in the view of the whole people; and, if it must continue in its present state, he should be forced to remove to some other place, and could never endure to live in that city, in which he must always see trophies erected both against himself and the republic: "the house of Sp. Melius," says he, "who affected a tyranny, was levelled: and, by the name of Æquimelium given to the place, the people confirmed the equity of his punishment: the house of Sp. Cassius was overturned, also, for the same cause, and a temple raised upon it to Tellus: M. Vaccus's house was confiscated and levelled; and to perpetuate the memory of his treason, the place is still called Vaccus's meadows: M. Manlius, likewise, after he had repulsed the Gauls from the capitol, not content with the glory of that service, was adjudged to aim at dominion; so that his house was demolished, where you now see the two groves planted: must I, therefore, suffer that punishment, which our ancestors inflicted as the greatest, on wicked and traitorous citizens, that posterity may consider me, not as the oppressor, but the author and captain of the conspiracy[3]?" When he comes to speak to the dedication itself, he observes that the goddess Liberty, to which the temple was dedicated, was the

[1] Pro Dom. 13, 14, 15, 16.

[2] Ibid. 17.

In privatos homines leges ferri noluerunt; id est enim privilegium: quo quid est injustius? De Leg. 3, 19.

[3] Pro Dom. 37. 38.

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known statue of a celebrated strumpet, which Appius brought from Greece for the ornament of his ædileship: and, upon dropping the thoughts of that magistracy, gave to his brother Clodius, to be advanced into a deity[1]: that the ceremony was performed without any licence or judgment obtained from the college of priests, by the single ministry of a raw young man, the brother-in-law of Clodius, who had been made priest but a few days before; a mere novice in his business, and forced into the service[2]: but if all had been transacted regularly, and in due form, that it could not possibly have any force, as being contrary to the standing laws of the republic: for there was an old tribunician law made by Q. Papirius, which prohibited the consecration of houses, lands, or altars, without the express command of the people; which was not obtained, nor even pretended, in the present case[3]: that great regard had always been paid to this law, in several instances of the gravest kind: that Q. Marcius, the censor, erected a statue of Concord in a public part of the city, which C. Cassius, afterwards, when censor, removed into the senate-house, and consulted the college of priests, whether he might not dedicate the statue and the house also itself to Concord: upon which M. Æmilius, the high-priest, gave answer, in the name of the college, that unless the people had deputed him by name, and he acted in it by their authority, they were of opinion that he could not rightly dedicate them[4]: that Licinia, also, a vestal virgin, dedicated an altar and little temple under the sacred rock: upon which S. Julius, the prætor, by order of the senate, consulted the college of priests; for whom P. Scævola, the high-priest, gave answer, that what Licinia had dedicated in a public place, without any order of the people, would not be considered as sacred: so that the senate enjoined the prætor to see it desecrated, and to efface whatever had been inscribed upon it: after all this, it was to no purpose, he tells them, to mention what he had proposed to speak to in the last place, that the dedication was not performed with any of the solemn words and rites which such a function required; but by the ignorant young man before mentioned, without the help of his colleagues, his books, or any to prompt him: especially when Clodius, who directed him, that impure enemy of all religion, who often acted the woman among men, as well as the man among women, huddled over the whole ceremony in a blundering, precipitate manner, faltering and confounded in mind, voice, and speech; often recalling himself, doubting, fearing, hesitating, and performing every thing quite contrary to what

[1] Pro Dom. 43. [2] Ibid. 45. [3] Ibid. 49. [4] Ibid. 51. 53.

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

the sacred books prescribed: "nor is it strange," says he, "that in an act so mad and villanous, his audaciousness could not get the better of his fears: for what pirate, though ever so barbarous, after he had been plundering temples, when, pricked by a dream or scruple of religion, he came to consecrate some altar on a desert shore, was not terrified in his mind, on being forced to appease that deity by his prayers, whom he had provoked by his sacrilege? In what horrors, then, think you, must this man needs be, the plunderer of all temples, houses, and the whole city; when for the expiation of so many impieties, he was wickedly consecrating one single altar[1]?" Then after a solemn invocation and appeal to all the gods, who peculiarly favoured and protected that city, to bear witness to the integrity of his zeal and love to the Republic, and that in all his labours and struggles he had constantly preferred the public benefit to his own, he commits the justice of his cause to the judgment of the venerable bench.

He was particularly pleased with the composition of this speech, which he published immediately; and says upon it, that if ever he made any figure in speaking, his indignation and the sense of his injuries had inspired him with new force and spirit in this cause[2]. The sentence of the priests turned wholly on what Cicero had alleged about the force of the Papirian law, viz. that if he, who performed the office of consecration, had not been specially authorized, and personally appointed to it, by the people, then the area in question might, without any scruple of religion, be restored to Cicero. This, though it seemed somewhat evasive, was sufficient for Cicero's purpose; and his friends congratulated him upon it, as upon a clear victory; while Clodius interpreted it still in favour of himself; and, being produced into the rostra, by his brother Appius, acquainted the people, that the priests had given judgment for him, but that Cicero was preparing to recover possession by force, and exhorted them, therefore, to follow him and Appius in the defence of their liberties. But his speech made no impression on the audience: some wondered at his impudence, others laughed at his folly; and Cicero resolved not to trouble himself, or the people, about it, till the consuls, by a decree of the senate, had contracted for rebuilding the portico of Catulus[3].

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[1] Pro Dom. 54, 55.

[2] Acta res est accurate a nobis: et si unquam in dicendo fuimus aliquid, aut etiam si unquam alias fuimus, tum profecto dolor et magnitudo vim quandam nobis dicendi dedit. Itaque oratio juventuti nostræ deberi non potest. Ad Att. 4. 2.

[3] Cum pontifices decressent, ita, si neque populi jussu, neque plebis scitu, is qui se dedicasse diceret, nominatim ei rei præfectus esset; neque populi jussu, neque plebis scitu id facere jussus esset, videri posse sine religione eam partem areæ mihi restitui.

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The senate met the next day, in a full house, to put an end to this affair; when Marcellinus, one of the consuls elect, being called on to speak first, addressed himself to the priests, and desired them to give an account of the grounds and meaning of their sentence; upon which Lucullus, in the name of the rest, declared that the priests were indeed the judges of religion, but the senate of the law; that they therefore had determined only what related to the point of religion, and left it to the senate to determine, whether any obstacle remained in point of law. All the other priests spoke largely after him in favour of Cicero's cause. When Clodius rose afterwards to speak, he endeavoured to waste the time so, as to hinder their coming to any resolution that day; but, after he had been speaking for three hours successively, the assembly grew so impatient, and made such a noise and hissing, that he was forced to give over: yet, when they were going to pass a decree, in the words of Marcellinus, Serranus put his negative upon it. This raised an universal indignation, and a fresh debate began, at the motion of the two consuls, on the merit of the tribune's intercession; when, after many warm speeches, they came to the following vote: "That it was the resolution of the senate, that Cicero's house should be restored to him, and Catulus's portico rebuilt, as it had been before; and that this vote should be defended by all the magistrates; and, if any violence or obstruction was offered to it, that the senate would look upon it as offered by him who had interposed his negative." This staggered Serranus, and the late farce was played over again; his father threw himself at his feet, to beg him to desist; he desired a night's time, which at first was refused, but, on Cicero's request, granted; and the next day he revoked his negative, and, without farther opposition, suffered the senate to pass a decree, that Cicero's damage should be made good to him, and his houses rebuilt at the public charge [1].

The consuls began presently to put the decree into execution; and, having contracted for the rebuilding Catulus's portico, set men to work upon clearing the ground, and demolishing what had been built by Clodius: but, as to Cicero's buildings, it was agreed to make an estimate of his damage, and pay the amount of it to himself, to be laid out according to his own fancy: in which his Palatine house was valued at sixteen thousand pounds; his Tusculan at four thousand; his

Mihi facta statim est gratulatio: nemo enim dubitat, quin domus nobis esset adjudicata. Tum subito ille in concionem ascendit, quam Appius et dedit: nunciat jam populo, pontifices secundum se decrevisse; me autem vi conari in possessionem venire; hortatur, ut se et Appium sequantur, et suam libertatem ut defendant. Hic cum etiam illi infimi partim admirarentur, partim irriderent hominis amentiam. Ibid.

[1] Ibid.

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

Formian only at two thousand. This was a very deficient and shameful valuation, which all the world cried out upon; for the Palatine house had cost him, not long before, near twice that sum: but Cicero would not give himself any trouble about it, or make any exceptions, which gave the consuls a handle to throw the blame upon his own modesty, for not remonstrating against it, and seeming to be satisfied with what was awarded; but the true reason was, as he himself declares, that those who had clipped his wings, had no mind to let them grow again; and though they had been his advocates, when absent, began now to be secretly angry, and openly envious of him, when present [1].

But as he was never covetous, this affair gave him no great uneasiness; though, through the late ruin of his fortunes, he was now in such want of money, that he resolved to expose his Tusculan villa to sale; but soon changed his mind, and built it up again, with much more magnificence than before; and, for the beauty of its situation and neighbourhood to the city, took more pleasure in it ever after, than any other of his country seats. But he had some domestic grievances about this time, which touched him more nearly, and which, as he signifies obscurely to Atticus, were of too delicate a nature to be explained by a letter [2]: they arose chiefly from the petulant humour of his wife, which began to give him frequent occasions of chagrin; and, by a series of repeated provocations, confirmed in him that settled disgust, which ended at last in a divorce.

As he was now restored to the possession both of his dignity and fortunes, so he was desirous to destroy all the public monuments of his late disgrace; nor to suffer the law of his exile to remain with the other acts of Clodius's tribunate, hanging up in the capitol, engraved, as usual, on tables of brass: watching, therefore, the opportunity of Clodius's absence, he went to the capitol, with a strong body of his friends, and taking the tables down, conveyed them to his own house. This occasioned a sharp contest in the senate, between him and Clodius, about the validity of those acts, and drew Cato also into the debate; who, for the sake of his Cyprian commission, thought himself obliged to defend their legality against Cicero; which created

[1] Nobis superficiem ædium consules de consilii sententia æstimarunt H-S vicies: cætera valde illiberaliter; Tusculanam villam quingentis millibus; Formianum ducentis quinquaginta millibus; quæ æstimatio non modo ab optimo quoque sed etiam a plebe reprehenditur. Dices, quid igitur causæ fuit? Dicunt illi quidem pudorem meum, quod neque negarim, neque vehementius postularim. Sed non est id; nam hoc quidem etiam profuisset. Verum iidem, mi Pomponi, iidem inquam illi, qui mihi pennas inciderunt, nolunt easdem renasci. Ad Att. 4. 2.

[2] Tusculanum proscripsi: suburbano non facile careo.—Cætera, quæ me solicitant, μυστικώτερα sunt. Amamur a fratre et filia. Ibid.

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

some little coldness between them, and gave no small pleasure to the common enemies of them both [1].

But Cicero's chief concern at present was, how to support his former authority in the city, and provide for his future safety, as well against the malice of declared enemies, as the envy of pretended friends, which he perceived to be growing up afresh against him; he had thoughts of putting in for the censorship; or of procuring one of those honorary lieutenancies, which gave a public character to private senators; with intent to make a progress through Italy, or a kind of religious pilgrimage to all the temples, groves, and sacred places, on pretence of a vow, made in his exile. This would give him an opportunity of shewing himself every where in a light, which naturally attracts the attention of the multitude, by testifying a pious regard to the favourite superstitions and local religions of the country; as the great, in the same country, still pay their court to the vulgar, by visiting the shrines and altars of the saints, which are most in vogue: he mentions these projects to Atticus, as designed to be executed in the spring, resolving, in the meanwhile, to cherish the good inclination of the people towards him, by keeping himself perpetually in the view of the city [2].

Catulus's portico and Cicero's house were rising again apace, and carried up almost to the roof; when Clodius, without any warning, attacked them, on the second of November, with a band of armed men, who demolished the portico, and drove the workmen out of Cicero's ground, and with the stones and rubbish of the place began to batter Quintus's house, with whom Cicero then lived, and at last set fire to it; so that the two brothers, with their families, were forced to save themselves by a hasty flight. Milo had already accused Clodius for his former violences, and resolved, if possible, to bring him to justice: Clodius, on the other hand, was suing for the ædileship, to secure himself, for one year more, at least, from any prosecution: he was sure of being condemned, if ever he was brought to trial, so that whatever mischief he did in the mean time was all clear gain, and could not make his cause the worse [3]; he now therefore gave a free course to his natural fury; was perpetually scouring the streets with his incen-

[1] Plut. in Cic. Dio, p. 100.

[2] Ut nulla re impedirer, quod ne si vellem, mihi esset integrum, aut si comitia censorum proximi consules haberent, petere posse, aut votivam legationem sumsisse prope omnium fanorum, lucorum. Ad Att. 4. 2.

[3] Armatis hominibus ante diem III. Non. Novemb. expulsi sunt fabri de area nostra, disturbata porticus Catuli—Quæ ad tectum pæne pervenerat. Quinti fratris domus primo fracta conjectu lapidum, ex area nostra, deinde jussu Clodii inflammata, inspectante urbe, conjectis ignibus.—Videt, si omnes quos vult palam, occiderit, nihilo suam causam difficiliorem, quam adhuc sit, in judicio futuram. Ibid. 3.

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

diaries, and threatening fire and sword to the city itself, if an assembly was not called for the election of ædiles. In this humour, about a week after his last outrage, on the eleventh of November, happening to meet with Cicero, in the sacred street, he presently assaulted him with stones, clubs, and drawn swords: Cicero was not prepared for the encounter, and took refuge in the vestibule of the next house; where his attendants, rallying in his defence, beat off the assailants, and could easily have killed their leader, but that Cicero was willing, he says, to cure by diet, rather than surgery. The day following, Clodius attacked Milo's house, with sword in hand, and lighted flambeaus, with intent to storm and burn it: but Milo was never unprovided for him: and Q. Flaccus, sallying out with a strong band of stout fellows, killed several of his men, and would have killed Clodius too, if he had not hid himself in the inner apartments of P. Sylla's house, which he made use of, on this occasion, as his fortress [1].

The senate met, on the fourteenth, to take these disorders into consideration; Clodius did not think fit to appear there; but Sylla came, to clear himself, probably, from the suspicion of encouraging him in these violences, on account of the freedom which he had taken with his house [2]. Many severe speeches were made, and vigorous counsels proposed. Marcellinus's opinion was, that Clodius should be impeached anew for these last outrages; and that no election of ædiles should be suffered, till he was brought to a trial: Milo declared, that as long as he continued in office, the consul Metellus should make no election; for he would take the auspices every day, on which an assembly could be held; but Metellus contrived to waste the day in speaking, so that they were forced to break up without making any decree. Milo was as good as his word, and, having gathered a superior force, took care to obstruct the election; though the consul Metellus employed all his power and art to elude his vigilance, and procure an assembly by stratagem; calling it to one place, and holding it in another, sometimes in the field of Mars, sometimes in the Forum; but Milo was ever beforehand with him; and, keeping a constant guard in the field from midnight to noon, was always at hand to inhibit his proceedings, by obnouncing, as

[1] Ante diem tertium Id. Novem. cum sacra via descenderem, insecutus est me cum suis. Clamor, lapides, fustes, gladii; hæc improvisa omnia. Discessimus in vestibulum Tertii Damionis; qui erant mecum facile operas aditu prohibuerunt. Ipse occidi potuit: sed ego diæta curare incipio, chirurgiæ tædet.—Milonis domum prid. Id expugnare et incendere ita conatus est, ut palam hora quinta cum scutis homines, eductis gladiis, alios cum accensis facibus adduxerit. Ipse domum P. Syllæ pro castris ad eam impugnationem sumpserat, &c. Ad Att. 4. 3.

[2] Sylla se in senatu postridie Idus, domi Clodius. Ibid.

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

it was called, or declaring, that he was taking the auspices on that day; so that the three brothers were baffled and disappointed, though they were perpetually haranguing and labouring to inflame the people against those, who interrupted their assemblies and right of electing; where Metellus's speeches were turbulent, Appius's rash, Clodius's furious. Cicero, who gives this account to Atticus, was of opinion, that there would be no election; and that Clodius would be brought to trial, if he was not first killed by Milo, which was likely to be his fate: "Milo," says he, "makes no scruple to own it; being not deterred by my misfortune, and having no envious or perfidious counsellors about him, nor any lazy nobles to discourage him: it is commonly given out, by the other side, that what he does, is all done by my advice; but they little know, how much conduct, as well as courage, there is in this hero[1]."

Young Lentulus, the son of the consul, was, by the interest of his father, and the recommendation of his noble birth, chosen into the college of augurs this summer, though not yet seventeen years old; having but just changed his puerile for the manly gown[2]: Cicero was invited to the inauguration feast, where, by eating too freely of some vegetables, which happened to please his palate, he was seized with a violent pain of the bowels, and diarrhœa; of which he sends the following account to his friend Gallus:—

"CICERO TO GALLUS.

"AFTER I had been labouring for ten days, with a cruel disorder in my bowels, yet could not convince those who wanted me at the bar, that I was ill, because I had no fever, I ran away to Tusculum: having kept so strict a fast for two days before, that I did not taste so much as water: being worn out, therefore, with illness and fasting, I wanted rather to see you, than imagined that you expected a visit from me: for my part, I am afraid, I confess, of all distempers; but especially of

[1] Egregius Marcellinus, omnes acres; Metellus calumnia dicendi tempus exemit: conciones turbulentæ Metelli, temerariæ Appii, furiosissimæ Clodii; hæc tamen summa, nisi Milo in Campum obnunciasset, comitia futura.—Comitia fore non arbitror; reum Publium, nisi ante occisus erit, fore a Milone puto. Si se inter viam obtulerit, occisum iri ab ipso Milone video. Non dubitat facere; præ se fert; casum illum nostrum non extimescit, &c.

Meo consilio omnia illi fieri querebantur, ignari quantum in illo heroe esset animi, quantum etiam consilii. Ad Att. 4. 3.

N.B. From these facts, it appears, that what is said above, of Clodius's repealing the Ælian and Fusian laws, and prohibiting the magistrates from obstructing the assemblies of the people, is to be understood only in a partial sense, and that his new law extended no farther, than to hinder the magistrates from dissolving an assembly, after it was actually convened, and had entered upon business: for it was still unlawful, we see, to convene an assembly, while the magistrate was in the act of observing the heavens.

[2] Cui superior annus idem et virilem patris et prætextam populi judicio togam dederit. Pro Sext. 69. it. Dio, l. 39. p. 99.

A. Urb. 696. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

those, for which the Stoics abuse your Epicurus, when he complains of the strangury and dysentery: the one of which they take to be the effect of gluttony, the other of a more scandalous intemperance. I was apprehensive, indeed, of a dysentery, but seem to have found benefit, either from the change of air, or the relaxation of my mind, or the remission of the disease itself: but, that you may not be surprised, how this should happen, and what I have been doing to bring it upon me; the sumptuary law, which seems to introduce a simplicity of diet, did me all this mischief. For since our men of taste are grown so fond of covering their tables with the productions of the earth, which are excepted by the law, they have found a way of dressing mushrooms, and all other vegetables, so palatably, that nothing can be more delicious: I happened to fall upon these at Lentulus's augural supper, and was taken with so violent a flux, that this is the first day on which it has begun to give me any ease. Thus I, who used to command myself so easily in oysters and lampreys, was caught with bete and mallows; but I shall be more cautious for the future: you, however, who must have heard of my illness from Anicius, for he saw me in a fit of vomiting, had a just reason, not only for sending, but for coming yourself to see me. I think to stay here till I recruit myself, for I have lost both my strength and my flesh; but, if I once get rid of my distemper, it will be easy, I hope, to recover the rest[1]."

King Ptolemy left Rome about this time, after he had distributed immense sums among the great, to purchase his restoration by a Roman army. The people of Ægypt had sent deputies also after him, to plead their cause before the senate, and to explain the reasons of their expelling him; but the king contrived to get them all assassinated on the road, before they reached the city. This piece of villainy, and the notion of his having bribed all the magistrates, had raised so general an aversion to him, among the people, that he found it advisable to quit the city, and leave the management of his interest to his agents. The consul Lentulus, who had obtained the province of Cilicia and Cyprus, whither he was preparing to set forward, was very desirous to be charged with the commission of replacing him on his throne; for which he had already

[1] Ep. Fam. 7. 26.

N. B. Pliny says, that the *colum*, by which he is supposed to mean the cholic, was not known at Rome till the reign of Tiberius; but the case described in this letter, seems to come so very near it, that he must be understood, rather of the name than of the thing; as the learned Dr. Le Clerc has observed in his History of Medicine.—Plin. l. 26. 1. Le Clerc. Hist. par. 2. l. 4. sect. 2. c. 4.

The mention likewise of the δυσουρικὰ πάθη, or the strangury of Epicurus, and the censure which the Stoics passed upon it, would make one apt to suspect, that some disorders of a venereal kind were not unknown to the ancients.

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procured the vote of the senate: the opportunity of a command, almost in sight of Egypt, made him generally thought to have the best pretensions to that charge, and he was assured of Cicero's warm assistance, in soliciting the confirmation of it.

In this situation of affairs, the new tribunes entered into office; C. Cato, of the same family with his namesake Marcus, was one of the number; a bold, turbulent man, of no temper or prudence, yet a tolerable speaker, and generally on the better side in politics. Before he had borne any public office, he attempted to impeach Gabinius of bribery and corruption; but not being able to get an audience of the prætors, he had the hardiness to mount the rostra, which was never allowed to a private citizen, and, in a speech to the people, declared Pompey dictator: but his presumption had like to have cost him dear; for it raised such an indignation in the audience, that he had much difficulty to escape with his life[1]. He opened his present magistracy, by declaring loudly against king Ptolemy, and all who favoured him; especially Lentulus, whom he supposed to be under some private engagement with him, and, for that reason, was determined to baffle all their schemes.

Lupus, likewise, one of his colleagues, summoned the senate, and raised an expectation of some uncommon proposal from him: it was indeed of an extraordinary nature;—to revise and annul that famed act of Cæsar's consulship, for the division of the Campanian lands: he spoke long and well upon it, and was heard with much attention; gave great praises to Cicero, with severe reflections on Cæsar, and expostulations with Pompey, who was now abroad, in the execution of his late commission. In the conclusion he told them, that he would not demand the opinions of the particular senators, because he had no mind to expose them to the resentment and animosity of any; but from the ill humour, which he remembered, when that act first passed, and the favour with which he was now heard, he could easily collect the sense of the house. Upon which Marcellinus said, that he must not conclude from their silence, either what they liked or disliked: that for his own part, and he might answer too, he believed, for the rest, he chose to say nothing on the subject at present, because he thought that the cause of the Campanian lands ought not to be brought upon the stage in Pompey's absence.

[1] Ut Cato, adolescens nullius consilii,—vix vivus effugeret; quod cum Gabinium de ambitu vellet postulare, neque prætores diebus aliquot adiri possent, vel potestatem sui facerent, in concionem ascendit, et Pompeium privatus dictatorem appellavit. Propius nihil est factum, quam ut occideretur. Ep. ad Quint. Frat. 1. 2.

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This affair being dropped, Racilius, another tribune, rose up and renewed the debate about Milo's impeachment of Clodius, and called upon Marcellinus, the consul elect, to give his opinion upon it; who, after inveighing against all the violences of Clodius, proposed, that, in the first place, an allotment of judges should be made for the trial; and after that, the election of ædiles; and if any one attempted to hinder the trial, that he should be deemed a public enemy. The other consul elect, Philippus, was of the same mind; but the tribunes, Cato and Cassius, spoke against it, and were for proceeding to an election before any step towards a trial. When Cicero was called upon to speak, he run through the whole series of Clodius's extravagances, as if he had been accusing him already at the bar, to the great satisfaction of the assembly: Antistius, the tribune, seconded him, and declared, that no business should be done before the trial; and when the house was going universally into that opinion, Clodius began to speak, with intent to waste the rest of the day, while his slaves and followers without, who had seized the steps and avenues of the senate, raised so great a noise of a sudden, in abusing some of Milo's friends, that the senate broke up in no small hurry, and with fresh indignation, at this new insult[1].

There was no more business done through the remaining part of December, which was taken up, chiefly, with holydays. Lentulus and Metellus, whose consulship expired with the year, set forward for their several governments; the one for Cilicia, the other for Spain: Lentulus committed the whole direction of his affairs to Cicero; and Metellus, unwilling to leave him his enemy, made up all matters with him before his departure, and wrote an affectionate letter to him afterwards from Spain, in which he acknowledges his services, and intimates, that he had given up his brother Clodius, in exchange for his friendship[2].

A. Urb. 697. Cic. 51. Coss.—Cn. Corn. Lent. Marcellinus. L. Mar. Philippus.

Cicero's first concern, on the opening of the new year, was to get the commission, for restoring king Ptolemy, confirmed to Lentulus; which came now under deliberation: the tribune Cato was fierce against restoring him at all, with the greatest part of the senate on his side; when taking occasion to consult the Sibylline books, on the subject of some late prodigies, he

[1] Tum Clodius rogatus diem dicendo eximere cœpit—deinde ejus operæ repente a Græcostasi et gradibus clamorem satis magnum sustulerunt, opinor in Q. Sextilium et amicos Milonis incitatæ; eo metu injecto repente magna querimonia omnium discessimus. Ad Quint. Fr. 2. 1.

[2] Libenterque commutata persona, te mihi fratris loco esse duco. Ep. Fam. 5. 3.

A. Urb. 697. Cic. 51. Coss.—Cn. Corn. Lent. Marcellinus. L. Mar. Philippus.

chanced to find in them certain verses, forewarning the Roman people not to replace an exiled king of Egypt with an army. This was so pat to his purpose, that there could be no doubt of its being forged; but Cato called up the guardians of the books into the rostra, to testify the passage to be genuine; where it was publicly read and explained to the people: it was laid also before the senate, who greedily received it; and, after a grave debate on this scruple of religion, came to a resolution, that it seemed dangerous to the republic, that the king should be restored by a multitude[1]. It cannot be imagined, that they laid any real stress on this admonition of the Sibyl, for there was not a man either in or out of the house, who did not take it for a fiction: but it was a fair pretext for defeating a project, which was generally disliked: they were unwilling to gratify any man's ambition, of visiting the rich country of Egypt, at the head of an army; and persuaded, that without an army no man would be solicitous about going thither at all[2].

This point being settled, the next question was, in what manner the king should be restored: various opinions were proposed; Crassus moved, that three ambassadors, chosen from those who had some public command, should be sent on the errand; which did not exclude Pompey: Bibulus proposed that three private senators, and Volcatius, that Pompey alone should be charged with it: but Cicero, Hortensius, and Lucullus urged, that Lentulus, to whom the senate had already decreed it, and who could execute it with most convenience, should restore him without an army. The two first opinions were soon over-ruled, and the struggle lay between Lentulus and Pompey. Cicero, though he had some reason to complain of Lentulus, since his return, particularly for the contemptible valuation of his houses, yet for the great part which he had borne, in restoring him, was very desirous to shew his gratitude, and resolved to support him with all his authority. Pompey, who had obligations also to Lentulus, acted the same part towards him, which he had done before towards Cicero. By his own conduct and professions, he seemed to have Lentulus's interest at heart; yet, by the conduct of all his friends, seemed desirous to procure the employment for himself; while the king's agents and creditors, fancying that their business

[1] Senatus religionis calumniam, non religione, sed malevolentia, et illius regiæ largitionis invidia comprobat. Ep. Fam. 1. 1.
De Rege Alexandrino factum est S. C. cum multitudine eum reduci, periculosum Reipub. videri. Ad Quint. Fr. 2. 2.

[2] Hæc tamen opinio est populi Romani, a tuis invidis atque obtrectatoribus nomen inductum fictæ religionis, non tam ut te impedirent, quam ut nequis, propter exercitus cupiditatem, Alexandriam vellet ire. Ep. Fam. 1. 4.

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would be served the most effectually by Pompey, began openly to solicit, and even to bribe for him[1]. But the senate, through Cicero's influence, stood generally inclined to Lentulus; and after a debate, which ended in his favour, Cicero, who had been the manager of it, happening to sup with Pompey that evening, took occasion to press him, with much freedom, not to suffer his name to be used in this competition, nor give a handle to his enemies, for reproaching him with the desertion of a friend, as well as an ambition of engrossing all power to himself. Pompey seemed touched with the remonstrance, and professed to have no other thought, but of serving Lentulus, while his dependents still acted so, as to convince every body that he could not be sincere[2].

When Lentulus's pretensions seemed to be in a hopeful way, C. Cato took a new and effectual method to disappoint them, by proposing a law to the people, for taking away his government, and recalling him home. This stroke surprised every body; the senate condemned it as factious; and Lentulus's son changed his habit upon it, in order to move the citizens, and hinder their offering such an affront to his father. The tribune, Caninius, proposed another law, at the same time, for sending Pompey to Egypt: but this pleased no better than the other; and the consuls contrived, that neither of them should be brought to the suffrage of the people[3]. These new contests gave a fresh interruption to Ptolemy's cause; in which Cicero's resolution was, if the commission could not be obtained for Lentulus, to prevent its being

[1] Crassus tres legatos decernit, nec excludit Pompeium: censet enim etiam ex iis, qui cum imperio sunt. M. Bibulus tres legatos ex iis, qui privati sunt. Huic assentiuntur reliqui consulares, præter Servilium, qui omnino reduci negat oportere, et Volcatium qui decernit Pompeio.

Hortensii et mea et Luculli sententia—Ex illo S. C. quod te referente factum est, tibi decernit, ut reducas regem.

Regis causa si qui sunt qui velint, qui pauci sunt, omnes rem ad Pompeium deferri volunt. Ep. Fam. 1. 1.

Reliqua cum esset in Senatu contentio, Lentulusne an Pompeius reduceret, obtinere causam Lentulus videbatur. In ea re Pompeius quid velit non despicio: familiares ejus quid cupiant, omnes vident. Creditores vero Regis aperte pecunias suppeditant contra Lentulum. Sine dubio res remota a Lentulo videtur, cum magno meo dolore: quamquam multa fecit, quare si fas esset, jure ei succensere possemus. Ad Quin. Fr. 2. 2.

[2] Ego eo die casu apud Pompeium cœnavi: nactusque tempus hoc magis idoneum, quam unquam antea post tuum discessum, is enim dies honestissimus notabatur in Senatu, ita sum cum illo locutus, ut mihi viderer animum hominis ab omni alia cogitatione ad tuam dignitatem tuendam traducere: quem ego ipsum cum audio, persuasum eum libero omni suspicione cupiditatis: cum autem ejus familiares omnium ordinum video, perspicio, id quod jam omnibus est apertum, totam rem istam jampridem a certis hominibus, non invito Rege ipso,—esse corruptam. Ep. Fam. 1. 2.

[3] Nos cum maxime consilio, studio, labore, gratia, de causa regia niteremur, subito exorta est nefaria Catonis promulgatio, quæ studia nostra impediret, et animos a minore cura ad summum timorem traduceret. Ep. Fam. 12.

Suspicor per vim rogationem Caninium perlaturum. Ad Quint. 2. 2.

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granted at least to Pompey, and save themselves the disgrace of being baffled by a competitor[1]; but the senate was grown so sick of the whole affair, that they resolved to leave the king to shift for himself, without interposing at all in his restoration; and so the matter hung; whilst other affairs, more interesting, were daily rising up at home, and engaging the attention of the city.

The election of ædiles, which had been industriously postponed through all the last summer, could not easily be kept off any longer: the city was impatient for its magistrates; and especially for the plays and shows with which they used to entertain them; and several also of the new tribunes being zealous for an election, it was held, at last, on the twentieth of January, when Clodius was chosen ædile, without any opposition; so that Cicero began once more to put himself upon his guard, from the certain expectation of a furious ædileship[2].

It may justly seem strange, how a man, so profligate and criminal as Clodius, whose life was a perpetual insult on all laws, Divine and human, should be suffered not only to live without punishment, but to obtain all the honours of a free city in their proper course; and it would be natural to suspect, that we had been deceived in our accounts of him, by taking them from his enemies, did we not find them too firmly supported by facts to be called in question; but a little attention to the particular character of the man, as well as of the times in which he lived, will enable us to solve the difficulty. First, the splendour of his family, which had borne a principal share in all the triumphs of the Republic, from the very foundation of its liberty, was of great force to protect him in all his extravagances. Those, who know any thing of Rome, know what a strong impression this single circumstance of illustrious nobility would necessarily make upon the people. Cicero calls the nobles of this class, prætors and consuls elect from their cradles, by a kind of hereditary right, whose very names were sufficient to advance them to all the dignities of the state[3]. Secondly, his personal qualities were peculiarly adapted to endear him to all the meaner sort: his bold and ready wit; his talent at haranguing; his profuse expense; and his being the first of

[1] Sed vereor ne aut eripiatur nobis causa regia, aut deseratur. Sed si res coget, est quiddam tertium, quod non—mihi displicebat; ut neque jacere Regem pateremur, nec nobis repugnantibus, ad eum deferri, ad quem prope jam delatum videtur. Ne, si quid non obtinuerimus, repulsi esse videamur. Ep. Fam. 1. 5.

[2] Sed omnia fiunt tardiora propter furiosæ ædilitatis expectationem. Ad Quint. 2. 2.

[3] Non idem mihi licet, quod iis, qui nobili genere nati sunt, quibus omnia populi Romani beneficia dormientibus deferuntur. In Verr. 5. 70.

Erat nobilitate ipsa, blanda conciliatricula commendatus.—Omnes semper boni nobilitati favemus, &c. Pro Sext. 9.

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his family who had pursued popular measures, against the maxims of his ancestors, who were all stern assertors of the aristocratical power. Thirdly, the contrast of opposite factions, who had each their ends in supporting him, contributed principally to his safety; the triumvirate willingly permitted, and privately encouraged, his violences, to make their own power not only the less odious, but even necessary, for controlling the fury of such an incendiary; and though it was often turned against themselves, yet they chose to bear it, and dissemble their ability of repelling it, rather than destroy the man who was playing their game for them, and, by throwing the Republic into confusion, throwing it of course into their hands: the senate, on the other side, whose chief apprehensions were from the triumvirate, thought, that the rashness of Clodius might be of some use to perplex their measures, and to stir up the people against them on proper occasions; or it humoured their spleen, at least, to see him often insulting Pompey to his face [1]. Lastly, all who envied Cicero, and desired to lessen his authority, privately cherished an enemy, who employed all his force to drive him from the administration of affairs. This accidental concurrence of circumstances, peculiar to the man and the times, was the thing that preserved Clodius, whose insolence could never have been endured in any quiet and regular state of the city.

By his obtaining the ædileship, the tables were turned between him and Milo; the one was armed with the authority of a magistrate, the other become a private man; the one freed from all apprehension of judges and a trial, the other exposed to all that danger from the power of his antagonist: and it was not Clodius's custom to neglect any advantage against an enemy; so that he now accused Milo of the same crime of which Milo had accused him; of public violence, and breach of the laws, in maintaining a band of gladiators, to the terror of the city. Milo made his appearance to this accusation on the second of February: when Pompey, Crassus, and Cicero, appeared with him; and M. Marcellus, though Clodius's colleague in the ædileship, spoke for him, at Cicero's desire; and the whole passed quietly and favourably for him on that day. The second hearing was appointed on the ninth; when Pompey undertook to plead his cause, but no sooner stood up to speak, than Clodius's mob began to exert their usual arts, and, by a

[1] Videtis igitur hominem per seipsum jam pridem afflictum ac jacentem, perniciosis Optimatium discordiis excitari. Ne a Republica Reipub. pestis amoveretur, restiterunt: etiam, ne causam diceret: etiam, ne privatus esset. Etiamne in sinu atque in deliciis quidam optimi viri viperam illam venenatam ac pestiferam habere potuerunt? Quo tandem decepti munere? Volo, inquiunt, esse qui in concione detrahat de Pompeio. De Harusp. Resp. 24.

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continual clamour of reproaches and invectives, endeavoured to hinder him from going on, or at least from being heard: but Pompey was too firm, to be so baffled; and spoke for near three hours, with a presence of mind, which commanded silence, in spite of their attempts. When Clodius rose up to answer him, Milo's party, in their turn, so disturbed and confounded him, that he was not able to speak a word; while a number of epigrams and lampoons upon him and his sister were thrown about, and publicly rehearsed among the multitude below, so as to make him quite furious: till recollecting himself a little, and finding it impossible to proceed in his speech, he demanded aloud of his mob, who it was that attempted to starve them by famine? To which they presently cried out, Pompey: he then asked, who it was that desired to be sent to Egypt? They all echoed Pompey: but when he asked, who it was, that they themselves had a mind to send? They answered, Crassus; for the old jealousy was now breaking out again between him and Pompey; and though he appeared that day on Milo's side, yet he was not, as Cicero says, a real well-wisher to him.

These warm proceedings among the chiefs, brought on a fray below, among their partizans; the Clodians began the attack, but were repulsed by the Pompeians; and Clodius himself driven out of the rostra: Cicero, when he saw the affair proceed to blows, thought it high time to retreat, and make the best of his way towards home: but no great harm was done, for Pompey, having cleared the Forum of his enemies, presently drew off his forces, to prevent any farther mischief or scandal from his side [1].

The senate was presently summoned, to provide some remedy for these disorders; where Pompey, who had drawn upon himself a fresh envy from his behaviour in the Egyptian affair, was severely handled by Bibulus, Curio, Favonius, and

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[1] Ad diem IIII. Non. Febr. Milo affuit. Ei Pompeius advocatus venit. Dixit Marcellus a me rogatus. Honeste discessimus. Productus dies est in IIII. Id. Feb. ——A.D. IIII. Id. Milo affuit. Dixit Pompeius, sive voluit. Nam ut surrexit, operæ Clodianæ clamorem sustulerunt: idque ei perpetua oratione contigit, non modo ut acclamatione, sed ut convicio et maledictis impediretur. Qui ut peroravit, nam in eo sane fortis fuit, non est deterritus, dixit omnia, atque interdum etiam silentio, cum auctoritate peregerat: sed ut peroravit, surrexit Clodius, ei tantus clamor a nostris, placuerat enim referre gratiam, ut neque mente, neque lingua, neque ore consisteret—— Cum omnia maledicta, tum versus etiam obscenissimi in Clodium et Clodiam dicerentur. Ille furens et exsanguis interrogabat suos in clamore ipso, quis esset, qui plebem fame necaret? Respondebant operæ, Pompeius. Quis Alexandriam ire cuperet? Respondebant, Pompeius. Quem ire vellent? Respondebant, Crassum. Is aderat tum Miloni animo non amico.——

Hora fere nona, quasi signo dato, Clodiani nostros conputare cœperunt. Exarsit dolor, urgere illi ut loco nos moverent. Factus est a nostris impetus, fuga operarum. Ejectus de Rostris Clodius. Ac nos quoque tum fugimus, nequid in turba.—Senatus vocatus in Curiam, Pompeius domum. Ad Quint. Fr. 2. 3.

A. Urb. 697. Cic. 51. Cos.—Cn. Corn. Lent. Marcellinus. L. Mar. Philippus.

others; Cicero chose to be absent, since he must either have offended Pompey, by saying nothing for him, or the honest party, by defending him. The same debate was carried on for several days, in which Pompey was treated very roughly by the tribune Cato; who inveighed against him with great fierceness, and laid open his perfidy to Cicero, to whom he paid the highest compliments, and was heard with much attention by all Pompey's enemies.

Pompey answered him, with an unusual vehemence; and reflecting openly on Crassus, as the author of these affronts, declared, that he would guard his life with more care, than Scipio Africanus did, when Carbo murdered him. These warm expressions seemed to open a prospect of some great agitation likely to ensue: Pompey consulted with Cicero on the proper means of his security; and acquainted him with his apprehensions of a design against his life; that Cato was privately supported, and Clodius furnished with money by Crassus; and both of them encouraged by Curio, Bibulus, and the rest, who envied him; that it was necessary for him to look to himself, since the meaner people were wholly alienated, the nobility and senate generally disaffected, and the youth corrupted. Cicero readily consented to join forces with him, and to summon their clients and friends from all parts of Italy; for though he had no mind to fight his battles in the senate, he was desirous to defend his person from all violence, especially against Crassus, whom he never loved: they resolved, likewise, to oppose, with united strength, all the attempts of Clodius and Cato, against Lentulus and Milo [1]. Clodius, on the other hand, was not less busy in mustering his friends against the next hearing of Milo's cause: but as his strength was much inferior to that of his adversary, so he had no expectation of getting him condemned, nor any other view, but to teaze and harass him [2]: for after two hearings, the affair was put off, by several adjournments, to the begin-

[1] Neque ego in senatum, ne aut de tantis rebus tacerem, aut in Pompeio defendendo, nam is carpebatur a Bibulo, Curione, Favonio, Servilio filio, animos bonorum offenderem. Res in posterum diem dilata est—Eo die nihil perfectum. Ad diem IL Id. —Cato est vehementer in Pompeium invectus et eum oratione perpetua tanquam reum accusavit. De me multa, me invito, cum mea summa laude dixit. Cum illius in me perfidiam increpavit, auditus est magno silentio malevolorum. Respondit ei vehementer Pompeius, Crassumque descripsit; dixitque aperte, se munitiorem ad custodiendam vitam suam fore, quam Africanus fuisset, quem C. Carbo interemisset. Itaque magnæ mihi res moveri videbantur. Nam Pompeius hæc intelligit, mecumque communicat insidias vitæ suæ fieri: C. Catonem a Crasso sustentari; Clodio pecuniam suppeditari: utrumque et ab eo et a Curione, Bibulo, cæterisque suis obtrectatoribus confirmari: vehementer esse providendum ne opprimatur, concionario illo populo a se prope alienato, nobilitate inimica, non æquo Senatu, Juventute improba; itaque se comparat, homines ex agris arcessit. Operas autem suas Clodius confirmat. Manus ad Quirinalia paratur. In eo multo sumus superiores, &c. Ad Quint. 2. 3.

[2] Vid. Dio, p. 99.

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ning of May; from which time we find no farther mention of it.

The consul, Marcellinus, who drew his colleague Philippus along with him, was a resolute opposer of the triumvirate, as well as of all the violences of the other magistrates: for which reason, he resolved to suffer no assemblies of the people, except such as were necessary for the elections into the annual offices: his view was to prevent Cato's law for recalling Lentulus, and the monstrous things, as Cicero calls them, which some were attempting, at this time, in favour of Cæsar. Cicero gives him the character of one of the best consuls that he had ever known, and blames him only in one thing; for treating Pompey, on all occasions, too rudely; which made Cicero often absent himself from the senate, to avoid taking part, either on the one side or the other [1]. For the support, therefore, of his dignity and interest in the city, he resumed his old task of pleading causes; which was always popular and reputable, and in which he was sure to find full employment. His first cause was the defence of L. Bestia, on the tenth of February, who, after the disgrace of a repulse from the prætorship, in the last election, was accused of bribery and corruption in his suit for it; and notwithstanding the authority and eloquence of his advocate, was convicted and banished. He was a man extremely corrupt, turbulent, and seditious; had always been an enemy to Cicero; and supposed to be deeply engaged in Catiline's plot; and is one instance of the truth of what Cicero says, that he was often forced, against his will, to defend certain persons, who had not deserved it of him, by the intercession of those who had [2].

Cæsar, who was now in the career of his victories in Gaul, sent a request to the senate, that money might be decreed to him for the payment of his army, with a power of choosing ten lieutenants, for the better management of the war, and the conquered provinces; and that his command should be prolonged for five years more. The demand was thought very exorbitant; and it seemed strange, that, after all his boasted conquests, he should not be able to maintain his army without money from home, at a time when the treasury was

[1] Consul est egregius Lentulus, non impediente Collega: sic inquam bonus, ut meliorem non viderim. Dies comitiales exemit omnes.—Sic legibus perniciosissimis obsistitur, maxime Catonis. Nunc igitur Catonem Lentulus a legibus removit, et eos, qui de Cæsare monstra promulgarunt.—Marcellinus autem hoc uno mihi minus satisfacit, quod eum nimis aspere tractat, quanquam id Senatu non invito facit: quo ego me libentius a Curia, et ab omni parte Reip. subtraho. Ad Quint. 26.

[2] A. D. III. Id. dixi pro Bestia de ambitu apud Prætorem Cn. Domitium, in Foro medio, maximo conventu. Ibid. 2. 3.

Cogor nonnunquam homines non optime de me meritos, rogatu eorum qui bene meriti sunt, defendere. Ep. Fam. 7. 1. Vid. Philip. XI. 5. Sallust. 17. 43. Plut. in Cic.

A. Urb. 697. Cic. 51. Coss.—Cn. Corn. Lent. Marcellinus. L. Mar. Philippus.

greatly exhausted; and the renewal of a commission, obtained at first by violence, and against the authority of the senate, was of hard digestion. But Cæsar's interest prevailed, and Cicero himself was the promoter of it, and procured a decree to his satisfaction; yet, not without disgusting the old patriots, who stood firm to their maxim of opposing all extraordinary grants: but Cicero alleged the extraordinary services of Cæsar; and that the course of his victories ought not to be checked by the want of necessary supplies, while he was so gloriously extending the bounds of the empire, and conquering nations, whose names had never been heard before at Rome: and though it were possible for him to maintain his troops without their help, by the spoils of the enemy, yet those spoils ought to be reserved for the splendour of his triumph, which it was not just to defraud by their unreasonable parsimony [1].

He might think it imprudent, perhaps, at this time, to call Cæsar home from an unfinished war, and stop the progress of his arms in the very height of his success; yet the real motive of his conduct seems to have flowed, not so much from the merits of the cause, as a regard to the condition of the times, and his own circumstances. For, in his private letters, he owns, That the malevolence and envy of the aristocratical chiefs had almost driven him from his old principles, and, though not so far as to make him forget his dignity, yet so as to take a proper care of his safety, both which might be easily consistent, if there was any faith or gravity in the consular senators: but they had managed their matters so ill, that those who were superior to them in power, were become superior too in authority, so as to be able to carry in the senate what they could not have carried, even with the people, without violence: that he had learned, from experience, what he could not learn so well from books, that as no regard was to be had to our safety, without a regard also to our dignity; so the consideration of dignity ought not to exclude the care of our safety [2]. In another letter, he says, that the state and form of the go-

[1] Illum enim arbitrabar etiam sine hoc subsidio pecuniæ retinere exercitum præda ante parta, et bellum conficere posse: sed decus illud et ornamentum Triumphi minuendum nostra parsimonia non putavi.

Et quas regiones, quasque gentes nullæ nobis antea litteræ, nulla vox, nulla fama notas fecerat, has noster Imperator, nosterque exercitus, et populi Romani arma peragrarunt. De Prov. Consul. XI. 13. 16.

[2] Quorum malevolentissimis obtrectationibus nos scito de vetere illa nostra, diuturnaque sententia prope jam esse depulsos: non nos quidem ut nostræ dignitatis simus obliti, sed ut habeamus rationem aliquando etiam salutis. Poterat utrumque præclare, si esset fides, si gravitas in hominibus Consularibus.——

Nam qui plus opibus, armis, potentia valent, profecisse tantum mihi videntur stultitia et inconstantia adversariorum, ut etiam auctoritate jam plus valerent—quod ipse litteris omnibus a pueritia deditus, experiundo tamen magis, quam discendo cognovi;—neque salutis nostræ rationem habendam nobis esse sine dignitate, neque dignitatis sine salute. Ep. Fam. 1. 7.

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vernment was quite changed; and what he had proposed to himself as the end of all his toils, a dignity and liberty of acting and voting, was quite lost and gone; that there was nothing left, but either meanly to assent to the few, who governed all; or weakly to oppose them, without doing any good: that he had dropped, therefore, all thoughts of that old consular gravity and character of a resolute senator, and resolved to conform himself to Pompey's will; that his great affection to Pompey made him begin to think all things right, which were useful to him; and he comforted himself with reflecting, that the greatness of his obligations would make all the world excuse him, for defending what Pompey liked, or, at least, for not opposing it; or else, what of all things he most desired, if his friendship with Pompey would permit him, for retiring from public business, and giving himself wholly up to his books [1].

But he was now engaged in a cause, in which he was warmly and specially interested, the defence of P. Sextius, the late tribune. Clodius, who gave Cicero's friends no respite, having himself undertaken Milo, assigned the prosecution of Sextius to one of his confidents, M. Tullius Albinovanus, who accused him of public violence, or breach of peace in his tribunate [2]. Sextius had been a true friend to Cicero in his distress; and borne a great part in his restoration; but as in cases of eminent service, conferred jointly by many, every one is apt to claim the first merit, and expect the first share of praise: so Sextius, naturally morose, fancying himself neglected, or not sufficiently requited by Cicero, had behaved very churlishly towards him since his return; but Cicero, who was never forgetful of past kindnesses, instead of resenting his perverseness, having heard that Sextius was indisposed, went in person to his house, and cured him of all his jealousies, by freely offering his assistance and patronage in pleading his cause [3].

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[1] Tantum enim animi inductio et mehercule amor erga Pompeium apud me valet, ut, quæ illi utilia sunt, et quæ ille vult, ea mihi omnia jam et recta et vera videantur—Me quidem illa res consolatur, quod ego is sum, cui vel maxime concedant omnes, ut vel ea defendam, quæ Pompeius velit, vel taceam, vel etiam, id quod mihi maxime lubet, ad nostra me studia referam litterarum, quod profecto faciam, si mihi per ejusdem amicitiam licebit.

Quæ enim proposita fuerant nobis, cum et honoribus amplissimis, et laboribus maximis perfuncti essemus, dignitas in sententiis dicendis, libertas in Rep. capessenda; ea sublata tota: sed nec mihi magis, quam omnibus. Nam aut assentiendum est nulla cum gravitate paucis, aut frustra dissentiendum. Ibid. 8.

[2] Qui cum omnibus salutis meæ defensoribus bellum sibi esse gerendum judicaverunt. Pro Sext. 2.

[3] Is erat æger: domum, ut debuimus, ad eum statim venimus; eique nos totos tradidimus: idque fecimus præter hominum opinionem, qui nos ei jure succensere putabant, ut humanissimi gratissimique et ipsi et omnibus videremur: itaque faciemus. Ad Quint. 2. 3.

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This was a disappointment to the prosecutors; who flattered themselves, that Cicero was so much disgusted, that he would not be persuaded to plead for him; but he entered into the cause with a hearty inclination, and made it, as in effect it really was, his own[1]. In his speech, which is still extant, after laying open the history of his exile, and the motives of his own conduct, through the whole progress of it, he shows, that the only ground of prosecuting Sextius was, his faithful adherence to him, or rather to the Republic; that, by condemning Sextius, they would, in effect, condemn him, whom all the orders of the city had declared to be unjustly expelled, by the very same men, who were now attempting to expel Sextius: that it was a banter and ridicule on justice itself, to accuse a man of violence, who had been left for dead upon the spot, by the violence of those who accused him: and whose only crime was, that he would not suffer himself to be quite killed, but presumed to guard his life against their future attempts. In short, he managed the cause so well, that Sextius was acquitted, and in a manner the most honourable, by the unanimous suffrages of all the judges; and with the universal applause of Cicero's humanity and gratitude[2].

Pompey attended this trial as a friend to Sextius: while Cæsar's creature, Vatinius, appeared not only as an adversary, but a witness against him: which gave Cicero an opportunity of lashing him, as Sextius particularly desired, with all the keenness of his raillery, to the great diversion of the audience; for, instead of interrogating him in the ordinary way, about the facts deposed in the trial, he contrived to teaze him with a perpetual series of questions, which revived and exposed the iniquity of his factious tribunate, and the whole course of his profligate life, from his first appearance in public: and, in spite of all his impudence, quite daunted and confounded him. Vatinius, however, made some feeble effort to defend himself, and rally Cicero in his turn; and, among other things, reproached him with the baseness of changing sides, and becoming Cæsar's friend, on account of the fortunate state of his affairs; to which Cicero briskly replied, though Pompey himself stood by, that he still preferred the condition of Bibulus's consulship, which Vatinius thought abject and miserable, to the victories and triumphs of all men whatsoever. This speech against Vatinius is still remaining, under the title of the in-

[1] P. Sextius est reus non suo sed meo nomine, &c. Pro Sext. 13.

[2] Sextius noster absolutus est. A.D. II. Id. Mart. et quod vehementer interfuit Reipub. nullam videri in ejusmodi causa dissensionem esse, omnibus sententiis absolutus est—Scito nos in eo judicio consecutos esse, ut omnium gratissimi judicaremur. Nam in defendendo homine moroso cumulatissime satisfecimus. Ad Quint. 2. 4.

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terrogation, and is nothing else but what Cicero himself calls it, a perpetual invective on the magistracy of Vatinius, and the conduct of those who supported him [1].

In the beginning of April, the senate granted the sum of three hundred thousand pounds to Pompey, to be laid out in purchasing corn for the use of the city; where there was still a great scarcity, and as great, at the same time, of money: so that the moving a point so tender, could not fail of raising some ill humour in the assembly; when Cicero, whose old spirit seems to have revived in him, from his late success in Sextius's cause, surprised them, by proposing, that, in the present inability of the treasury to purchase the Campanian lands, which, by Cæsar's act, were to be divided to the people, the act itself should be reconsidered, and a day appointed for that deliberation. The motion was received with an universal joy, and a kind of tumultuary acclamation. The enemies of the triumvirate were extremely pleased with it, in hopes that it would make a breach between Cicero and Pompey; but it served only for a proof of what Cicero himself observes, that it was very hard for a man to depart from his old sentiments in politics, when they are right and just [2].

Pompey, whose nature was singularly reserved, expressed no uneasiness upon it, nor took any notice of it to Cicero, though they met and supped together familiarly, as they used to do: but he set forward soon after towards Afric, in order to provide corn; and intending to call at Sardinia, proposed to embark at Pisa, or Leghorn, that he might have an interview with Cæsar, who was now at Luca, the utmost limit of his Gallic government. He found Cæsar exceedingly out of humour with Cicero: for Crassus had already been with him at Ravenna, and greatly incensed him by his account of Cicero's late motion; which he complained of so heavily, that Pompey promised to use all his authority to induce Cicero to drop the pursuit of it; and, for that purpose, sent away an express to Rome, to intreat him not to proceed any further in it till his return; and, when he came afterwards to Sardinia,

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[1] Vatinium, a quo [illegible]am oppugnabatur, arbitratu nostro concidimus, *Diis* hominibusque plaudentibus. Quid quæris? Homo petulans, et audax Vatinius valde perturbatus, debilitatusque discessit. Ad Quint. 2. 4.

Ego sedente Pompeio, cum ut laudaret P. Sextium introisset in urbem dixissetque testis Vatinius, me fortuna et felicitate C. Cæsaris commotum, illi amicum esse cœpisse; dixi, me eam Bibuli fortunam, quam ille afflictam putaret, omnium triumphis victoriisque anteferre. Tota vero interrogatio mea nihil habuit, nisi reprehensionem illius Tribunatus: in quo omnia dicta sunt libertate, animoque maximo. Ep. Fam. 1. 9.

[2] Pompeio pecunia decreta in rem frumentariam ad H-S cccc. sed eodem die vehementer actum de agro Campano, clamore Senatus prope concionali. Acriorem causam inopiæ pecuniæ faciebat, et annonæ caritas. Ad Quint. 2. 5.

Nonis April. mihi est Senatus assensus, ut de agro Campano, idibus Maiis, frequenti Senatu referretur. Num potui magis in arcem illius causæ invadere. Ep. Fam. 1. 9.

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where his lieutenant, Q. Cicero, then resided, he entered immediately into an expostulation with him about it, recounting all his services to his brother, and that every thing, which he had done for him, was done with Cæsar's consent; and reminding him of a former conversation between themselves, concerning Cæsar's acts, and what Quintus himself had undertaken for his brother on that head; and, as he then made himself answerable for him, so he was now obliged to call him to the performance of those engagements: in short, he begged him to press his brother to support and defend Cæsar's interests and dignity, or, if he could not persuade him to that, to engage him at least not to act against them [1].

This remonstrance from Pompey, enforced by his brother Quintus, staggered Cicero's resolution, and made him enter into a fresh deliberation with himself, about the measures of his conduct; where, after casting up the sum of all his thoughts, and weighing every circumstance, which concerned either his own or the public interest, he determined at last to drop the affair, rather than expose himself again, in his present situation, to the animosity of Pompey and Cæsar; for which he makes the following apology to his friend Lentulus: that those, who professed the same principles, and were embarked in the same cause with him, were perpetually envying and thwarting him, and more disgusted by the splendour of his life, than pleased with any thing which he did for the public service: that their only pleasure, and what they could not even dissemble, while he was acting with them, was to see him disoblige Pompey, and make Cæsar his enemy; when they at the same time, were continually caressing Clodius before his face, on purpose to mortify him: that if the government indeed had fallen into wicked and desperate hands, neither hopes nor fears, nor gratitude itself, could have prevailed with him to join with them; but when Pompey held the chief sway, who had acquired it by the most illustrious merit; whose dignity he had always favoured from his first setting out in the world, and from whom he had received the greatest obligations: and who, at that very time, made his enemy the common enemy

[1] Hoc S. C. in sententiam meam facto, Pompeius, cum mihi nihil ostendisset se esse offensum, in Sardiniam et in Africam profectus est, eoque itinere Lucam ad Cæsarem venit. Ibi multa de mea sententia questus est Cæsar, quippe qui etiam Ravennæ Crassum ante vidisset, ab eoque in me esset incensus. Sane moleste Pompeium id ferre constabat: quod ego, cum audissem ex aliis, maxime ex fratre meo cognovi; quem cum in Sardinia paucis post diebus, quam Luca discesserat, convenisset: Te, inquit, ipsum cupio: nihil opportunius potuit accidere: nisi cum Marco fratre diligenter egeris, dependendum tibi est, quod mihi pro illo spopondisti: quid multa? Questus est graviter; sua merita commemoravit: quid egisset sæpissime de actis Cæsaris cum meo fratre, quidque sibi is de me recepisset, in memoriam redegit: seque quæ de mea salute egisset, voluntate Cæsaris egisse, ipsum meum fratrem testatus est. Ep. Fam. l. 9.

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of them both; he had no reason to apprehend the charge of inconstancy, if, on some occasions, he voted and acted a little differently from what he used to do, in complaisance to such a friend: that his union with Pompey necessarily included Cæsar, with whom both he and his brother had a friendship also of long standing; which they were invited to renew, by all manner of civilities and good offices, freely offered on Cæsar's part: that, after Cæsar's great exploits and victories, the Republic itself seemed to interpose, and forbid him to quarrel with such men: that when he stood in need of their assistance, his brother had engaged his word for him to Pompey, and Pompey to Cæsar; and he thought himself obliged to make good those engagements [1].

This was the general state of his political behaviour: he had a much larger view, a more comprehensive knowledge both of men and things, than the other chiefs of the aristocracy, Bibulus, Marcellinus, Cato, Favonius, &c. whose stiffness had ruined their cause, and brought them into their present subjection, by alienating Pompey and the equestrian order from the senate: they considered Cicero's management of the triumvirate, as a mean submission to illegal power, which they were always opposing and irritating, though ever so unseasonably; whereas Cicero thought it time to give over fighting, when the forces were so unequal; and that the more patiently they suffered the dominion of their new masters, the more temperately they would use it [2]; being persuaded that Pompey, at least, who was the head of them, had no designs against the public liberty, unless he were provoked and driven to it by the perverse opposition of his enemies [3]. These were the grounds of that complaisance which he now generally paid to him, for the sake both of his own and the public quiet: in consequence of which, when the appointed day came for consi-

[1] Qui cum illa sentirent in Repub. quæ ego agebam, semperque sensissent: me tamen non satisfacere Pompeio, Cæsaremque inimicissimum mihi futurum, gaudere se aiebant: hoc mihi dolendum, sed illud multo magis, quod inimicum meum—sic amplexabantur—sic me præsente osculabantur.—Ego si ab improbis et perditis civibus Rempub. teneri viderem—non modo præmiis—sed ne periculis quidem ullis compulsus—ad eorum causam me adjungerem; ne si summa quidem eorum in me merita constarent. Cum autem in Repub. Cn. Pompeius princeps esset—meumque inimicum unum in Civitate haberet inimicum, non putavi famam inconstantiæ mihi pertimescendam, si quibusdam in sententiis paullum me immutassem, meamque voluntatem ad summi viri, de meque optime meriti, dignitatem aggregassem, &c. Gravissime autem me in hac mente impulit, et Pompeii fides, quam de me Cæsari dederat, et Fratris mei, quam Pompeio. Ep. Fam. 1. 9.

[2] Neque, ut ego arbitror, errarent, si cum pares esse non possent, pugnare desisterent. Commutata tota ratio est Senatus, judiciorum, Rei totius publicæ. Otium nobis exoptandum est; quod ii, qui potiuntur rerum, præstituri videntur, si quidam homines patientius eorum potentiam ferre potuerint. Dignitatem quidem illam consularem for[illegible] constantis senatoris, nihil est, quod cogitemus. Amissa est culpa eorum, qui a senatu et ordinem conjunctissimum, et hominem clarissimum abalienarunt. Ibid. 8.

[3] Ibid. 1. 9.

A. Urb. 697. Cic. 51. Coss.—Cn. Corn. Lent. Marcellinus. L. Mar. Philippus.

dering the case of the Campanian lands, the debate dropped of course, when it was understood, that Cicero, the mover of it, was absent and had changed his mind: though it was not, as he intimates, without some struggle in his own breast, that he submitted to this step, which was likely to draw upon him an imputation of levity [1].

His daughter, Tullia, having now lived a widow about a year, was married to a second husband, Furius Crassipes; and the wedding feast held at Cicero's house on the 6th of April: we find very little said of the character or condition of this Crassipes; but by Cicero's care in making the match, the fortune which he paid, and the congratulation of his friends upon it, he appears to have been a nobleman of principal rank and dignity [2]. Atticus, also, who was about a year younger than Cicero, was married this spring to Pilia, and invited him to the wedding [3]. As to his domestic affairs, his chief care, at present, was about rebuilding three of his houses, which were demolished in his exile; and repairing the rest, with that also of his brother, out of which they were driven in the last attack of Clodius: by the hints, which he gives of them, they all seem to have been very magnificent, and built under the direction of the best architects: Clodius gave no farther interruption to them, being forced to quit the pursuit of Cicero, in order to watch the motions of a more dangerous enemy, Milo. Cicero, however, was not without a share of uneasiness, within his own walls; his brother's wife and his own neither agreed well with each other, nor their own husbands: Quintus's was displeased at her husband's staying so long abroad; and Cicero's not disposed to make hers the happier for staying at home. His nephew, also, young Quintus, a perverse youth, spoiled by a mother's indulgence, added somewhat to his trouble; for he was now charged with the care of his education, in the father's absence: and had him taught under his own eye, by Tyrannio, a Greek master; who, with several other learned men of that country, was entertained in his house [4].

[1] Quod Idibus et postridie fuerat dictum, de Agro Campano actum iri, non est actum. In hac causa mihi aqua hæret. Ad Quint. 2. 8.

[2] De nostra Tullia—spero nos cum Crassipede confecisse. Ibid. 4.
Quod mihi de Filia et de Crassipede gratularis—speroque et opto hanc conjunctionem nobis voluptati fore. Ep. Fam. 1. 7.
Viaticum Crassipes præripit. Ad Att. 4. 5.

[3] Prid. Id. hæc scripsi ante lucem. Eo die apud Pomponium in ejus nuptiis eram cœnaturus. Ad Quint. 2. 3.

[4] Domus utriusque nostrum ædificatur strenue.—Ibid. 4. Longilium redemptorem cohortatus sum. Fidem mihi faciebat, se velle nobis placere. Domus erit egregia. Ibid. 6.
Quintus tuus, puer optimus, eruditur egregie. Hoc nunc magis animadverto, quod Tyrannio docet apud me. Ibid. 4.
A. D. VIII. Id. Apr. Sponsalia Crassipedi præbui. Huic convivio puer optimus, Quintus tuus, quod perleviter commotus fuerat, defuit.—Multum is mecum sermonem

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King Ptolemy's affair was no more talked of; Pompey had other business upon his hands, and was so ruffled by the tribune Cato, and the consul Marcellinus, that he laid aside all thoughts of it for himself, and wished to serve Lentulus in it. The senate had passed a vote against restoring him at all; but one of the tribunes inhibited them from proceeding to a decree; and a former decree was actually subsisting in favour of Lentulus: Cicero, therefore, after a consultation with Pompey, sent him their joint and last advice; that, by his command of a province, so near to Egypt, as he was the best judge of what he was able to do, so if he found himself master of the thing, and was assured of success, he might leave the king at Ptolemais, or some other neighbouring city, and proceed without him to Alexandria; where, if, by the influence of his fleet and troops, he could appease the public dissensions, and persuade the inhabitants to receive their king peaceably, he might then carry him home, and so restore him according to the first decree; yet, without a multitude, as our religious men, says he, tell us the Sibyl has enjoined:—that it was the opinion however, of them both, that people would judge of the fact by the event: if he was certain, therefore, of carrying his point, he should not defer it; if doubtful, should not undertake it: for, as the world would applaud him if he effected it with ease, so a miscarriage might be fatal, on account of the late vote of the senate, and the scruple about religion [1]. But Lentulus, wisely judging the affair too hazardous for one of his dignity and fortunes, left it to a man of a more desperate character, Gabinius; who ruined himself soon after by embarking in it.

The tribune Cato, who was perpetually inveighing against keeping gladiators, like so many standing armies, to the terror of the citizens, had lately bought a band of them, but finding himself unable to maintain them, was contriving to part with them again without noise or scandal. Milo got notice of it, and privately employed a person, not one of his own friends, to buy them; and when they were purchased, Racilius, another tribune, taking the matter upon himself, and pretending that

habuit et perhumanum de discordiis mulierum nostrarum. Pomponia autem etiam de te questa est. Ibid. 6.

[1] Te perspicere posse, qui Ciliciam Cyprumque teneas, quid efficere et quid consequi possis, et, si res facultatem habitura videatur, ut Alexandriam atque Ægyptum tenere possis, esse et tuæ et nostri imperii dignitatis, Ptolemaide, aut aliquo propinquo loco rege collocato, te cum classe atque exercitu proficisci Alexandriam: ut cum eam pace, præsidiisque firmaris, Ptolemæus redeat in regnum: ita fore, ut per te restituatur, quemadmodum Senatus initio censuit; et sine multitudine reducatur, quemadmodum homines religiosi Sibyllæ placere dixerunt. Sed hæc sententia sic et illi et nobis probabatur, ut ex eventu homines de tuo consilio existimaturos videremus.—Nos quidem hoc sentimus; si exploratum tibi sit, posse te regni illius potiri; non esse cunctandum: si dubium, non esse conandum, &c. Ep. Fam. 1. 7.

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they were bought for him, published a proclamation, that Cato's family of gladiators was to be sold by auction; which gave no small diversion to the city [1].

Milo's trial being put off to the fifth of May, Cicero took the benefit of a short vacation to make an excursion into the country to visit his estates and villas in different parts of Italy. He spent five days at Arpinum, whence he proceeded to his other houses at Pompeiæ and Cumæ; and stopped awhile, on his return, at Antium, where he had lately rebuilt his house, and was now disposing and ordering his library, by the direction of Tyrannio; the remains of which, he says, were more considerable than he expected from the late ruin. Atticus lent him two of his librarians to assist his own, in taking catalogues, and placing the books in order; which he calls the infusion of a soul into the body of his house [2]. During this tour, his old enemy, Gabinius, the proconsul of Syria, having gained some advantage in Judea, against Aristobulus, who had been dethroned by Pompey, and on that account, was raising troubles in the country, sent public letters to the senate to give an account of his victory, and to beg the decree of a thanksgiving for it. His friends took the opportunity of moving the affair in Cicero's absence, from whose authority they apprehended some obstruction; but the senate, in a full house, slighted his letters, and rejected his suit; an affront, which had never been offered before to any proconsul. Cicero was infinitely delighted with it; calls the resolution divine, and was doubly pleased for its being the free and genuine judgment of the senate, without any struggle or influence on his part; and reproaching Gabinius with it, afterwards, says, that by this act the senate had declared, that they could not believe, that he, whom they had always known to be a traitor at home, could ever do any thing abroad, that was useful to the Republic [3]. Many prodigies were reported to have

[1] Ille vindex gladiatorum et bestiariorum emerat—Bestiarios—Hos alere non poterat. Itaque vix tenebat. Sensit Milo, dedit cuidam non familiari negotium, qui sine suspicione emeret eam familiam a Catone: quæ simulatque abducta est, Racilius rem patefecit, eosque homines sibi emptos esse dixit—et tabulam proscripsit, se familiam Catonianam venditurum. In eam tabulam magni risus consequebantur. Ad Quint. 2. 6.

[2] Offendes designationem Tyrannionis mirificam in librorum meorum Bibliotheca; quorum reliquiæ multo meliores sunt, quam putaram. Etiam vellem mihi mittas de tuis librariolis duos aliquos, quibus Tyrannio utatur glutinatoribus, et ad cætera administris. Ad Att. 4. 4.

Postea vero quam Tyrannio mihi libros disposuit, mens addita videtur meis ædibus: qua quidem in re, mirifica opera Dionysii et Menophili tui fuit. Ibid. 8.

[3] Id. Mais senatus frequens divinus fuit in supplicatione Gabinio deneganda. Adjurat Procilius hoc nemini accidisse. Foris valde plauditur. Mihi cum sua sponte jucundum, tum jucundius, quod me absente, est enim εἰλικρινὲς judicium, sine oppugnatione, sine gratia nostra. Ad Quint. 2. 8. § 4, 5.

Hoc statuit senatus, cum frequens supplicationem Gabinio denegavit—A proditore, atque eo, quem præsentem hostem Reipub. cognosset, bene Rempub. geri non potuisse. De Prov. Consul. 6.

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happened about this time, in the neighbourhood of Rome: horrible noises under ground, with clashing of arms; and on the Alban hill, a little shrine of Juno, which stood on a table facing the east, turned suddenly of itself, towards the north. These terrors alarmed the city, and the senate consulted the haruspices, who were the public diviners or prophets of the state, skilled in all the Tuscan discipline of interpreting portentous events; who gave the following answer in writing: "That supplications must be made to Jupiter, Saturn, Neptune, and the other gods: that the solemn shows and plays had been negligently exhibited and polluted: sacred and religious places made profane: ambassadors killed, contrary to right and law: faith and oaths disregarded: ancient and hidden sacrifices carelessly performed and profaned;—That the gods gave this warning, lest, by the discord and dissension of the better sort, dangers and destruction should fall upon the senate and the chiefs of the city; by which means the provinces would fall under the power of a single person: their armies be beaten; great loss ensue; and honours be heaped on the unworthy and disgraced[1].——"

One may observe, from this answer, that the diviners were under the direction of those who endeavoured to apply the influence of religion to the cure of their civil disorders: each party interpreting it according to their own views: Clodius took a handle from it of venting his spleen afresh against Cicero; and, calling the people together for that purpose, attempted to persuade them, that this divine admonition was designed particularly against him; and that the article of the sacred and religious places referred to the case of his house; which, after a solemn consecration to religion, was rendered again profane; charging all the displeasure of the gods to Cicero's account, who affected nothing less than a tyranny and the oppression of their liberties[2].

Cicero made a reply to Clodius, the next day, in the senate; where, after a short and general invective upon his profligate life, he leaves him, he says, a devoted victim to Milo, who seemed to be given to them by Heaven, for the extinction of such a plague, as Scipio was for the destruction of Carthage: he declares the prodigy to be one of the most extraordinary, which had ever been reported to the senate; but laughs at the absurdity of applying any part of it to him: since his house, as he proves at large, was more solemnly cleared from any service or relation to religion, than any other house in Rome,

[1] Vic. Argum. Manutii in Orat. de Harusp. respons. Dio, l. 39. p. 100.
[2] Ibid.

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by the judgment of the priests, the senate, and all the orders of the city[1]. Then running through the several articles of the answer, he shews them all to tally so exactly with the notorious acts and impieties of Clodius's life, that they could not possibly be applied to any thing else—that, as to the sports, said to be negligently performed and polluted, it clearly denoted the pollution of the Megalensian play; the most venerable and religious of all other shows; which Clodius himself, as ædile, exhibited in honour of the mother of the gods; where, when the magistrates and citizens were seated, to partake of the diversions, and the usual proclamation was made, to command all slaves to retire, a vast body of them, gathered from all parts of the city, by the order of Clodius, forced their way upon the stage, to the great terror of the assembly; where much mischief and bloodshed would have ensued, if the consul Marcellinus, by his firmness and presence of mind, had not quieted the tumult: and, in another representation of the same plays, the slaves, encouraged again by Clodius, were so audacious and successful, in a second irruption, that they drove the whole company out of the theatre, and possessed it entirely to themselves[2]: that, as to the profanation of sacred religious places, it could not be interpreted of any thing so aptly, as of what Clodius and his friends had done: for that, in the house of Q. Seius, which he had bought, after murdering the owner, there was a chapel and altars, which he had lately demolished: that L. Piso had destroyed a celebrated chapel of Diana, where all that neighbourhood, and some even of the senate, used annually to perform their family sacrifices: that Serranus also had thrown down, burnt, and profaned several consecrated chapels, and raised other buildings upon them[3]: that as to ambassadors, killed contrary to law, and right, though it was commonly interpreted of those from Alexandria, yet other ambassadors had been murdered, whose death was no less offensive to the gods; as Theodosius, killed with the privity and permission of Clodius; and Plator, by the order of Piso[4]: as to the violation of faith and oaths, that it related evidently to those judges, who had absolved Clodius; as being one of the most memorable and flagrant perjuries, which Rome had ever known,; that the answer itself suggested this interpretation, when it subjoined, that ancient and occult sacrifices were polluted; which could refer to nothing so properly, as to the rites of the Bona Dea; which were the most ancient and the most occult of any in the city; celebrated, with incredible secrecy, to that goddess, whose name it was not lawful for

[1] De Harusp. resp. 6. [2] Ibid. 10—13. [3] Ibid. 14, 15. [4] Ibid. 16.

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men to know; and with ceremonies, which no man ever pried into, but Clodius[1]. Then as to the warning, given by the gods, of dangers, likely to ensue from the dissensions of the principal citizens; that there was no man so particularly active, in promoting those dissensions, as Clodius; who was perpetually inflaming one side or the other; now pursuing popular, now aristocratical measures: at one time a favourite of the triumvirate, at another of the senate; whose credit was wholly supported by their quarrels and animosities. He exhorts them, therefore, in the conclusion, to beware of falling into those miseries, of which the gods so evidently forwarned them: and to take care, especially, that the form of the Republic was not altered; since all civil contests between great and powerful citizens, must necessarily end, either in an universal destruction, or a tyranny of the conqueror: that the state was now in so tottering a condition, that nothing could preserve it but their concord: that there was no hope of its being better, while Clodius remained unpunished; and but one degree left of being worse, by being wholly ruined and enslaved; for the prevention of which, the gods had given them this remarkable admonition; for they were not to believe, what was sometimes represented on the stage, that any god ever descended from heaven to converse familiarly with men: but that these extraordinary sounds and agitations of the world, the air, the elements, were the only voice and speech, which Heaven made use of; that these admonished them of their danger, and pointed out the remedy; and that the gods, by intimating so freely the way of their safety, had shewn, how easy it would be to pacify them, by pacifying only their own animosities and discords among themselves.

About the middle of the summer, and before the time of choosing new consuls, which was commonly in August, the senate began to deliberate on the provinces, which were to be assigned to them at the expiration of their office. The consular provinces, about which the debate singly turned, were the two Gauls, which Cæsar now held; Macedonia, which Piso; and Syria, which Gabinius possessed. All who spoke before Cicero, excepting Servilius, were for taking one or both the Gauls from Cæsar; which was what the senate generally desired; but when it came to Cicero's turn, he gladly laid hold on the occasion, to revenge himself on Piso and Gabinius, and exerted all his authority, to get them recalled with some marks of disgrace, and their governments assigned to the succeeding consuls; but as for Cæsar, his opinion was, that his command

[1] De Harusp. resp. 17, 18.

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should be continued to him, till he had finished the war, which he was carrying on with such success, and settled the conquered countries. This gave no small offence; and the consul Philippus could not forbear interrupting and reminding him, that he had more reason to be angry with Cæsar than with Gabinius himself; since Cæsar was the author and raiser of all that storm, which had oppressed him. But Cicero replied, that, in this vote, he was not pursuing his private resentment, but the public good, which had reconciled him to Cæsar; and that he could not be an enemy to one, who was deserving so well of his country: that a year or two more would complete his conquests, and reduce all Gaul to a state of peaceful subjection: that the cause was widely different between Cæsar and the other two; that Cæsar's administration was beneficial, prosperous, glorious, to the Republic; theirs, scandalous, ignominious, hurtful to their subjects, and contemptible to their enemies. In short, he managed the debate so, that the senate came fully into his sentiments, and decreed the revocation of Piso and Gabinius [1].

He was now likewise engaged in pleading two considerable causes at the bar; the one in defence of Cornelius Balbus, the other of M. Cœlius. Balbus was a native of Gades, in Spain, of a splendid family in that city, who, for his fidelity and services to the Roman generals in that province, and especially in the Sertorian war, had the freedom of Rome conferred upon him by Pompey, in virtue of a law, which authorized him to grant it to as many as he thought proper. But Pompey's act was now called in question, as originally null and invalid, on a pretence that the city of Gades was not within the terms of that alliance and relation to Rome, which rendered its citizens capable of that privilege. Pompey and Crassus were his advocates, and, at their desire, Cicero also; who had the third place, or post of honour, assigned to him, to give the finishing hand to the cause [2]. The prosecution was projected, not so much out of enmity to Balbus, as to his patrons, Pompey

[1] Itaque ego idem, qui nunc consulibus iis, qui designati erunt, Syriam, Macedoniamque decerno—Quod si essent illi optimi viri, tamen ego mea sententia C. Cæsari nondum succedendum putarem. Qua de re dicam, patres conscripti, quod sentio, atque illam interpellationem familiarissimi mei, qua paullo ante interrupta est oratio mea, non pertimescam. Negat me vir optimus inimiciorem debere esse Gabinio, quam Cæsari; omnem enim illam tempestatem, cui cesserim, Cæsare impulsore atque adjutore esse excitatam. Cui si primum sic respondeam, me communis utilitatis habere rationem, non doloris mei. Hic me meus in Rempub. animus pristinus ac perennis, cum C. Cæsare reducit, reconciliat, restituit in gratiam. Quod volent denique homines existiment, nemini ego possum esse bene de Republica merenti non amicus. Vid. Orat. de Prov. Cons. 8, 9, &c.

[2] Quo mihi difficilior est hic extremus perorandi locus. Sed mos est gerendus, non modo Cornelio, cujus ego voluntati in ejus periculis nullo modo deesse possum: sed etiam Cn. Pompeio. Pro Balb. 1, 2, &c.

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and Cæsar; by whose favour he had acquired great wealth and power; being at this time general of the artillery to Cæsar, and the principal manager or steward of all his affairs. The judges gave sentence for him, and confirmed his right to the city; from which foundation he was raised afterwards, by Augustus, to the consulate itself: his nephew, also, young Balbus, who was made free with him, at the same time, obtained the honour of a triumph, for his victories over the Garamantes; and, as Pliny tells us, they were the only instances of foreigners, and adopted citizens, who had ever advanced themselves to either of those honours in Rome[1].

Cœlius, whom he next defended, was a young gentleman of equestrian rank, of great parts and accomplishments, trained under the discipline of Cicero himself; to whose care he was committed, by his father, upon his first introduction into the Forum: before he was of age to hold any magistracy, he had distinguished himself by two public impeachments; the one of C. Antonius, Cicero's colleague in the consulship, for conspiring against the state; the other of L. Atratinus, for bribery and corruption. Atratinus's son was now revenging his father's quarrel, and accused Cœlius of public violence, for being concerned in the assassination of Dio, the chief of the Alexandrian embassy; and of an attempt to poison Clodia, the sister of Clodius: he had been this lady's gallant; whose resentment, for her favours slighted by him, was the real source of all his trouble. In this speech Cicero treats the character and gallantries of Clodia, her commerce with Cœlius, and the gaieties and licentiousness of youth, with such a vivacity of wit and humour, that makes it one of the most entertaining, which he has left to us. Cœlius, who was truly a libertine, lived on the Palatine hill, in a house which he hired of Clodius, and, among the other proofs of his extravagance, it was objected, that a young man, in no public employment, should take a separate house from his father, at the yearly rent of two hundred and fifty pounds: to which Cicero replied, that Clodius, he perceived, had a mind to sell his house, by setting the value of it so high; whereas, in truth, it was but a little paltry dwelling, of small rent, scarce above eighty pounds per annum[2]. Cœlius was acquitted, and ever after professed the highest re-

[1] Fuit et Balbus Cornelius major consul—Primus externorum, atque etiam in oceano genitorum usus illo honore. Hist. N. 7. 43.

Garama caput Garamantum: omnia armis Romanis superata, et a Cornelio Balbo triumphata, uno omnium externo curru et Quiritium jure donato: quippe Gadibus nato civitas Rom. cum Balbo majore patruo data est. Ibid. 5. 5.

[2] Sumptus unius generis objectus est, habitationis: triginta millibus dixistis eum habitare. Nunc demum intelligo P. Clodii insulam esse venalem, cujus hic in ædiculis habitet, decem, ut opinor, millibus. Pro Cœlio, 7.

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gard for Cicero; with whom he held a correspondence of letters, which will give us occasion to speak more of him in the sequel of the history.

Cicero seems to have composed a little poem, about this time, in compliment to Cæsar: and excuses his not sending it to Atticus, because Cæsar pressed to have it, and he had reserved no copy: though, to confess the truth, he says, he found it very difficult to digest the meanness of recanting his old principles. "But adieu," says he, "to all right, true, honest counsels: it is incredible, what perfidy there is in those, who want to be leaders, and who really would be so, if there was any faith in them. I felt what they were to my cost, when I was drawn in, deserted, and betrayed by them: I resolved still to act on with them in all things; but found them the same as before; till, by your advice, I came at last to a better mind. You will tell me, that you advised me indeed to act, but not to write; it is true; but I was willing to put myself under a necessity of adhering to my new alliance, and preclude the possibility of returning to those, who, instead of pitying me, as they ought, never cease envying me. But since those who have no power will not love me, my business is to acquire the love of those who have: you will say, I wish that you had done it long ago; I know you wished it; and I was a mere ass for not minding you[1]."

In this year, also, Cicero wrote that celebrated letter to Lucceius, in which he presses him to attempt the history of his transactions: Lucceius was a man of eminent learning and abilities, and had just finished the history of the Italic and Marian civil wars; with intent to carry it down through his own times, and, in the general relation, to include, as he had promised, a particular account of Cicero's acts; but Cicero, who was pleased with his style and manner of writing, labours to engage him in this letter, to postpone the design of his continued history, and enter directly on that separate period, from the beginning of his consulship to his restoration: comprehending Catiline's conspiracy, and his own exile. He ob-

[1] Urgebar ab eo, ad quem misi, et non habebam exemplar. Quid? etiam, (dudum circumrodo, quod devorandum est) subturpicula mihi videbatur παλινῳδία; sed valeant recta, vera, honesta consilia. Non est credibile, quæ sit perfidia in istis principibus, ut volunt esse, et ut essent, si quicquam haberent fidei. Senseram, noram, inductus, relictus, projectus ab iis: tamen hoc erat in animo, ut cum iis in Rep. consentirem. Iidem erant, qui fuerant. Vix aliquando te auctore resipivi. Dices, ea te monuisse, quæ facerem, non etiam ut scriberem. Ego mehercule mihi necessitatem volui imponere hujus novæ conjunctionis, ne qua mihi liceret labi ad illos, qui etiam tum, cum misereri mei debent, non desinunt invidere. Sed tamen modici fuimus ὑποθέσει, ut scripsi—Sed quoniam qui nihil possunt, ii me amare nolunt, demus operam, ut ab iis, qui possunt, diligamur; dices, vellem jampridem. Scio te voluisse, et me asinum germanum fuisse. Ad Att. 4. 5.

Scribis poema ab eo nostrum probari. Ad Quint. 2. 15.

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serves, that this short interval was distinguished with such a variety of incidents, and unexpected turns of fortune, as furnished the happiest materials, both to the skill of the writer, and the entertainment of the reader; that, when an author's attention was confined to a single and select subject, he was more capable of adorning it and displaying his talents, than in the wide and diffusive field of general history; but if he did not think the facts themselves worth the pains of adorning, that he would yet allow so much to friendship, to affection, and even to that favour, which he had so laudably disclaimed in his prefaces, as not to confine himself scrupulously to the strict laws of history, and the rules of truth.—That, if he would undertake it, he would supply him with some memoirs, or commentaries, for the foundation of his work; if not, that he himself should be forced to do, what many had done before him, write his own life; a task liable to many exceptions and difficulties; where a man would necessarily be restrained by modesty, on the one hand, or partiality on the other, either from blaming, or praising himself so much as he deserved, &c.[1]

This letter is constantly alleged as a proof of Cicero's vanity, and excessive love of praise: but we must consider it as written, not by a philosopher, but a statesman, conscious of the greatest services to his country, for which he had been barbarously treated; and, on that account, the more eager to have them represented in an advantageous light, and impatient to taste some part of that glory, when living, which he was sure to reap from them when dead: and as to the passage which gives the offence, where he presses his friend to exceed even the bounds of truth in his praises, it is urged only, we see, conditionally, and upon an absurd or improbable supposition, that Lucceius did not think the acts themselves really laudable, or worth praising: but whatever exceptions there may be to the morality, there can be none to the elegance and composition of the letter; which is filled with a variety of beautiful sentiments, illustrated by examples, drawn from a perfect knowledge of history; so that it is justly ranked among the capital pieces of the epistolary kind, which remain to us from antiquity. Cicero had employed more than ordinary pains upon it, and was pleased with his success in it: for he mentions it to Atticus with no small satisfaction, and wished him to get a copy of it from their friend Lucceius. The effect of it was, that Lucceius undertook what Cicero desired, and probably made some progress in it, since Cicero sent him the memoirs, which he promised, and Lucceius lived many years after, in an

[1] Ep. Fam. 12.

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uninterrupted friendship with him, though neither this, nor any other of his writings, had the fortune to be preserved to succeeding ages[1].

All people's eyes and inclinations began now to turn towards Cæsar; who, by the eclât of his victories, seemed to rival the fame of Pompey himself: and by his address and generosity, gained ground upon him daily in authority and influence in public affairs. He spent the winter at Luca; whither a vast concourse of all ranks resorted to him from Rome. Here Pompey and Crassus were again made friends by him: and a project formed, that they should jointly seize the consulship for the next year, though they had not declared themselves candidates within the usual time. L. Domitius Ahenobarbus, a professed enemy, was one of the competitors; who, thinking himself sure of success, could not forbear bragging, that he would effect, when consul, what he could not do when prætor; rescind Cæsar's acts, and recal him from his government[2]: which made them resolve at all hazards to defeat him. What greatly favoured their design, was the obstinacy of the tribune, C. Cato; who, to revenge himself on Marcellinus, for not suffering him to hold any assemblies of the people, for promulgating his laws, would not suffer the consuls to hold any for the choice of the magistrates[3]. The triumvirate supported him in this resolution till the year expired, and the government fell into an interregnum; when, by faction and violence, and the terror of troops, poured into the city, they extorted the consulship out of the hands of Domitius: and secured it to themselves[4]. This made Pompey generally odious, who, in all this height of greatness, could not defend himself from the perpetual railleries and insults of his adversaries; which yet he bore with singular temper and patience. Marcellinus was constantly alarming the city with the danger of his power; and as he was haranguing one day on that subject, being encouraged by a general acclamation of the people; "Cry out, citizens," says he, "cry out while you may; for it will not be long in your power to do so with safety[5]." Cn. Piso,

[1] Epistolam, Luccio quam misi—fac ut ab eo sumas: valde bella est: eumque ut adproperet adhorteris, et, quod mihi se ita facturum rescripsit, agas gratias. Ad Att. 4. 6. Tu Lucceio librum nostrum dabis. Ibid. 11.

[2] Sed cum L. Domitius consulatus candidatus palam minaretur, consulem se effecturum, quod prætor nequisset, adempturumque ei exercitus; Crassum Pompeiumque in urbem provinciæ suæ Lucam extractos compulit, ut detrudendi Domitii causa alterum consulatum peterent. Sueton. J. Cæs. 24.

[3] Consul—dies comitiales exemit omnes—C. Cato concionatus est, comitia haberi non siturum, si sibi cum populo agendi dies essent exempti. Ad Quint. 2. 6.

[4] Quid enim hoc miserius, quam eum, qui tot annos, quot habet, designatus consul fuerit, consulem fieri non posse? &c. Ad Att. 4. 8. Vid. Dio, p. 103.

[5] Acclamate, inquit, Quirites, acclamate, dum licet: jam enim vobis impune facere non licebit. Val. Max. 6. 2.

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also, a young nobleman, who had impeached Manilius Crispus, a man of prætorian rank, and notoriously guilty, being provoked by Pompey's protection of him, turned his attack against Pompey himself, and charged him with many crimes against the state; being asked, therefore, by Pompey, why he did not chuse to impeach him, rather than the criminal, he replied, briskly, that if he would give bail to stand a trial, without raising a civil war, he would soon bring him before his judges[1].

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DURING the continuance of these tumults, occasioned by the election of the new consuls, Cicero retired into the country; where he staid to the beginning of May, much out of humour, and disgusted both with the Republic and himself. Atticus's constant advice to him was, to consult his safety and interest, by uniting himself with the men of power; and they, on their part, were as constantly inviting him to it, by all possible assurances of their affection: but, in his answers to Atticus, he observes, that their two cases were very different; that Atticus, having no peculiar character, suffered no peculiar indignity; nothing but what was common to all the citizens; whereas his own condition was such, that, if he spoke what he ought to do, he should be looked upon as a madman; if what was useful only to himself, as a slave; if nothing at all, as quite oppressed and subdued: that his uneasiness was the greater, because he could not shew it without being thought ungrateful:—"Shall I withdraw myself, then," says he, "from business, and retire to the port of ease? That will not be allowed to me. Shall I follow these leaders to the wars, and, after having refused to command, submit to be commanded? I will do so; for I see that it is your advice, and wish that I had always followed it: or, shall I resume my post, and enter again into affairs? I cannot persuade myself to that, but begin to think Philoxenus in the right; who chose to be carried back to prison, rather than commend the tyrant's verses. This is what I am now meditating; to declare my dislike at least of what they are doing[2]."

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[1] Da, inquit, prædes Reip. te, si postulatu sfueris, civile bellum non excitaturum; etiam de tuo prius, quam de Manilii capite, in concilium judices mittam. Ibid.

[2] Tu quidem, etsi es natura πολιτικὸς, tamen nullam habes propriam servitutem; communi frueris nomine. Ego vero, qui, si loquor de Repub. quod oportet, insanus, si quod opus est, servus existimor, si taceo, oppressus et captus; quo dolore esse debeo? quo sum scilicet hoc etiam acriore, quod ne dolere quidem possum, ut non ingratus videar. Quid si cessare libeat et in otii portum confugere? Nequicquam. Immo etiam

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Such were the agitations of his mind at this time, as he frequently signifies in his letters: he was now at one of his villas, on the delightful shore of Baiæ, the chief place of resort and pleasure for the great and rich: Pompey came thither in April, and no sooner arrived, than he sent him his compliments, and spent his whole time with him: they had much discourse on public affairs, in which Pompey expressed great uneasiness, and owned himself dissatisfied with his own part in them; but Cicero, in his account of the conversation, intimates some suspicion of his sincerity[1]. In the midst of this company and diversion, Cicero's entertainment was in his studies; for he never resided any where without securing to himself the use of a good library: here he had the command of Faustus's, the son of Sylla, and son-in-law of Pompey; one of the best collections of Italy; gathered from the spoils of Greece, and especially of Athens, from which Sylla brought away many thousand volumes. He had nobody in the house with him but Dionysius, a learned Greek slave, whom Atticus had made free, and who was entrusted with the education of the two young Ciceros, the son and the nephew: with this companion he was devouring books, since the wretched state of the public had deprived him, as he tells us, of all other pleasures. "I had much rather," says he, to Atticus, "be sitting on your little bench, under Aristotle's picture, than in the curule chairs of our great ones; or taking a turn with you, in your walks, than with him, whom it must, I see, be my fate to walk with: as for the success of that walk, let Fortune look to it, or some god, if there be any, who takes care of us[2]." He mentions, in the same letter, a current report at Puteoli, that King Ptolemy was restored; and desires to know what account they

in bellum et in castra: ergo erimus ὀπαδοὶ qui ταγοὶ esse noluimus? Sic faciendum est; tibi enim ipsi, cui utinam semper paruissem, sic video placere. Reliquum est, Σπάρταν ἔλαχες, ταύταν κόσμει; non mehercule possum: et Philoxeno ignosco, qui reduci in carcerem maluit. Veruntamen id ipsum mecum in his locis commentor, ut ista improbem. Ad Att. 4. 6.

The story of Dionysius, the tyrant of Syracuse, and Philoxenus, the poet, is told by Diodorus Siculus. Lib. 15. p. 331.

[1] Pompeius in Cumanum Parilibus venit; misit ad me statim qui salutem nuntiaret; ad eum postridie mane vadebam. Ad Att. 4. 10.

Nos hic cum Pompeio fuimus: sane sibi displicens; ut loquebatur; sic est enim in hoc homine dicendum.—In nos vero suavissime effusus; venit etiam ad me in Cumanum a se. Ibid. 9.

[2] Ego hic pascor Bibliotheca Fausti. Fortasse tu putabas his rebus Puteolanis et Lucrinensibus. Ne ista quidem desunt. Sed mehercule a ceteris oblectationibus deseror et voluptatibus propter Rempub. sic literis sustentor et recreor: maloque in illa tua sedecula, quam habes sub imagine Aristotelis, sedere, quam in istorum sella curuli, tecumque apud te ambulare, quam cum eo, quocum video esse ambulandum. Sed de illa ambulatione fors videret, aut si qui est, qui curet Deus. Ibid. 10.

Nos hic voramus literas cum homine mirifico, ita mehercule sentio, Dionysio. Ibid. 11.

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had of it at Rome: the report was very true; for Gabinius, tempted by Ptolemy's gold, and the plunder of Egypt, and encouraged also, as some write, by Pompey himself, undertook to replace him on the throne with his Syrian army; which he executed with a high hand, and the destruction of all the king's enemies, in open defiance of the authority of the senate and the direction of the sibyl: this made a great noise at Rome, and irritated the people to such a degree, that they resolved to make him feel their displeasure for it, very severely, at his return[1].

His colleague Piso came home the first, from his nearer government of Macedonia; after an inglorious administration of a province, whence no consular senator had ever returned but to a triumph. For though, on the account of some trifling advantage in the field, he had procured himself to be saluted emperor by his army, yet the occasion was so contemptible, that he durst not send any letters upon it to the senate; but, after oppressing the subjects, plundering the allies, and losing the best part of his troops, against the neighbouring barbarians, who invaded and laid waste the country, he ran away, in disguise, from a mutiny of the soldiers, whom he disbanded, at last, without their pay[2]. When he arrived at Rome, he stripped his fasces of their laurel, and entered the city obscurely and ignominiously, without any other attendance than his own retinue[3]. On his first appearance in public, trusting to the authority of his son-in-law, Cæsar, he had the hardiness to attack Cicero, and complain to the senate of his injurious treatment of him: but when he began to reproach him with the disgrace of his exile, the whole assembly interrupted him by a loud and general clamour[4]. Among other things with which he upbraided Cicero, he told him, that it was not any envy for what he had done, but the vanity of what he had

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[1] Vid. Dio, l. 39, p. 116, &c.

[2] Ex qua aliquot prætorio imperio, consulari quidem nemo rediit, qui incolumis fuerit, qui non triumpharit. In Pison. 16.

Ut ex ea provincia, quæ fuit ex omnibus una maxime triumphalis, nullas sit ad senatum litteras mittere ausus. Nuntius ad senatum missus est nullus. Ibid. 19.

Mitto de amissa maxima parte exercitus. Ibid. 20.

Dyrrhachium ut venit decedens, obsessus est ab iis ipsis militibus—Quibus cum juratus affirmasset, se, quæ deberentur, postero die persoluturum; domum se abdidit: inde nocte intempesta crepidatus, veste servili navem conscendit. Ibid. 38.

[3] Sic iste—Macedonicus Imperator in urbem se intulit, ut nullius negotiatoris obscurissimi reditus unquam fuerit desertior. Ibid. 23.

Cum tu—detractam e cruentis fascibus lauream ad portam Esquilinam abjecisti. Ibid. 30.

[4] Tunc ausus es meum discessum illum—maledicti et contumeliæ loco ponere? Quo quidem tempore cepi, patres conscripti, fructum immortalem vestri in me amoris—qui non admurmuratione, sed voce et clamore abjecti hominis—petulantiam fregistis. Ibid. 14.

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said, which had driven him into exile; and that a single verse of his,

Cedant arma Togæ, concedat laurea linguæ,

was the cause of all his calamity; by provoking Pompey to make him feel, how much the power of the general was superior to that of the orator: he put him in mind, also, that it was mean and ungenerous to exert his spleen only against such, whom he had reason to contemn, without daring to meddle with those who had more power, and where his resentment was more due[1]. But it had been better for him to have stifled his complaints, and suffered Cicero to be quiet; who, exasperated by his imprudent attack, made a reply to him upon the spot, in an invective speech, the severest, perhaps, that was ever spoken by any man, on the person, the parts, the whole life and conduct of Piso; which, as long as the Roman name subsists, must deliver down a most detestable character of him to all posterity. As to the verse, with which he was urged, he ridicules the absurdity of Piso's application of it, and tells him, that he had contrived a very extraordinary punishment for poor poets, if they were to be banished for every bad line: that he was a critic of a new kind; not an Aristarchus, but a grammatical Phalaris; who, instead of expunging the verse, was for destroying the author; that the verse itself could not imply an affront to any man whatsoever; that he was an ass, and did not know his letters, to imagine, that, by the gown, he meant his own gown; or by arms, the arms of any particular general; and not to see, that he was speaking only in the poetical style; and, as the one was the emblem of peace, the other of war, that he could mean nothing else, than that the tumults and dangers with which the city had been threatened, must now give way to peace and tranquillity; that he might have stuck a little indeed in explaining the latter part of the verse, if Piso himself had not helped him out; who, by trampling his own laurel under foot, at the gates of Rome, had declared how much he thought it inferior to every other kind of honour:—that as for Pompey, it was silly to think, that, after the volumes which he had written in his praise, one silly verse should make him at last his enemy; but that, in truth, he never was his enemy; and if, on a certain occasion, he had shewn any coldness towards him, it was all owing to the perfidy

[1] Non ulla tibi, inquit, invidia nocuit, sed versus tui.—Hæc res tibi fluctus illos excitavit—Tuæ dicis, inquit, Togæ, summum Imperatorem esse cessurum.—
Paullo ante dixisti me cum iis confligere, quos despicerem: non attingere eos, qui plus possent, quibus iratus esse deberem. Ibid. 29, 30, 31.

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and malice of such as Piso; who were continually infusing jealousies and suspicions into him, till they had removed from his confidence all who loved either him or the Republic[1].

About this time the theatre, which Pompey had built at his own charge, for the use and ornament of the city, was solemnly opened and dedicated: it is much celebrated by the ancients, for its grandeur and magnificence: the plan was taken from the theatre of Mytilene, but greatly enlarged, so as to receive commodiously forty thousand people. It was surrounded by a portico, to shelter the company in bad weather, and had a curia, or senate-house, annexed to it; with a basilica also, or grand hall, proper for the sittings of judges, or any other public business; which were all finished at Pompey's cost, and adorned with a great number of images, formed by the ablest masters, of men and women, famed for something very remarkable or prodigious in their lives and characters[2]. Atticus undertook the care of placing all these statues, for which Pompey charged Cicero with his thanks to him[3]; but what made this fabric the more surprising and splendid, was a beautiful temple, erected at one end of it to Venus the Conqueress; and so contrived, that the seats of the theatre might serve as stairs to the temple. This was designed, it is said, to avoid the reproach of making so vast an expense for the mere use of luxury: the temple being so placed, that those who came to the shows, might seem to come to worship the goddess[4].

At the solemnity of this dedication, Pompey entertained the people with the most magnificent shows, which had ever been exhibited in Rome: in the theatre, were stage-plays, prizes of music, wrestling, and all kinds of bodily exercises: in the

[1] Quoniam te non Aristarchum, sed grammaticum Phalarim habemus, qui non notam apponas ad malum versum, sed poetam armis prosequare—Quid nunc te, Asine, literas doceam? Non dixi hanc togam, qua sum amictus, nec arma, scutum et gladium unius Imperatoris: sed quod pacis est insigne et otii, toga; contra autem arma, tumultus ac belli, more poetarum locutus, hoc intelligi volui, bellum ac tumultum paci atque otio concessurum—in altero—hærerem, nisi tu me expedisses. Nam cum tu—detractam e cruentis fascibus lauream ad portam Esquilinam abjecisti, indicasti, non modo amplissimæ, sed etiam minimæ laudi lauream concessisse—Vis Pompeium isto versu inimicum mihi esse factum—Primo nonne compensabit cum uno versiculo tot mea volumina laudum suarum? Vestræ fraudes,—vestræ criminationes insidiarum mearum—effecerunt ut ego excluderer, &c. In Pison. 30, 31.

[2] Pompeius Magnus in ornamentis theatri mirabiles fama posuit imagines; ob id diligentius magnorum artificum ingeniis elaboratas: inter quas legitur Eutyche, a viginti liberis rogo iRata, enixa triginta partus; Alcippe, Elephantum. Plin. Hist. 7. 3.

[3] Tibi etiam gratias agebat, quod signa componenda suscepisses. Ad Att. 4. 9.

[4] Quum Pompeius, inquit, ædem Victoriæ dedicaturus esset, cujus gradus vicem theatri essent, &c. A. Gell. x. 1. Vid. Tertull. de Spectac.

Dion Cassius mentions it, as a tradition he had met with, that this theatre was not really built by Pompey, but by his freedman, Demetrius, who had made himself richer than his master, by attending him in his wars; and, to take off the envy of raising so vast an estate, laid out a considerable part of it upon the theatre, and gave the honour of it to Pompey. Dio, p. 107. Senec. de Tranq. Anim. c. 8.

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circus, horse-races, and huntings of wild beasts, for five days successively, in which five hundred lions were killed, and on the last day, twenty elephants; whose lamentable howling, when mortally wounded, raised such a commiseration in the multitude, from a vulgar notion of their great sense and love to man, that it destroyed the whole diversion of the show, and drew curses on Pompey himself, for being the author of so much cruelty[1]: so true it is, what Cicero observes of this kind of prodigality, that there is no real dignity, or lasting honour in it: that it satiates, while it pleases, and is forgotten, as soon as it is over[2]. It gives us, however, a genuine idea of the wealth and grandeur of these principal subjects of Rome: who, from their private revenues, could raise such noble buildings, and provide such shows, from the several quarters of the world, which no monarch on earth is now able to exhibit.

Cicero, contrary to his custom, was present at these shows, out of compliment to Pompey, and gives a particular account of them to his friend M. Marius, who could not be drawn by them from his books and retreat in the country. "The old actors," says he, "who had left the stage, came on to it again in honour to Pompey; but, for the sake of their own honour, ought rather to have staid away; our friend Æsopus appeared to be quite sunk and worn out; so that all people seemed willing to grant him his quietus; for, in attempting to raise his voice, where he had occasion to swear, his speech faltered and failed him. In the other plays, the vast apparatus, and crowded machinery which raised the admiration of the mob, spoiled the entertainment: six hundred mules, infinite treasures of plate, troops of horse and foot fighting on the stage. The huntings, indeed, were magnificent; but what pleasure, to a man of taste, to see a poor weak fellow torn to pieces by a fierce beast; or, a noble beast struck dead with a spear: the last day's show of elephants, instead of delight, raised a general compassion, and an opinion of some relation between that animal and man: but, lest you should think me wholly happy, in these days of diversion, I have almost burst myself in the defence of your friend Gallus Caninius. If the city would be as kind to me,

[1] Magnificentissima vero Pompeii nostri munera in secundo Consulatu. De Offic. 2. 16.

Pompeii quoque altero Consulatu, dedicatione templi Veneris victricis, pugnavere in Circo viginti elephantes. Amissa fugæ spe misericordiam vulgi inenarrabili habitu querentes supplicavere, quadam sese lamentatione complorantes, tanto populi dolore, ut oblitus Imperatoris—flens universus consurgeret, dirasque Pompeio, quas ille mox luit, pœnas imprecaretur. Plin. l. 8. 7. Vid. Dio. l. 30. p. 107. It. Plut. in Pomp.

[2] In his infinitis sumptibus, nihil nos magnopere mirari: cum nec necessitati subveniatur, nec dignitas augeatur: ipsaque illa delectatio multitudinis sit ad breve exiguumque tempus; in quo tamen ipso una cum satietate memoria quoque moriatur voluptatis. De Offic. 2. 16.

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as they are to Æsopus, I would willingly quit the stage, to live with you, and such as you, in a polite and liberal ease[1]."

The city continued, for a great part of this summer, without its annual magistrates: for the elections, which had been postponed from the last year, were still kept off by the consuls, till they could settle them to their minds, and secure them to their own creatures: which they effected, at last, except in the case of two tribunes, who slipped into the office against their will: but the most remarkable repulse was, of M. Cato from the prætorship, which was given to Vatinius; from the best citizen to the worst. Cato, upon his return from the Cyprian voyage, was complimented by the senate, for that service, with the offer of the prætorship in an extraordinary manner[2]. But he declined the compliment, thinking it more agreeable to his character to obtain it in the ordinary way, by the free choice of the people: but when the election came on, in which he was thought sure of success, Pompey broke up the assembly, on pretence of somewhat inauspicious in the heavens, and, by intrigue and management, got Vatinius declared prætor, who had been repulsed the year before, with disgrace, from the ædileship[3]: but this being carried by force of money, and likely to produce an impeachment of Vatinius, Afranius moved for a decree, that the prætors should not be questioned for bribery after their election, which passed, against the general humour of the senate, with an exception only of sixty days, in which they were to be considered as private men. The pretence for the decree was, that so much of the year being spent, the whole would pass without any prætors at all, if a liberty of impeaching was allowed. "From this moment," says Cicero, "they have given the exclusion to Cato; and, being masters of all, resolve that all the world shall know it[4]."

Cicero's Palatine house, and the adjoining portico of Catulus, were now finished, and, as he and his brother were the curators, likewise, of the repairs of the temple of Tellus[5], so they seem to have provided some inscriptions for these buildings, in honour and memory of themselves: but, since no public inscriptions

[1] Ep. Fam. 7. 1.

[2] Cujus ministerii gratia Senatus relationem interponi jubebat, ut prætoriis comitiis extra ordinem ratio ejus haberetur. Sed ipse id fieri passus non est. Val. Max. 4. 1. Plut. in Cato.

[3] Proxima dementiæ suffragia—quoniam quem honorem Catoni negaverant, Vatinio dare coacti sunt. Val. Max. 7. 5. Plut. in Pomp.

[4] A. D. III. Id. Maii S. C. factum est de ambitu in Afranii sententiam. Sed magno cum gemitu Senatus. Consules non sunt persecuti eorum sententias: qui Afranio cum essent assensi addiderunt, ut prætores ita crearentur, ut dies LX. privati essent.—Eo die Catonem plane repudiarunt. Quid multa? Tenent omnia, idque ita omnes intelligere volunt. Ad Quint. 2. 9.

[5] Quod Ædes Telluris est curationis meæ. De Harusp. resp. 14.

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could be set up, unless by public authority, they were apprehensive of an opposition from Clodius. Cicero mentioned the case to Pompey, who promised his assistance, but advised him to talk also with Crassus, which he took occasion to do, as he attended him home one day from the senate. Crassus readily undertook the affair, and told him, that Clodius had a point to carry for himself, by Pompey's help and his, and that, if Cicero would not oppose Clodius, he was persuaded that Clodius would not disturb him; to which Cicero consented. Clodius's business was, to procure one of those free or honorary lieutenancies, that he might go with a public character to Byzantium and king Brogitarus, to gather the money which they owed him for past services. "As it is a mere money matter," says Cicero, "I shall not concern myself about it, whether I gain my own point or not, though Pompey and Crassus have jointly undertaken it; but he seems to have obtained what he desired, since, besides the intended inscriptions, he mentions a statue also of his brother, which he had actually erected at the temple of Tellus[1]."

Trebonius, one of the tribunes in the interests of the triumvirate, published a law, for the assignment of provinces to the consuls for the term of five years: to Pompey, Spain and Afric; to Crassus, Syria, and the Parthian war, with the power of raising what forces they thought fit: and that Cæsar's commission should be renewed also for five years more. The law was opposed by the generality of the senate; and, above all, by Cato, Favonius, and two of the tribunes, C. Ateius Capito, and P. Aquilius Gallus: but the superior force of the consuls and the other tribunes prevailed, and cleared the Forum by violence of all their opponents. The law was no sooner passed, than Crassus began to prepare for his eastern expedition; and was in such haste to set forward, that he left Rome about two months before the expiration of his consulship: his eagerness to involve the Republic in a desperate war, for which the Parthians had given no pretext, was generally detested by the city: the tribune Ateius declared it impious, and prohibited by all the auspices, and denounced direful imprecations against it; but finding Crassus determined to march, in defiance of all religion, he waited for him at the gates of the city,

[1] Multa nocte cum Vibullio veni ad Pompeium. Cumque ego egissem de istis operibus et inscriptionibus, per mihi benigne respondit. Cum Crasso se dixit loqui velle, mihique, ut idem facerem, suasit. Crassum Consulem ex Senatu domum reduxi: suscepit rem, dixitque esse quod Clodius hoc tempore cuperet per se, et per Pompeium consequi. Putare se, si ego eum non impedirem, posse me adipisci sine contentione quod vellem, &c. Ad Quint. 2. 9.

Reddita est mihi pervetus epistola; in qua de Æde Telluris, et de porticu Catuli me admones. Fit utrumque diligenter. Ad Telluris etiam tuam statuam locavi. Ibid. 3. 1.

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and, having dressed up a little altar, stood ready with a fire and sacrifice to devote him to destruction[1]. Ateius was afterwards turned out of the senate by Appius, when he was censor, for falsifying the auspices on this occasion; but the miserable fate of Crassus supported the credit of them; and confirmed the vulgar opinion of the inevitable force of those ancient rites, in drawing down the divine vengeance on all, who presumed to contemn them[2]. Appius was one of the augurs; and the only one of the college, who maintained the truth of their auguries, and the reality of divination; for which he was laughed at by the rest; who charged him also with an absurdity, in the reason, which he subscribed, for his censure upon Ateius, viz. that he had falsified the auspices, and brought a great calamity on the Roman people: for if the auspices, they said, were false, they could not possibly have any effect, or be the cause of that calamity[3]. But though they were undoubtedly forged, it is certain, however, that they had a real influence on the overthrow of Crassus: for the terror of them had deeply possessed the minds of the soldiers, and made them turn every thing which they saw, or heard, to an omen of their ruin; so that when the enemy appeared in sight, they were struck with such a panic, that they had not courage or spirit enough left, to make a tolerable resistance.

Crassus was desirous, before he left Rome, to be reconciled to Cicero: they had never been real friends, but generally opposite in party; and Cicero's early engagements with Pompey kept him, of course, at a distance from Crassus: their coldness was still increased on account of Catiline's plot, of which Crassus was strongly suspected; and charged Cicero with being the author of that suspicion: they carried it, however, on both sides, with much decency; out of regard to Crassus's son, Publius, a professed admirer and disciple of Cicero; till an accidental debate in the senate blew up their secret grudge into an open quarrel. The debate was upon Gabinius, whom Crassus undertook to defend, with many severe reflections upon Cicero; who replied, with no less acrimony, and gave a free vent to that old resentment of Crassus's many injuries, which had been gathering, he says, several years, but lain dormant so long, that he took it to be extinguished, till, from this accident, it burst

[1] Dio, l. 39. p. 109. Plut. in Crass.

[2] M. Crasso quid accide it, videmus, dirarum obnunciatione neglecta. De Divin. 1. 16.

[3] Solus enim multorum annorum memoria, non decantandi Augurii, sed divinandi tenuit disciplinam: quem irridebant collegæ tui, eumque tum Pisidam, tum Soranum Augurem esse dicebant. Quibus nulla videbatur in Auguriis aut Auspiciis præsensio. Ibid. 47.

In quo Appius, bonus Augur.—Non satis scienter—civem egregium, Ateium, censor notavit, quod ementitum auspicia subscripserit.—Quæ si falsa fuisset, nullam adferre potuisset causam calamitatis. Ibid. 16.

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out into a flame. The quarrel gave great joy to the chiefs of the senate, who highly applauded Cicero, in hopes to embroil him with the triumvirate: but Pompey laboured hard to make it up, and Cæsar also, by letter, expressed his uneasiness upon it; and begged it of Cicero as a favour, to be reconciled with Crassus; so that he could not hold out against an intercession so powerful, and so well enforced by his affection to young Crassus: their reconciliation was confirmed by mutual professions of a sincere friendship for the future; and Crassus, to give a public testimony of it to the city, invited himself, just before his departure, to sup with Cicero; who entertained him in the gardens of his son-in-law Crassipes[1]. These gardens were upon the banks of the Tiber, and seem to have been famous for their beauty and situation[2]: and are the only proof which we meet with of the splendid fortunes and condition of Crassipes.

Cicero spent a great part of the summer in the country in study and retreat; pleased, he says, that he was out of the way of those squabbles, where he must either have defended what he did not approve, or deserted the man whom he ought not to forsake[3]. In this retirement, he put the last hand to his piece, on the Complete Orator, which he sent to Atticus, and promises also to send to Lentulus; telling him, that he had intermitted his old task of orations, and betaken himself to the milder and gentler studies; in which he had finished, to his satisfaction, three books, by way of dialogue, on the subject of the orator, in Aristotle's manner, which would be of use to his son, young Lentulus, being drawn, not in the ordinary way of the schools, and the dry method of precepts, but comprehending all that the ancients, and especially Aristotle and Isocrates, had taught on the institution of an orator[4].

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[1] Repentinam ejus Gabinii defensionem—si sine ulla mea contumelia suscepisset, tulissem: sed cum me disputantem, non lacessentem læsisset, exarsi non solum præsenti, credo, iracundia (nam ea tam vehemens fortasse non fuisset), sed cum inclusum illud odium multarum ejus in me injuriarum, quod ego effudisse me omne arbitrabar, residuum tamen insciente me fuisset, omne repente apparuit—Cumque Pompeius ita contendisset, ut nihil unquam magis, ut cum Crasso redirem in gratiam; Cæsarque per literas maxima se molestia ex illa contentione affectum ostenderet: habui non temporum solum meorum rationem, sed etiam naturæ. Crassusque ut quasi testata populo Rom. esset nostra gratia, pæne a meis Laribus in provinciam est profectus. Nam cum mihi condixisset, cœnavit apud me in mei generi Crassipedis hortis. Ep. Fam. 1. 9.

[2] Ad Quint. 3. 7. Ad Att. 4. 12.

[3] Ego afuisse me in altercationibus, quas in Senatu factas audio, fero non moleste; nam aut defendissem quod non placeret, aut defuissem cui non oporteret. Ad Att. 4. 13.

[4] Scripsi etiam (nam ab orationibus dijungo me fere, referoque ad mansuetiores musas), scripsi igitur Aristotelco more, quemadmodum quidem volui, tres libros in disputatione et dialogo de Oratore, quos arbitror Lentulo tuo non fore inutiles. Abhorrent enim a communibus præceptis; ac omnem antiquorum, et Aristotelcam et Isocrateam rationem oratoriam complectuntur. Ep. Fam. 1. 9.

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The three books contain as many dialogues, upon the character and idea of the perfect new orator: the principal speakers were P. Crassus and M. Antonius; persons of the first dignity in the Republic, and the greatest masters of eloquence, which Rome had then known: they were nearly forty years older than Cicero, and the first Romans who could pretend to dispute the prize of oratory with the Greeks, and who carried the Latin tongue to a degree of perfection, which left little or no room for any farther improvement[1]. The disputation was undertaken at the desire and for the instruction of two young orators of great hopes, C. Cotta and P. Sulpicius, who were then beginning to flourish at the bar: Cicero himself was not present at it, but being informed by Cotta, of the principal heads, and general argument of the whole, supplied the rest from his own invention, agreeably to the different style and manner, which those great men were known to pursue; and with design to do honour to the memory of them both, but especially of Crassus, who had been the director of his early studies; and to whom he assigns the defence of that notion, which he himself always entertained, of the character of a consummate speaker[2].

Atticus was exceedingly pleased with this treatise, and commended it to the skies; but objected to the propriety of dismissing Scævola from this disputation, after he had once been introduced into the first dialogue. Cicero defends himself by the example of their god, Plato, as he calls him, in his book on Government; where the scene being laid in the house of an old gentleman, Cephalus, the old man, after bearing a part in the first conversation, excuses himself that he must go to prayers, and returns no more; Plato not thinking it suitable to the character of his age, to be detained in the company through so long a discourse: that, with greater reason, therefore, he had used the same caution in the case of Scævola; since it was not decent to suppose a person of his dignity,

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[1] Crassus—quatuor et triginta tum habebat annos, totidemque annis mihi ætate præstabat—Triennio ipso minor quam Antonius, quod idcirco posui, ut dicendi Latine prima maturitas qua ætate extitisset, posset notari: et intelligeretur, jam ad summum pæne esse perductam, ut eo nihil ferme quisquam addere posset nisi qui a philosophia, a jure civili, ab historia fuisset instructior. Brut. 275.

Nunc ad Antonium, Crassumque pervenimus. Nam ego sic existimo hos oratores fuisse maximos: et in his primum cum Græcorum gloria Latine dicendi copiam æquatam. Ibid. 250.

[2] Nos enim, qui ipsi sermoni non interfuissemus, et quibus C. Cotta tantummodo locos ac sententias hujus disputationis tradidisset, quo in genere orationis utrumque oratorem cognoveramus, id ipsum sumus in eorum sermone adumbrare conati. De Orat. 3. 4.

Ut ei (Crasso), etsi nequaquam parem illius ingenio, at pro nostro tamen studio meritam gratiam debitamque referamus. Ibid.

A. Urb. 698. Cic. 52. Coss.—Cn. Pompeius Magnus II. M. Licinius Crassus II.

extreme age, and infirm health, spending several days successively in another man's house: that the first day's dialogue related to his particular profession, but the other two turned chiefly on the rules and precepts of the art, where it was not proper for one of Scævola's temper and character to assist only as a hearer[1]. This admirable work remains entire, a standing monument of Cicero's parts and abilities; which, while it exhibits to us the idea of a perfect orator, and marks out the way, by which Cicero formed himself to that character, it explains the reason, likewise, why nobody has since equalled him, or ever will, till there be found again united, what will hardly be found single in any man, the same industry, and the same parts.

Cicero returned to Rome, about the middle of November, to assist at Milo's wedding, who married Fausta, a rich and noble lady, the daughter of Sylla the dictator[2]; with whom, as some writers say, he found Sallust, the historian, in bed, not long after, and had him soundly lashed, before he dismissed him. The consuls, Pompey and Crassus, having reaped all the fruit, which they had proposed from the consulship, of securing to themselves the provinces which they wanted, were not much concerned about the choice of their successors; so that, after postponing the election to the end of the year, they gave way, at last, to their enemy, L. Domitius Ahenobarbus; being content to have joined with him their friend, Appius Claudius Pulcher.

A. Urb. 699. Cic. 53. Coss.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

As soon as the new year came on, Crassus's enemies began to attack him in the senate: their design was to revoke his commission, or abridge it, at least, of the power of making war upon the Parthians: but Cicero exerted himself so strenuously in his defence, that he baffled their attempts, after a warm contest with the consuls themselves, and several of the consular senators. He gave Crassus an account of the debate, by letter, in which he tells him, that he had given proof, not only to his friends and family, but to the whole city, of the sincerity of his reconciliation; and assures him of his resolution to serve him, with all his pains, advice, authority, interest, in every thing great or small, which concerned himself, his friends or

[1] Quod in iis libris, quos laudas, personam desideras Scævolæ; non eam temere dimovi, sed feci idem, quod in πολιτεία Deus ille noster, Plato. Cum in Piræeum Socrates venisset ad Cephalum, locupletem et festivum senem, quoad primus ille sermo haberetur, adest in disputando Senex, &c. Ad Att. 4. 16.

[2] Ibid. 4. 13. 5. 8.

A. Urb. 699. Cic. 53. Coss.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

clients; and bids him look upon that letter, as a league of amity, which, on his part, should be inviolably observed[1].

The month of February being generally employed in giving audience to foreign princes and ambassadors, Antiochus, king of Comagene, a territory on the banks of the Euphrates[2], preferred a petition to the senate, for some new honour, or privilege, which was commonly decreed to princes in alliance with the Republic: but Cicero, being in a rallying humour, made the petition so ridiculous, that the house rejected it, and, at his motion, reserved, likewise, out of his jurisdiction, one of his principal towns, Zeugma, in which was the chief bridge and passage over the Euphrates. Cæsar, in his consulship, had granted to this king the honour of the prætexta, or the robe of the Roman magistrates; which was always disagreeable to the nobility, who did not care to see these petty princes put upon the same rank with themselves; so that Cicero, calling out upon the nobles, "will you," says he, "who refused the prætexta to the king of Bostra, suffer this Comagenian to strut in purple?" But this disappointment was not more mortifying to the king than it was to the consuls, whose best perquisites were drawn from these compliments, which were always repaid by rich presents; so that Appius, who had been lately reconciled to Cicero, and paid a particular court to him at this time, applied to him, by Atticus, and their common friends, to suffer the petitions of this sort to pass quietly, nor destroy the usual harvest of the month, and make it quite barren to him[3].

Cicero made an excursion this spring to visit his several seats and estates in the country; and, in his Cuman villa, began "A Treatise on Politics; or, on the best State of a City, and the Duties of a Citizen:" he calls it a great and laborious work, yet, worthy of his pains, if he could succeed in it; "if not, I shall throw it," says he, "into that sea which is now before me, and attempt something else, since it is impossible for me to be idle." It was drawn up in the form of a dialogue, in which the greatest persons of the old Republic were introduced, debating on the origin and best constitution

[1] Has literas velim existimes fœderis habituras esse vim, non epistolæ; neque ea, quæ tibi promitto ac recipio, sanctissime esse observaturum. Ep. Fam. 5. 8.

[2] Ibid. 15. 1. 3. 4.

[3] De Comageno rege, quod rem totam discusseram, mihi et per se et per Pomponium blanditur Appius. Videt enim, si hoc genere dicendi utar in cæteris, Februarium sterilem futurum. Eumque lusi jocose satis: neque solum illud extorsi oppidulum, quod erat positum in Euphrate, Zeugma; sed præterea togam ejus prætextam, quam erat adeptus Cæsare consule, magno hominum risu cavillatus.—Vos autem homines nobiles, qui Bostrenum prætextatum non ferebatis, Comagenum feretis?—Multa dixi in ignobilem regem, quibus totus est explosus. Quo genere commotus Appius totum me amplexatur. Ad Quint. 2. 12.

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of government; Scipio, Lælius, Philus, Manilius, &c.[1] The whole was to be distributed into nine books, each of them the subject of one day's disputation: when he had finished the two first, they were read in his Tusculan villa, to some of his friends: where Sallust, who was one of the company, advised him to change his plan, and treat the subject in his own person, as Aristotle had done before him; alleging, that the introduction of those ancients, instead of adding gravity, gave an air of romance to the argument, which would have the greater weight, when delivered from himself, as being the work, not of a little sophist, or contemplative theorist, but of a consular senator and statesman, conversant in the greatest affairs, and writing what his own practice, and the experience of many years, had taught him to be true. These reasons seemed very plausible, and made him think of altering his scheme: especially, since, by throwing the scene so far back, he precluded himself from touching on those important revolutions of the Republic, which were later than the period to which he confined himself: but, after some deliberation, being unwilling to throw away the two books already finished, with which he was much pleased, he resolved to stick to the old plan, and as he had preferred it from the first, for the sake of avoiding offence, so he pursued it without any other alteration, than that of reducing the number of books from nine to six; in which form they were afterwards published, and survived him for several ages, though now unfortunately lost[2].

From the fragments of this work, which still remain, it appears to have been a noble performance, and one of his capital pieces; where all the important questions in politics and morality were discussed with the greatest elegance and

[1] Scribebam illa, quæ dixeram πολιτικά, spissum sane opus et operosum: sed si ex sententia successerit, bene erit opera posita; sin minus, in illud ipsum mare dejiciemus, quod scribentes spectamus; aggrediemur alia, quoniam quiescere non possumus. Ibid. 14.

Hanc ego, quam institui, de Repub. disputationem in Africani personam, et Phili, et Lælii, et Manilii contuli, &c.—Rem, quod te non fugit, magnam complexus sum et gravem, et plurimi otii, quod ego maxime egeo. Ad Att. 4. 16.

[2] Sermo autem in novem et dies et libros distributus de optimo statu civitatis et de optimo cive.—Hi libri cum in Tusculano mihi legerentur, audiente Sallustio; admonitus sum ab illo, multo majore auctoritate illis de rebus dici posse, si ipse loquerer de Repub., præsertim cum essem, non Heraclides Ponticus, sed consularis, et is, qui in maximis versatus in Repub. rebus essem: quæ tam antiquis hominibus attribuerem, ea visum iri ficta esse. Commovit me, et eo magis, quod maximos motus nostræ civitatis attingere non poteram, quod erant inferiores, quam illorum ætas qui loquebantur. Ego autem id ipsum tum eram secutus, ne in nostra tempora incurrens offenderem quempiam. Ad Quint. 3. 5.

This will solve that variation which we find in his own account of this work, in different parts of his writings; and why Fannius, who in some places is declared to be a speaker in it [Ad Att. 4. 16. Ad Quint. 3. 5.], is denied to be so in others; being dropped, when the number of books was contracted.

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accuracy: of the origin of society; the nature of law and obligation; the eternal difference of right and wrong; of justice being the only good policy, or foundation either of public or private prosperity: so that he calls his six books, so many pledges given to the public for the integrity of his conduct[1]. The younger Scipio was the principal speaker of the dialogue, whose part it was, to assert the excellency of the Roman constitution, preferable to that of all other states[2]: who, in the sixth book, under the fiction of a dream, which is still preserved to us, takes occasion to inculcate the doctrine of the immortality of the soul and a future state, in a manner so lively and entertaining, that it has been the standing pattern, ever since, to the wits of succeeding ages, for attempting the same method of instilling moral lessons, in the forms of dreams or visions.

He was now drawn at last into a particular intimacy and correspondence of letters with Cæsar, who had long been endeavouring to engage him to his friendship, and, with that view, had invited his brother Quintus to be one of his lieutenants in Gaul; where Quintus, to pay his court the better to his general, joined heartily in pressing his brother to an union with him, instead of adhering so obstinately to Pompey, who, as he tells him, was neither so sincere, nor so generous a friend as Cæsar[3]. Cicero did not dislike the advice, and expressed a readiness to comply with it, of which Balbus gave an intimation to Cæsar, with a letter, also inclosed, from Cicero himself; but the packet happening to fall into water, the letters were all destroyed, except a scrap or two of Balbus's, to which Cæsar returned answer, "I perceive, that you had written somewhat about Cicero, which I could not make out; but, as far as I can guess, it was something rather to be wished, than hoped for[4]." But Cicero sent another copy of the same letter, which came safe to his hands, written, as he says, in the familiar style, yet without departing from his dignity. Cæsar answered him with all imaginable kindness, and the offer of every thing, in which his power could serve him, telling him,

[1] Cum sex libris, tanquam prædibus, me ipsum obstrinxerim, quos tibi tam valde probari gaudeo. Ad Att. 6. 1.

[2] An censes, cum in illis de Repub. libris persuadere videatur Africanus, omnium Rerumpub. nostram veterem illam fuisse optimam. De Leg. 2. 10. vid. ib. 1, 6, 9.

[3] De Pompeio assentior tibi, vel tu potius mihi, nam, ut scis, jampridem istum canto Cæsarem. Ad Quint. 2. 13.

[4] Ille scripsit ad Balbum, fasciculum illum epistolarum, in quo fuerat et mea et Balbi, totum sibi aqua madidum redditum esse: ut ne illud quidem sciat, meam fuisse aliquam epistolam. Sed ex Balbi epistola pauca verba intellexerat, ad quæ rescripsit his verbis: De Cicerone video te quiddam scripsisse, quod ego non intellexi; quantum autem conjectura consequebar, id erat hujusmodi, ut magis optandum, quam sperandum putarem. Ad Quint. 2. 12.

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how agreeable his brother's company was to him, by the reviva. of their old affection: and since he was now removed to such a distance from him, he would take care, that, in their mutual want of each other, he should have cause at least to rejoice, that his brother was with him, rather than any one else. He thanks him, also, for sending the lawyer Trebatius to him, and says upon it, jocosely, that there was not a man before in his army, who knew how to draw a recognizance. Cicero, in his account of his letter to his brother, says, "it is kind in you, and like a brother, to press me to this friendship, though I am running that way apace, myself, and shall do, what often happens to travellers, who, rising later than they intended, yet, by quickening their speed, came sooner to their journey's end than if they had set out earlier; so I, who have over-slept myself in my observance of this man, though you were frequently rousing me, will correct my past laziness by mending my pace for the future." But as to his seeking any advantage or personal benefit from this alliance, "believe me," says he, "you who know me, I have from him already what I most value, the assurance of his affection, which I prefer to all the great things that he offers me [1]—." In another letter he says, "I lay no great stress on his promises, want no farther honours, nor desire any new glory, and wish nothing more but the continuance of his esteem, yet live still in such a course of ambition and fatigue, as if I were expecting what I do not really desire [2]."

But though he made no use of Cæsar's generosity for himself, yet he used it freely for his friends; for, besides his brother, who was Cæsar's lieutenant, and Trebatius, who was his lawyer, he procured an eminent post for Orfius, and a regiment for Curtius; yet Cæsar was chiding him, all the while, for his reservedness in asking [3]. His recommendatory letter to Tre-

[1] Cum Cæsaris literis, refertis omni officio, diligentia, suavitate—quarum initium est, quam suavis ei tuus adventus fuerit, et recordatio veteris amoris; deinde se effecturum, ut ego in medio dolore ac desiderio tui, te, cum a me abesses, potissimum secum esse lætarer.—Trebatium quod ad se miserim, persalse et humaniter etiam gratias mihi agit: negat enim in tanta multitudine eorum, qui una essent, quempiam fuisse, qui vadimonium concipere posset.—

Quare facis tu quidem fraterne, quod me hortaris, sed mehercule currentem nunc quidem, ut omnia mea studia in istum unum conferam, &c.

Sed mihi crede, quem nosti, quod in istis rebus ego plurimi æstimo, id jam habeo:—deinde Cæsaris tantum in me amorem, quem omnibus his honoribus, quos me a se expectare vult, antepono. Ad Quint. 2. 15.

[2] Promissis iis, quæ ostendit, non valde pendeo: nec honores sitio, nec desidero gloriam: magisque ejus voluntatis perpetuitatem, quam promissorum exitum expecto. Vivo tamen in ea ambitione et labore, tanquam id, quod non postulo, expectem. Ibid. 3. 5.

[3] M. Curtio Tribunatum ab eo petivi. Ibid. 2. 15. Ep. Fam. 7. 5.

De Tribunatu—mihi ipse Cæsar nominatim Curtio paratum esse rescripsit, meamque in rogando verecundiam objurgavit. Ad Quint. 3. 1.

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batius, will show both what a share he possessed, at this time of Cæsar's confidence, and with what an affectionate zeal he used to recommend his friends.

CICERO TO CÆSAR, EMPEROR.

"See, how I have persuaded myself to consider you as a second self; not only in what affects my own interest, but in what concerns my friends: I had resolved, whithersoever I went abroad, to carry C. Trebatius along with me, that I might bring him home, adorned with the fruits of my care and kindness: but since Pompey's stay in Rome has been longer than I expected, and my own irresolution, to which you are no stranger, will either wholly hinder, or, at least, retard my going abroad at all; see what I have taken upon myself: I began presently to resolve, that Trebatius should expect the same things from you, which he had been hoping for from me; nor did I assure him with less frankness of your good will, than I used to do of my own; but a wonderful incident fell out, both as a testimony of my opinion, and a pledge of your humanity; for while I was talking of this very Trebatius, at my house, with our friend Balbus, your letter was delivered to me, in the end of which you said, as to M. Orfius, whom you recommended to me, I will make him even king of Gaul, or lieutenant to Lepta; send me another, therefore, if you please, whom I may prefer. We lifted up our hands, both I and Balbus; the occasion was so pat, that it seemed not to be accidental, but divine. I send you, therefore, Trebatius: and send him so, as at first indeed I designed, of my own accord, but now also by your invitation: embrace him, my dear Cæsar, with all your usual courtesy; and whatever you could be induced to do for my friends, out of your regard to me, confer it all singly upon him I will be answerable for the man; not in my former style, which you justly rallied, when I wrote to you about Milo, but in the true Roman phrase, which men of sense use; that there is not an honester, worthier, modester man living; I must add, what makes the principal part of his character, that he has a singular memory, and a perfect knowledge of the civil law. I ask for him neither a regiment, nor government, nor any certain piece of preferment: I ask your benevolence and generosity; yet am not against the adorning him, whenever you shall think proper, with those trappings also of glory: in short, I deliver the whole man to you, from my hand, as we say, into your's, illustrious for victory and faith. But I am more importunate than I need to be to you;

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yet I know you will excuse it. Take care of your health, and continue to love me, as you now do[1]."

Trebatius was of a lazy, indolent, studious temper; a lover of books and good company, eagerly fond of the pleasures of Rome, and wholly out of his element in a camp; and because Cæsar, through the infinite hurry of his affairs, could not presently admit him to his familiarity, and prefer him so soon as he expected, he was tired of the drudgery of attending him, and impatient to be at home again. Under these circumstances, there is a series of letters to him from Cicero, written not only with the disinterested affection of a friend, but the solicitude even of a parent, employing all the arts of insinuation, as well of the grave, as of the facetious kind, to hinder him from ruining his hopes and fortunes by his own imprudence. He laughs at his childish hankering after the city; bids him reflect on the end for which he went abroad, and pursue it with constancy; observes, from the Medea of Euripides, that many had served themselves and the public well, at a distance from their country; whilst others, by spending their lives at home, had lived and died ingloriously: "of which number," says he, "you would have been one, if we had not thrust you out; and since I am now acting Medea, take this other lesson from me, that he, who is not wise for himself, is wise to no purpose[2]." He rallies his impatience, or rather imprudence; as if he had carried a bond, not a letter, to Cæsar; and thought that he had nothing to do, but to take his money and return home; not recollecting, that even those who followed king Ptolemy with bonds to Alexandria, had not yet brought back a penny of money[3]. "You write me word," says he, "that he consults your interest[4]. Let me die if I do not believe, (such is your vanity) that you had rather be consulted than enriched by him[5]." By these railleries and perpetual admonitions, he made Trebatius ashamed of his softness, and content to stay with Cæsar, by whose favour and generosity he

[1] Ep. Fam. 7. 5.

[2] Tu modo ineptias istas et desideria urbis et urbanitatis depone: et quo consilio profectus es, id assiduitate et virtute consequere.—

Nam multi suam rem bene gessere et poplicam, patria procul.
Multi, qui domi ætatem agerent, propterea sunt improbati.

Quo in numero tu certe fuisses, nisi te extrusissemus; et quando Medeam agere cœpi, illud semper memento, qui ipse sibi sapiens prodesse non quit, nequicquam sapit. Ibid. 7. 6.

[3] Subimpudens videbare; tanquam enim syngraphum ad Imperatorem, non epistolam attulisses, sic, pecunia ablata, domum redire properabas. Nec tibi in mentem veniebat, eos ipsos, qui cum syngraphis venissent Alexandriam, nummum adhuc nullum auferre potuisse. Ibid. 17.

[4] Consuli quidem te a Cæsare scribis; sed ego tibi ab illo consuli vellem. Ibid. 11.

[5] Moriar, ni, quæ tua gloria est, puto te male a Cæsare consuli, quam inaurari. Ibid. 13.

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was cured, at last, of all his uneasiness; and, having here laid the foundation of his fortunes, flourished afterwards, in the court of Augustus, with the character of the most learned lawyer of that age [1].

Cæsar was now upon his second expedition to Britain; which raised much talk and expectation at Rome, and gave Cicero no small concern for the safety of his brother, who, as one of Cæsar's lieutenants, was to bear a considerable part in it [2]. But the accounts which he received from the place, soon eased him of his apprehensions, by informing him, that there was nothing either to fear or to hope from the attempt; no danger from the people, no spoils from the country [3]. In a letter to Atticus, "we are in suspense," says he, "about the British war: it is certain, that the access of the island is strongly fortified; and it is known also, already, that there is not a grain of silver in it, nor any thing else, but slaves; of whom you will scarce expect any, I dare say, skilled in music or letters [4]." In another to Trebatius—"I hear that there is not either any gold or silver in the island: if so, you have nothing to do but to take one of their chariots, and fly back to us [5]."

From their railleries of this kind on the barbarity and misery of our island, one cannot help reflecting on the surprising fate and revolutions of kingdoms; how Rome, once the mistress of the world, the seat of arts, empire, and glory, now lies sunk in sloth, ignorance and poverty; enslaved to the most cruel, as well as to the most contemptible of tyrants, superstition and religious imposture: while this remote country, anciently the jest and contempt of the polite Romans, is become the happy seat of liberty, plenty, and letters; flourishing in all the arts and refinements of civil life; yet running, perhaps, the same course, which Rome itself had run before it; from virtuous industry to wealth; from wealth to luxury; from luxury to an impatience of discipline and corruption of morals; till, by a total degeneracy and loss of virtue, being grown ripe for destruction, it falls a prey, at last, to some hardy oppressor,

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[1] ——Nisi quid tu, docte Trebati,
Dissentis.——Hor. Sat. 2. 1. 79.

[2] Ex Quinti fratris literis suspicor jam eum esse in Britannia: suspenso animo expecto quid agat. Ad Att. 4. 15.

[3] O jucundas mihi tuas de Britannia literas! Timebam oceanum, timebam littus insulæ. Reliqua non equidem contemno. Ad Quint. 1. 16.

De Britannicis rebus cognovi ex tuis literis, nihil esse nec quod metuamus, nec quod gaudeamus. Ibid. 3. 1.

[4] Britannici belli exitus expectatur. Constat enim aditus insulæ munitos esse mirificis molibus. Etiam illud jam cognitum est, neque argenti scripulum esse ullum in illa insula, neque ullam spem prædæ, nisi ex mancipiis; ex quibus nullos puto te literis, aut musicis eruditos expectare. Ad Att. 4. 16.

[5] In Britannia nihil esse audio neque auri neque argenti. Id si ita est, essedum aliquod suadeo capias, et ad nos quam primum recurras. Ep. Fam. 7. 7.

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and, with the loss of liberty, losing every thing else that is valuable, sinks gradually again into its original barbarism.

Cicero, taking it for granted that Trebatius followed Cæsar into Britain, begins to joke with him upon the wonderful figure that a British lawyer would make at Rome; and, as it was his profession to guard other people's safety, bids him beware that he himself was not caught by the British charioteers [1]. But Trebatius, it seems, knew how to take care of himself without Cicero's advice; and, when Cæsar passed over to Britain, chose to stay behind in Gaul. This gave a fresh handle for raillery; and Cicero congratulates him upon being arrived at last in a country where he was thought to know something; that if he had gone over also to Britain, there would not have been a man in all that great island wiser than himself. He observes, that he was much more cautious in military, than in civil contests; and wonders that, being such a lover of swimming, he could not be persuaded to swim in the ocean; and, when he could not be kept away from every show of gladiators at Rome, had not curiosity to see the British charioteers: he rejoices, however, after all, that he did not go, since they should not now be troubled with the impertinence of his British stories [2].

Quintus Cicero, who had a genius for poetry, was projecting the plan of a poem, upon their British expedition, and begged his brother's assistance in it: Cicero approved the design, and observed upon it, that the nature and situation of places so strange, the manners of the people, their battles with them, and the general himself, Cæsar, were excellent subjects for poetry; but as to his assistance, it was sending owls to Athens: that Quintus, who had finished four tragedies in sixteen days, could not want either help or fame in that way, after his Electra and the Troades [3]. In other letters, he answers more seriously;

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[1] Mira enim persona induci potest Britannici Jurisconsulti. Ep. Fam. 7. 11.
Tu, qui cæteris cavere didicisti, in Britannia ne ab essedariis decipiaris caveto. Ibid. 6.

[2] Est, quod gaudeas, te in ista loca venisse, ubi aliquid sapere viderere; quod si in Britanniam quoque profectus esses, profecto nemo in illa tanta insula te peritior fuisset. Sed tu in re militari multo es cautior quam in advocationibus: qui neque in oceano *natare* voluisti, homo *studiosissimus natandi*, neque spectare essedarios, quem antea ne Andabatam quidem defraudare poteramus. Ibid. 10.
In Britanniam te profectum non esse gaudeo, quod et labore caruisti, et ego te de illis rebus non audiam. Ibid. 17.
The little hint, here given, of Trebatius's *love of swimming*, adds a new light and beauty to that passage of Horace, where the poet introduces him, advising, *to swim thrice across the Tiber*, to cure the want of sleep; the advice, it seems, being peculiarly agreeable to his own practice and character.

———*ter uncti*
Transnando Tiberim, somno quibus est opus alto. Sat. 2. 1. 8.

[3] Te vero ὑπόθεσιν scribendi egregiam habere video. Quos tu situs, quas naturas rerum et locorum, quos mores, quas gentes, quas pugnas, quem vero ipsum Imperatorem habes? Ego te libenter, ut rogas, quibus rebus vis, adjuvabo, et tibi versus, quos rogas, γλαῦκά εἰς Ἀθήνας mittam. Ad Quint. 2. 16.

Quatuor

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that it was impossible to conceive how much he wanted leisure for versifying: that, to write verses, required an ease and cheerfulness of mind, which the times had taken from him; and that his poetical flame was quite extinguished by the sad prospect of things before them[1].

He had sent Cæsar his Greek poem, in three books, on the history of his consulship; and Cæsar's judgment upon it was, that the beginning of it was as good as anything which he had ever seen in that language, but that the following lines, to a certain place, were not equal in accuracy and spirit. Cicero desires, therefore, to know of his brother, what Cæsar really thought of the whole; whether the matter or the style displeased him; and begs that he would tell him the truth freely; since, whether Cæsar liked it or not, he should not, he says, be a jot the less pleased with himself[2]. He began, however, another poem, at his brother's earnest request, to be addressed to Cæsar, but after some progress, was so dissatisfied with it, that he tore it[3]: yet, Quintus still urging, and signifying that he had acquainted Cæsar with the design, he was obliged to resume it, and actually finished an epic poem in honour of Cæsar; which he promises to send, as soon as he could find a proper conveyance, that it might not be lost, as Quintus's tragedy of Erigone was in coming from Gaul; the only thing says he, which had not found a safe passage, since Cæsar governed that province[4].

While Cicero was expressing no small dissatisfaction at the measures which his present situation obliged him to pursue, Cæsar was doing every thing in his power to make him easy:

Quatuor tragœdias, cum xvi diebus absolvisse scribas, tu quidquam ab alio mutuaris? et κλέος quæris, cum Electram et Troadem scripseris. Ibid. 3. 6.

N. B. These four tragedies, said to be written in sixteen days, cannot be supposed to have been original productions, but translations from some of the Greek poets, of which Quintus was a great master; finished by him in haste for the entertainment of the camp: for the word Troadem in the text, the name of one of them, should most probably be Troades, the title of one of Euripides' plays: as the Electra also was.

[1] Quod me de faciendis versibus rogas, incredibile est, mi frater, quantum egeam tempore—Facerem tamen ut possem, sed—Opus est ad poëma quadam animi alacritate, quam plane mihi tempora eripiunt. Ibid. 3. 5.

De versibus—deest mihi opera, quæ non modo tempus, sed etiam animum ab omni cura vacuum desiderat: sed abest etiam ἐνθουσιασμὸς, &c. Ibid. 4.

[2] Sed heus tu, celari videor a te, quomodonam, mi frater, de nostris versibus Cæsar? Nam primum librum se legisse scripsit ad me ante: et prima sic, ut neget se me Græca quidem meliora legisse; reliqua ad quendam locum ῥαθυμώτερα. Hoc enim utitur verbo. Dic mihi verum, num aut res eum aut χαρακτὴρ non delectat? Nihil est quod vereare. Ego enim ne pilo quidem minus me amabo. Ibid. 2. 16.

[3] Poëma ad Cæsarem, quod composueram, incidi. Ibid. 3. 1. § 4.

[4] Quod me institutum ad illum poëma jubes perficere; etsi distentus tum opera, tum animo sum multo magis, quoniam ex epistola, quam ad te miseram, cognovit Cæsar me aliquid esse exorsum; revertar ad institutum. Ad Quint. 8.

Quod me hortaris, ut absolvam, habeo absolutum suave, mihi quidem uti videtur, ἄπαξ ad Cæsarem. Sed quæro locupletem tabellarium, ne accidat quod Erigonæ tuæ; cui soli, Cæsare imperatore, iter ex Gallia tutum non fuit. Ibid. 9.

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he treated his brother with as much kindness, as if Cicero himself had been his general; gave him the choice of his winter quarters, and the legion which he liked best[1]: and Clodius happening to write to him from Rome, he shewed the letter to Quintus, and declared that he would not answer it; though Quintus civilly pressed him not to put such an affront upon Clodius for their sakes[2]. In the midst of all his hurry in Britain, he sent frequent accounts to Cicero, in his own hand, of his progress and success, and, at the instant of quitting the island wrote to him, from the very shore, of the embarkment of the troops, and his having taken hostages and imposed a tribute: and, lest he should be surprised at having no letters, at the same time, from his brother, he acquaints him, that Quintus was then at a distance from him, and could not take the benefit of that express: Cicero received all these letters at Rome, in less than a month after date, and takes notice, of one of them, that it arrived on the twentieth day, a dispatch equal to that of our present couriers by the post[3].

As to the news of the city, this summer, Cicero tells his brother, that there were some hopes of an election of magistrates, but those uncertain; some suspicion of a dictator, yet that not more certain; a great calm in the Forum; but of a city, seemed to be quieted rather by the effects of age, than of concord: that his own conduct, as well in public as in private, was just what Quintus had advised, softer than the tip of his ear; and his votes in the senate such as pleased others, rather than himself.

Such ills does wretched war and discord breed,

that bribery was never carried so high, as at this time, by the consular candidates, Memmius, Domitius, Scaurus, Messala; that they were all alike: no eminence in any; for money levelled the dignity of them all: that above eighty thousand pounds were promised to the first tribe; and money grown so

[1] Quintum meum—Dii boni! quemadmodum tractat, honore, dignitate, gratia? Non secus ac si ego essem Imperator. Hiberna legionum eligendi optio delata commodum, ut ad me scribit. Ad Att. 4. 18.

[2] In qua primum est de Clodii ad Cæsarem literis, in quo Cæsaris consilium probo, quod tibi amantissime petenti veniam non dedit, ut ullum ad illam Furiam verbum scriberet. Ad Quint. 3. 1. § 4.

[3] Ab Quinto fratre et a Cæsare accepi A. D. IX. Kal. Nov. literas, confecta Britannia, obsidibus acceptis, nulla præda, imperata tamen pecunia, datas a littoribus Britanniæ, proximo A. D. VI. Kal. Octob. exercitum Britannia reportabant. Ad Att. 4. 17.

Ex Britannia Cæsar ad me Kal. Sept. dedit literas: quas ego accepi A. D. IIII. Kal. Octob. satis commodas de Britannicis rebus: quibus, ne admirer, quod a te nullas acceperim, scribit se sine te fuisse, cum ad mare accesserit. Ad Quint. 3. 1. § 7.

Cum hanc jam epistolam complicarem, tabellarii a vobis venerunt ad D. XI. Kal. Sept. vicesimo die. Ibid. 3. 1. § 5.

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scarce, by this profusion of it, that interest was risen from four to eight per cent[1].

Memmius and Cn. Domitius, who joined their interests, made a strange sort of contract with the consuls, which was drawn up in writing, and attested, in proper form, by many of their friends on both sides; by which the consuls obliged themselves to serve them, with all their power, in the ensuing election; and they, on their part, undertook, when elected, to procure for the consuls what provinces they desired; and gave a bond of above three thousand pounds, to provide three augurs, who should testify, that they were present at making a law, for granting them those provinces, when no such law had ever been made; and two consular senators, who should affirm, that they were present, likewise, at passing a decree of the senate, for furnishing the same provinces with arms and money, when the senate had never been consulted about it[2]. Memmius, who was strongly supported by Cæsar[3], finding some reason to dislike his bargain, resolved to break it, and, by Pompey's advice, gave an account of it to the senate. Pompey was pleased with the opportunity of mortifying the consul Domitius, and willing, likewise, to take some revenge on Appius, who, though his near relation, did not enter so fully as he expected into his measures[4]: but Cæsar was much out of humour at this step[5], as it was likely to raise great scandal in the city, and strengthen the interest of those, who were endeavouring to restrain that infamous corruption, which was the main instrument of advancing his power. Appius never changed countenance, nor lost any credit by the discovery; but his colleague, Domitius, who affected the character of a patriot, was extremely discomposed; and Memmius,

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[1] Res Romanæ sic se habebant. Erat nonnulla spes comitiorum, sed incerta: erat aliqua suspicio Dictaturæ, ne ea quidem certa: summum otium forense; sed senescentis magis civitatis, quam adquiescentis. Sententia autem nostra in senatu ejusmodi, magis ut alii nobis assentiantur, quam nosmet ipsi.

Τοιαῦθ' ὁ τλήμων πόλεμος ἐξεργάζεται——Eurip. Iceti.

Ambitus redit immanis, nunquam par fuit. Ad Quint. 2. 15.

Sequere me nunc in campum. Ardet ambitus: σῆμα δέ τοι ἐρέω; fœnus ex triente Idib. Quint. factum erat bessibus——ἐξοχὴ in nullo est, pecunia omnium dignitatem exæquat. Ad Att. 4. 15.

[2] Consules flagrant infamia, quod C. Memmius candidatus pactionem in Senatu recitavit, quam ipse et suus competitor Domitius cum consulibus fecissent, uti ambo H. S. quadragena consulibus darent, si essent ipsi consules facti, nisi tres augures dedissent, qui se adfuisse dicerent, cum lex curiata ferretur, quæ lata non esset; et duo consulares, qui se dicerent in ornandis provinciis consularibus scribendo affuisse, cum omnino ne Senatus quidem fuisset. Hæc pactio non verbis sed nominibus et prescriptionibus, multorum tabulis cum esse facta diceretur, prolata a Memmio est nominibus inductis, auctore Pompeio. Ad Att. 4. 18.

[3] Memmium Cæsaris omnes opes confirmant. Ibid. 15. 17.

[4] Dio, l. 39. p. 118.

[5] Ut qui jam intelligebamus enuntiationem illam Memmii valde Cæsari displicere. Ad Att. 4. 16.

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now grown desperate, resolved to promote the general disorder, and the creation of a dictator[1].

Quintus sent his brother word from Gaul, that it was reported there, that he was present at this contract; but Cicero assures him that it was false, and that the bargain was of such a nature, as Memmius had opened it to the senate, that no honest man could have been present at it[2]. The senate was highly incensed; and, to check the insolence of the parties concerned, passed a decree, that their conduct should be inquired into, by what they called a private, or silent judgment; where the sentence was not to be declared till after the election, yet so as to make void the election of those, who should be found guilty: this they resolved to execute with rigour, and make an allotment of judges for that purpose; but some of the tribunes were prevailed with to interpose their negative, on pretence of hindering all inquisitions, not specially authorized by the people[3].

This detestable bargain of forging laws and decrees at pleasure, in which so many of the first rank were concerned, either as principals or witnesses, is alleged, by an ingenious French writer, as a flagrant instance of that libertinism, which hastened the destruction of Rome[4]. So far are private vices from being public benefits, that this great Republic, of all others the most free and flourishing, owed the loss of its liberty to nothing else but a general defection of its citizens, from the probity and discipline of their ancestors. Cicero often foretels their approaching ruin, from this very cause; and, when he bewails the wretchedness of the times, usually joins the wretchedness of their morals, as the genuine source of it[5].

But lest these corrupt candidates should escape without punishment, they were all publicly impeached by different prosecutors, and the city was now in a great ferment about them; since, as Cicero says, either the men, or the laws, must necessarily perish; yet they will all, says he, be acquitted; for trials are now managed so corruptly, that no man will ever be

[1] Hic Appius erat idem; nihil sane jacturæ. Corruerat alter, et plane, inquam, jacebat. Memmius autem—plane refrixerat, et eo magis nunc cogitare dictaturam, tum favere justitio et omnium rerum licentiæ. Ad Att. 4. 16.

[2] Quod scribis te audisse, in candidatorum consularium coitione me interfuisse, id falsum est. Ejusmodi enim pactiones in ista coitione factæ sunt, quas postea Memmius patefecit, ut nemo bonus interesse debuerit. Ad Quint. 3. 1. § 5.

[3] Ad Senatus decrevit ut tacitum judicium ante comitia fieret——Magnus timor candidatorum. Sed quidam judices—Tribunos pl. appellarunt, ne injussu populi judicarent. Res cedit. Comitia dilata ex S. C. dum lex de tacito judicio ferretur. Venit legi dies. Terentius intercessit. Ad Att. 4. 16.

[4] Considerations sur les causes de la grandeur, &c. des Romains. C. X.

[5] His præsertim moribus atque temporibus, quibus ita prolapsa resp. est, ut omnium opibus refrænanda, ac coercenda sit. De Divin. 2. 2.

Qui sit remp. afflictam et oppressam miseris temporibus, ac perditis moribus, in veterem dignitatem et libertatem vindicaturus. Ep. Fam. 2. 5.

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condemned for the future, unless for murder[1]. But Q. Scævola, one of the tribunes, took a more effectual way to mortify them, by resolving to hinder any election of consuls, during his magistracy, in which he persevered, and by his authority dissolved all the assemblies convened for that purpose[2]. The tribunician candidates, however, were remarkably modest this year; for they made an agreement among themselves, which they all confirmed by an oath, that, in prosecuting their several interests, they would submit their conduct to the judgment of Cato, and deposit four thousand pounds a-piece in his hands, to be forfeited by those whom he should condemn of any irregular practice. "If the election proves free," says Cicero, "as it is thought it will, Cato alone can do more than all the law and all the judges[3]."

A great part of this year was taken up in public trials: Suffenas and C. Cato, who had been tribunes two years before, were tried in the beginning of July, for violence and breach of peace in their magistracy, and both acquitted: but Procilius, one of their colleagues, was condemned for killing a citizen in his own house: "whence we are to collect," says Cicero, "that our Areopagites value neither bribery, nor elections, nor interregnums, nor attempts against the state, nor the whole Republic a rush; we must not murder a man, indeed, in his own house, though that, perhaps, might be done moderately, since twenty-two acquitted Procilius, when twenty-eight condemned him[4]." Clodius was the accuser in these impeachments; which made Cato, as soon as he was acquitted, seek a reconciliation with Cicero and Milo[5]. It was not Cicero's business to reject the friendship of an active and popular senator; and Milo had occasion for his service in his approaching suit for the consulship. But, though Cicero had no concern in these trials, he was continually employed in others, through the rest of the summer: "I was never," says he, "more busy in trials than now; in the worst season of the year, and the greatest heats,

[1] De ambitu postulati sunt omnes, qui consulatum petunt—Magno res in motu est. Propterea quod aut hominum aut legum interitus ostenditur. Ad Quint. 3. 2.
Sed omnes absolventur, nec posthac quisquam damnabitur, nisi qui hominem occiderit. Ad Att. 4. 16.

[2] Comitiorum quotidie singuli dies tolluntur obnuntiationibus, magna voluntate bonorum. Ad Quint. 3. 3.
Obnuntiationibus per Scævolam interpositis, singulis diebus. Ad Att. 4. 16.

[3] Tribunitii candidati jurarunt se arbitrio Catonis petituros: apud eum H. S. quingena deposuerunt: ut qui a Catone damnatus esset, id perderet, et competitoribus tribueretur —Si comitia, ut putantur, gratuita fuerint; plus unus Cato potuerit, quam omnes quidem judices. Ibid. 15. Ad Quint. 2. 15.

[4] III. Non. Quint. Suffenas et Cato absoluti: Procilius condemnatus. Ex quo intellectum est, τρισαρεσιοπαγίτας, ambitum, comitia, interregnum, majestatem, totam denique Remp. flocci non facere. Debemus patrem familias domi suæ occidere nolle, neque tamen id ipsum abunde. Nam absolverunt 22, condemnarunt 28. Ad Att. 4. 15.

[5] Is tamen et mecum et cum Milone in gratiam rediit. Ibid. 16.

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that we have ever known, there scarce passes a day in which I do not defend some[1]." Besides his clients in the city, he had several towns and colonies under his patronage, which sometimes wanted his help abroad, as the corporation of Reate did now, to plead for them before the consul Appius, and ten commissioners, in a controversy with their neighbours of Interamna, about draining the lake Velinus into the river Nar, to the damage of their grounds. He returned from this cause in the midst of the Appollinarian shows; and, to relieve himself from the fatigue of his journey, went directly to the theatre, where he was received by an universal clap: in the account of which, to Atticus, he adds, "but this you are not to take notice of, and I am a fool indeed myself for mentioning it[2]."

He now also defended Messius, one of Cæsar's lieutenants, who came from Gaul on purpose to take his trial: then Drusus, accused of prevaricating or betraying a cause, which he had undertaken to defend; of which he was acquitted by a majority only of four voices: after that Vitinius, the last year's prætor, and Æmilius Scaurus, one of the consular candidates, accused of plundering the province of Sardinia[3]; and, about the same time, likewise, his old friend, Cn. Plancius, who had entertained him so generously in his exile, and, being now chosen ædile, was accused, by a disappointed competitor, M. Laterensis, of bribery and corruption. All these were acquitted, but the orations for them are lost, except that for Plancius; which remains a perpetual monument of Cicero's gratitude: for Plancius, having obtained the tribunate from the people, as the reward of his fidelity to Cicero, did not behave himself, in that post, with the same affection to him as before, but seems studiously to have slighted him; while several of his colleagues, and especially Racilius, were exerting all their power in the defence of his person and dignity[4]. Yet Cicero freely undertook his cause, and, as if no coldness had intervened, displayed the merit of his services in the most pathetic and affecting manner: and rescued him from the hands of a powerful accuser,

[1] Sic enim habeto nunquam me a causis et judiciis districtiorem fuisse, atque id anni tempore gravissimo, et caloribus maximis. Ad Quint. 2. 16.

Diem scito esse nullum, quo non dico pro reo. Ibid. 3. 3.

[2] Reatini me ad sua τέμπη duxerunt, ut agerem causam contra Interamnates—Redii Romam—Veni in spectaculum; primum magno et æquabili plausu, (sed hoc ne curaris; ego ineptus qui scripserim). Ad Att. 4. 15.

[3] Messius defendebatur a nobis, e legatione revocatus—Deinde me expedio ad Drusum, inde ad Scaurum. Ibid.

Drusus erat de prevaricatione—absolutus, in summa quatuor sententiis.—Eodem die post meridiem Vatinium aderam defensurus; ea res facilis.—Scauri judicium statim exercebitur, cui nos non decrimus. Ad Quint. 2. 16.

Scaurum beneficio defensionis valde obligavi. Ibid. 3. 1. § 5.

[4] Negas tribunatum Plancii quicquam attulisse adjumenti dignitati meæ. Atque hoc loco, quod verissime facere potes, L. Racilii—divina in me merita commemoras, &c. Pro Planc. 32.

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and his own particular friend. Drusus's trial was held in the morning: from which, after going home to write a few letters, he was obliged to return to Vitinius's in the afternoon: which gives us a specimen of the hurry in which he generally lived, and of the little time which he had to spend upon his private affairs, or his studies; and though he was now carrying on several great works of the learned kind, yet he had no other leisure, he tells us, for meditating and composing, but when he was taking a few turns in his gardens, for the exercise of his body, and refreshment of his voice [1]. Vatinius had been one of his fiercest enemies; was in a perpetual opposition to him in politics; and, like Bestia, mentioned above, a seditious, profligate, abandoned libertine: so that the defence of him gave a plausible handle for some censure upon Cicero; but his engagements with Pompey, and especially his new friendship with Cæsar, made it necessary to embrace all Cæsar's friends; among whom Vatinius was most warmly recommended to him.

Gabinius, being recalled, as has been said, from his government, returned to Rome about the end of September: he bragged every where, on his journey, that he was going to the demand of a triumph: and, to carry on that farce, continued awhile without the gates; till, perceiving how odious he was to all within, he stole privately into the city by night, to avoid the disgrace of being insulted by the populace [2]. There were three different impeachments provided against him: the first, for treasonable practices against the state; the second, for the plunder of his province; the third, for bribery and corruption; and so many persons offered themselves to be prosecutors, that there was a contest among them, before the prætor, how to adjust their several claims [3]. The first indictment fell to L. Lentulus, who accused him, the day after he entered the city, that, in defiance of religion, and the decree of the senate, he had restored the king of Egypt with an army, leaving his own province naked and open to the incursion of enemies, who had made great devastations in it. Cicero, who had received from Gabinius all the provocation which one man could receive from another, had the pleasure to see his insolent adversary at his feet; and was prepared to give him such a reception as

[1] Ita quicquid conficio aut cogito in ambulationis fere tempus confero. Ad Quint. 3. 3.

[2] Ad urbem accessit A. D. xii. Cal. Oct. nihil turpius, nec desertius. Ad Quint. Fr. 3. 1. § 5.
Cum Gabinius, quacunque veniebat, triumphum sè postulare dixisset, subitoque bonus Imperator noctu in urbem, hostium plane, invasisset. Ibid. 2.

[3] Gabinium tres adhuc factiones postulant, &c. Ad Quint. Fr. 3. 1. § 5.
Cum hæc scribebam ante lucem, apud Catonem erat divinatio in Gabinium futura, inter Memmium, et Ti. Neronem, et C. et L. Antonios. Ibid. 2.

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he deserved: but Gabinius durst not venture to show his head for the first ten days, till he was obliged to come to the senate, in order to give them an account, according to custom, of the state of his province, and the troops which he had left in it. As soon as he had told his story, he was going to retire, but the consuls detained him, to answer to a complaint brought against him by the publicans, or farmers of the revenues, who were attending at the door to make it good. This drew on a debate, in which Gabinius was so urged and teazed on all sides, but especially by Cicero, that trembling with passion, and unable to contain himself, he called Cicero a banished man: "upon which," says Cicero, in a letter to his brother, "nothing ever happened more honourable to me: the whole senate left their seats to a man, and, with a general clamour, ran up to his very face: while the publicans also were equally fierce and clamorous against him, and the whole company behaved just as you yourself would have done [1]."

Cicero had been deliberating, for some time, whether he should not accuse Gabinius himself; but, out of regard to Pompey, was content to appear only as a witness against him [2]; and when the trial was over, gives the following account of it to his brother.

"Gabinius is acquitted: nothing was ever so stupid as his accuser, Lentulus; nothing so sordid as the bench: yet, if Pompey had not taken incredible pains, and the rumours of a dictatorship had not infused some apprehensions, he could not have held up his head even against Lentulus: since, with such an accuser, and such judges; of the seventy-two who sat upon him, thirty-two condemned him. The sentence is so infamous, that he seems likely to fall in the other trials, especially that of plunder; but there is no Republic, no senate, no justice, no dignity, in any of us; what can I say more of the judges? There were but two of them of prætorian rank, Domitius Calvinus, who acquitted him so forwardly, that all the world might see it; and Cato, who, as soon as the votes were declared, ran officiously from the bench, to carry the news to Pompey. Some say, and particularly Sallust, that I ought to have accused him: but should I risk my credit with such judges? What a figure should I have made, if he had escaped from me?

[1] Interim ipso decimo die, quo ipsum oportebat hostium numerum et militum renuntiare, in re hæsit, summa in frequentia: cum vellet exire, a consulibus retentus est; introducti publicani. Homo undique actus, cum a me maxime vulneraretur, non tulit, et me trementi voce exulem appellavit. Hic, O Dii, nihil unquam honorificentius nobis accidit. Consurrexit Senatus cum clamore ad unum, sic ut ad corpus ejus accederet. Pari clamore atque impetu publicani. Quid quæris? Omnes, tanquam si tu esses, ita fuerunt. Ad Quint. Fr. 2.

[2] Ego tamen me teneo ab accusando vix mehercule. Sed tamen teneo, vel quod nolo cum Pompeio pugnare; satis est, quod instat de Milone. Ibid. 3. 2.

A. Urb. 699. Cic. 53. Coss.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

But there were other things which influenced me: Pompey would have considered it as a struggle, not about Gabinius's safety, but his own dignity: it must have made a breach between us: we should have been matched like a pair of gladiators; as Pacidianus, with Æserninus the Samnite; he would probably have bit off one of my ears, or been reconciled at least with Clodius—for, after all the pains which I had taken to serve him; when I owed nothing to him, he every thing to me; yet he would not bear my differing from him in public affairs, to say no worse of it; and, when he was less powerful than he is at present, shewed what power he had against me, in my flourishing condition; why should I now, when I have lost even all desire of power, when the Republic certainly has none; when he alone has all, chuse him, of all men, to contend with: for, that must have been the case: I cannot think that you would have advised me to it. Sallust says, that I ought to have done either the one or the other; and, in compliment to Pompey, have defended him: who begged it of me, indeed, very earnestly—A special friend, this Sallust! to wish me to involve myself either in a dangerous enmity, or perpetual infamy. I am delighted with my middle way, and, when I had given my testimony faithfully, and religiously, was pleased to hear Gabinius say, that, if it should be permitted to him to continue in the city, he would make it his business to give me satisfaction; nor did he so much as interrogate me——[1]." He gives the same account of this trial to his other friends; how Lentulus acted his part so ill, that people were persuaded that he prevaricated—and that Gabinius's escape was owing to the indefatigable industry of Pompey, and the corruption of the bench [2].

About the time of this trial, there happened a terrible inundation of the Tiber, which did much damage at Rome: many houses and shops were carried away by it, and the fine gardens of Cicero's son-in-law, Crassipes, demolished. It was all charged to the absolution of Gabinius, after his daring violation of religion, and contempt of the Sibyl's books: Cicero applies to it the following passage of Homer [3]:

> As when, in autumn, Jove his fury pours,
> And earth is laden with incessant showers;
> When guilty mortals break th' eternal laws,
> And judges, brib'd, betray the righteous cause,
> From their deep beds he bids the rivers rise,
> And opens all the flood-gates of the skies.—Pope, Il. 16. v. 466.

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[1] Ad Quint. 3. 4.

[2] Quomodo ergo absolutus?—Accusatorum incredibilis infamia, id est L. Lentuli, quem fremunt omnes prævaricatum; deinde Pompeii mira contentio, Judicum sordes. Ad Att. 4. 16.

[3] Romæ, et maxime Appia ad Martis, mira proluvies. Crassipedis ambulatio ablata, horti, tabernæ plurimæ. Magna vis aquæ usque ad piscinam publicam. Viget illud Homeri—Cadit enim in absolutionem Gabinii. Ad Quint. 3. 7.

A. Urb. 699. Cic. 58. Coss.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

But Gabinius's danger was not yet over: he was to be tried a second time, for the plunder of his province; where C. Memmius, one of the tribunes, was his accuser, and M. Cato his judge, with whom he was not likely to find any favour: Pompey pressed Cicero to defend him, and would not admit of any excuse; and Gabinius's humble behaviour in the late trial was intended to make way for Pompey's solicitation. Cicero stood firm for a long time: "Pompey," says he, "labours hard with me, but has yet made no impression, nor, if I retain a grain of liberty, ever will [1]."

> Oh! ere that dire disgrace shall blast my fame,
> O'erwhelm me earth———Il. 4. 218.

But Pompey's incessant importunity, backed by Cæsar's earnest request, made it vain to struggle any longer; and forced him against his judgment, his resolution, and his dignity, to defend Gabinius, at a time when his defence at last proved of no service to him; for he was found guilty by Cato, and condemned, of course, to a perpetual banishment. It is probable, that Cicero's oration was never published, but as it was his custom to keep the minutes, or rough draught of all his pleadings, in what he called his Commentaries, which were extant many ages after his death [2]; so St. Jerome has preserved from them a small fragment of this speech, which seems to be a part of the apology, that he found himself obliged to make for it; wherein he observes, that when Pompey's authority had once reconciled him to Gabinius, it was no longer in his power to avoid defending him; "for it was ever my persuasion," says he, "that all friendships should be maintained with a religious exactness: but especially those, which happened to be renewed from a quarrel: for, in friendships that have suffered no interruption, a failure of duty is easily excused by a plea of inadvertency, or, at the worst, of negligence; whereas, if after a reconciliation, any new offence be given, it never passes for negligent, but wilful; and is not imputed to imprudence, but to perfidy [3]."

The proconsul, Lentulus, who resided still in Cilicia, having had an account from Rome, of Cicero's change of conduct, and his defence of Vitinius, wrote a sort of expostulatory letter to him, to know the reasons of it; telling him, that he had heard of his reconciliation with Cæsar and Appius, for which he did not blame him; but was at a loss how to account for his new friendship with Crassus; and, above all, what it was that

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[1] Pompeius a me valde contendit de reditu in gratiam, sed adhuc nihil profecit; nec, si ullam partem libertatis tenebo, proficiet. Ibid. 3. 1. § 5.
De Gabinio nihil fuit faciendum istorum, &c. τότε μοι χάνοι. Il. 4. 218.
[2] Quod fecisse M. Tullium, Commentariis ipsius apparet. Quintil. l. x. c. 7.
[3] Vid. Fragment. Orat.—

A. Urb. 699. Cic. 53. Coss.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

induced him to defend Vatinius. This gave occasion to that long and elaborate answer from Cicero, already referred to, written before Gabinius's trial; which would otherwise have made his apology more difficult, in which he lays open the motives and progress of his whole behaviour, from the time of his exile.—"As to the case of Vatinius," he says, "as soon as he was chosen prætor, where I warmly opposed him, in favour of Cato, Pompey prevailed with me to be reconciled to him; and Cæsar afterwards, took surprising pains with me to defend him; to which I consented, for the sake of doing what, as I told the court at the trial, the parasite in the Eunuch advised his patron to do:

"Whenever she talks of Phædriæ, do you presently praise Pamphila, &c. so I begged of the judges, that since certain persons of distinguished rank to whom I was much obliged, were so fond of my enemy, and affected to caress him in the senate, before my face, with all the marks of familiarity; and since they had their Publius to give me jealousy, I might be allowed to have my Publius, also, to teaze them with in my turn." Then, as to his general conduct, he makes this general defence; "that the union and firmness of the honest, which subsisted when Lentulus left Rome, confirmed," says he, "by my consulship, and revived by yours, is now quite broken and deserted by those who ought to have supported it, and were looked upon as patriots; for which reason, the maxims and measures of all wise citizens, in which class I always wish to be ranked, ought to be changed too: for it is a precept of Plato, whose authority has the greatest weight with me, to contend in public affairs, as far as we can persuade our citizens, but not to offer violence, either to our parent or our country. If I was quite free from all engagements, I should act therefore, as I now do; should not think it prudent to contend with so great a power; nor, if it could be effected, to extinguish it in our present circumstances; nor continue always in one mind, when the things themselves, and the sentiments of the honest, are altered; since a perpetual adherence to the same measures has never been approved by those who know best how to govern states; but, as in sailing, it is the business of art to be directed by the weather, and foolish to persevere with danger in the course in which we set out, rather than by changing it, to arrive with safety, though later, where we intended; so to us, who manage public affairs, the chief end proposed being dignity, with public quiet, our business is not to be always saying, but always, aiming at the same thing. Wherefore, if all things, as I said, were wholly free to me, I should be the same man that I now am; but when I am invited to this conduct, on

A. Urb. 692. Cic. 53. Coss.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

the one side, by kindnessess, and driven to it on the other by injuries, I easily suffer myself to vote and act what I take to be useful both to myself and the Republic; and I do it the more freely, as well on the account of my brother's being Cæsar's lieutenant, as that there is not the least thing which I have ever said or done for Cæsar, but what he has repaid with such eminent gratitude, as persuades me, that he takes himself to be obliged to me; so that I have as much use of all his power and interest, which you know to be the greatest, as if they were my own: nor could I otherwise have defeated the designs of my desperate enemies, if to those forces, which I have always been master of, I had not joined the favour of the men of power. Had you been here to advise me, I am persuaded that I should have followed the same measures: for I know your goodnature and moderation; I know your heart, not only the most friendly to me, but void of all malevolence to others; great and noble, open and sincere[1]," &c. He often defends himself, on other occasions by the same allusion to the art of sailing. "I cannot reckon it inconstancy," says he, "to change and moderate our opinion, like the course of a ship, by the weather of the Republic; this is what I have learnt, have observed, have read; what the records of former ages have delivered, of the wisest and most eminent citizens, both in this and all other cities; that the same maxims are not always to be pursued by the same men; but such, whatever they be, which the state of the Republic, the inclination of the times, the occasions of public peace require. This is what I am now doing, and shall always do[2]."

The trial of C. Rabirius Postumus, a person of equestrian rank, was an appendix to that of Gabinius. It was one of the articles against Gabinius, that he had received about two millions for restoring king Ptolemy; yet all his estate, which was to be found, was not sufficient to answer the damages in which he was condemned; nor could he give any security for the rest: in this case, the method was, to demand the deficiency from those, through whose hands the management of his money affairs had passed, and who were supposed to have been sharers in the spoil: this was charged upon Rabirius: and that he had advised Gabinius to undertake the restoration of the king, and accompanied him in it, and was employed to solicit the payment

[1] Ep. Fam. 1. 9.

[2] Neque enim inconstantis puto, sententiam, tanquam aliquod navigium atque cursum ex reip. tempestate moderari. Ego vero hæc didici, hæc vidi, hæc scripta legi: hæc de sapientissimis et clarissimis viris, et in hac Repub. et in aliis civitatibus monumenta nobis et literæ prodiderunt: non semper easdem sententias ab iisdem, sed quascunque reip. status, inclinatio temporum, ratio concordiæ postularet, esse defendendas. Quod ego et facio, et semper faciam. Pro Planc. 39.

A. Urb. 699. Cic. 53. Coss.—L. Domitius Ahenobarbus. A Claudius Pulcher.

of the money, and lived in Alexandria for that purpose, in the king's service, as the public receiver of his taxes, and wearing the pallium or habit of the country.

Cicero urged, in defence of Rabirius, that he had borne no part in that transaction; but that his whole crime, or rather folly, was, that he had lent the king great sums of money for his support at Rome; and ventured to trust a prince, who, as all the world then thought, was going to be restored by the authority of the Roman people: that the necessity of going to Egypt for the recovery of that debt, was the source of all his misery; where he was forced to take whatever the king would give or impose: that it was his misfortune to be obliged to commit himself to the power of an arbitrary monarch; that nothing could be more mad, than for a Roman knight, and citizen of a Republic, of all others the most free, to go to any place, where he must needs be a slave to the will of another; that all who ever did so, as Plato and the wisest had sometimes done too hastily, always suffered for it. This was the case of Rabirius; necessity carried him to Alexandria; his whole fortunes were at stake [1]; which he was so far from improving by his traffic with that king, that he was ill-treated by him, imprisoned, threatened with death, and glad to run away at last with the loss of all; and, at that very time, it was wholly owing to Cæsar's generosity and regard to the merit and misfortunes of an old friend, that he was enabled to support his former rank and equestrian dignity [2]. Gabinius's trial had so near a relation to this, and was so often referred to in it, that the prosecutors could not omit so fair an opportunity of rallying Cicero, for the part which he had acted in it:—Memmius observed, that the deputies of Alexandria had the same reason for appearing for Gabinius, which Cicero had for defending him—the command of a master. "No, Memmius," replied Cicero, "my reason for defending him was a reconciliation with him; for I am not ashamed to own, that my quarrels are mortal, my friendships immortal: and if you imagine that I undertook that cause for fear of Pompey, you neither know Pompey nor me, for Pompey would neither desire it of me, against my will, nor would I, after I had preserved the liberty of my citizens, ever give up my own [3]."

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[1] Pro Rabir. 8. 9. [2] Ib. 15.

[3] Ait etiam meus familiaris, eandem causam Alexandrinis fuisse, cur laudarent Gabinium, quæ mihi fuit, cur eundem defenderem. Mihi, C. Memmi, causa defendendi Gabinii fuit, reconciliatio gratiæ. Neque vero me pœnitet, *mortales inimicitias sempiternas amicitias habere*. Nam si me invitum putas, ne Cn. Pompeii animum offenderem, defendisse causam; et illum et me vehementer ignoras. Neque Pompeius me sua causa quidquam facere voluisset invitum; neque ego, cui omnium civium libertas carissima fuisset, meam projecissem. Pro C. Rabir. Post. 12.

A. Urb. 699. Cic. 53. Coss.—L. Domitius Ahenobarbus. A Claudius Pulcher.

Valerius Maximus reckons Cicero's defence of Gabinius and Vatinius among the great and laudable examples of humanity, which the Roman history furnished; "as it is nobler," he says, to conquer injuries with benefits, than to repay them in kind, with an obstinacy of hatred[1]." This turn is agreeable to the design of that writer, whose view, it seems to be, in the collection of his stories, to give us rather what is strange, than true; and to dress up facts, as it were, into fables, for the sake of drawing a moral from them; for whatever Cicero himself might say for it, in the flourishing style of an oration, it is certain that he knew and felt it to be what it really was, an indignity and dishonour to him, which he was forced to submit to by the iniquity of the times, and his engagements with Pompey and Cæsar, as he often laments to his friends in a very passionate strain: "I am afflicted," says he, "my dearest brother, I am afflicted, that there is no Republic, no justice in trials; that this season of my life, which ought to flourish in the authority of the senatorian character, is either wasted in the drudgery of the bar, or relieved only by domestic studies; that what I have ever been fond of from a boy,

> In every virtuous act and glorious strife
> To shine the first and best———

is wholly lost and gone; that my enemies are partly not opposed, partly even defended by me; and neither what I love, nor what I hate, left free to me[2]."

While Cæsar was engaged in the British expedition, his daughter, Julia, Pompey's wife, died in child-bed, at Rome, after she was delivered of a son, which died also soon after her. Her loss was not more lamented by the husband and father, who both of them tenderly loved her, than by all their common friends and well-wishers to the public peace; who considered it as a source of fresh disturbance to the state, from the ambitious views and clashing interests of the two chiefs; whom the life of one so dear, and the relation of son and father seemed hitherto to have united by the ties both of duty and affection[3]. Cæsar is said to have borne the news of her death with an un-

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[1] Sed hujusce generis humanitas etiam in M. Cicerone præcipua apparuit, &c. Val. Max. 4. 2.

[2] Angor, mi suavissime frater, angor, nullam esse Remp., nulla judicia, nostrumque hoc tempus ætatis, quod in illa senatoria auctoritate florere debebat, aut forensi labore jactari, aut domesticis literis sustentari. Illud vero quod a puero adamaram,

> Αἰὲν ἀριστεύειν καὶ ὑπείροχον ἔμμεναι ἄλλων.
> Il. ϛ. 208.

totum occidisse; inimicos a me partim non oppugnatos; partim etiam esse defensos; meum non modo animum, sed ne odium quidem esse liberum. Ad Quint. 3. 5.

[3] Cum medium jam, ex invidia potentiæ male cohærentis inter Cn. Pompeium et C. Cæsarem, concordiæ pignus, Julia uxor Magni decessit—Filius quoque parvus, Julia natus, intra breve spatium obiit. Vell. Pat. 2. 47. Val. Max. 4. 6.

A. Urb. 699. Cic. 53. Coss.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

common firmness[1]: it is certain that she had lived long enough to serve all the ends which he proposed from that alliance, and to procure for him every thing that Pompey's power could give: for, while Pompey, forgetful of his honour and interest, was spending his time ingloriously at home, in the caresses of a young wife, and the delights of Italy; and, as if he had been only Cæsar's agent, was continually decreeing fresh honours, troops, and money to him; Cæsar was pursuing the direct road to empire; training his legions in all the toils and discipline of a bloody war; himself always at their head, animating them by his courage, and rewarding them by his bounty; till, from a great and wealthy province, having raised money enough to corrupt, and an army able to conquer all who could oppose him, he seemed to want nothing for the execution of his vast designs, but a pretext to break with Pompey; which, as all wise men foresaw, could not long be wanted, when Julia, the cement of their union, was removed. For though the power of the triumvirate had given a dangerous blow to the liberty of Rome, yet the jealousies and separate interests of the chiefs obliged them to manage it with some decency; and to extend it, but rarely, beyond the forms of the constitution; but whenever that league should happen to be dissolved, which had made them already too great for private subjects, the next contest, of course, must be for dominion, and the single mastery of the empire.

On the second of November, C. Pontinius triumphed over the Allobroges: he had been prætor, when Cicero was consul; and, at the end of his magistracy obtained the government of that part of Gaul, which, having been tampering with Catiline in his conspiracy, broke out soon afterwards into open rebellion, but was reduced by the vigour of this general. For this service he demanded a triumph, but met with great opposition, which he surmounted with incredible patience: for he persevered in his suit, for five years successively; residing all that while, according to custom, in the suburbs of the city, till he gained his point, at last, by a kind of violence. Cicero was his friend, and continued in Rome on purpose to assist him; and the consul Appius served him with all his power: but Cato protested that Pontinius should never triumph while he lived; "though this," says Cicero, "like many of his other threats, will end at last in nothing." But the prætor Galba, who had been his lieutenant, having procured, by stratagem, an act of the people in his favour, he entered the city in his triumphal

[1] Cæsar—cum audivit decessisse filiam—inter tertiam diem imperatoria obiit munera, Senec. Consol. ad Helv. p. 116.

A. Urb. 699. Cic. 53. Coss.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

chariot, where he was so rudely received and opposed in his passage through the streets, that he was forced to make his way with his sword, and the slaughter of many of his adversaries [1].

In the end of the year, Cicero consented to be one of Pompey's lieutenants in Spain: which he began to think convenient to the present state of his affairs, and resolved to set forward for that province about the middle of January [2]: but this seemed to give some umbrage to Cæsar, who, by the help of Quintus, hoped to disengage him gradually from Pompey, and to attach him to himself; and, with that view, had begged of him, in his letters, to continue at Rome [3], for the sake of serving himself with his authority, in all affairs which he had occasion to transact there; so that out of regard, probably, to Cæsar's uneasiness, Cicero soon changed his mind, and resigned his lieutenancy: to which he seems to allude, in a letter to his brother, where he says, that he had no second thoughts in whatever concerned Cæsar; that he would make good his engagements to him; and having entered into his friendship with judgment, was now attached to him by affection [4].

He was employed, at Cæsar's desire, along with Oppius, in settling the plan of a most expensive and magnificent work, which Cæsar was going to execute at Rome, out of the spoils of Gaul; a new forum, with many grand buildings annexed to it; for the area of which alone, they had contracted to pay to the several owners about five hundred thousand pounds; or, as Suetonius computes, near double that sum [5]. Cicero calls it a glorious piece of work, and says, "that the partitions, or enclosures of the Campus Martius, in which the tribes used to vote, were all to be made new of marble, with a roof likewise of the same, and a stately portico carried round the whole, of a mile in circuit, to which a "public hall or townhouse was to be joined [6]." While this building was going forward, L. Æmilius

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[1] Ea re non longius, quam vellem, quod Pontinio ad Triumphum volebam adesse: etenim erit nescio quid negotioli, &c. Ad Quint. 3. 5.

Pontinius vult A. D. IV. Non. Novemb. triumphare. Huic obviam Cato et Servilius prætores aperte, et Q. Mucius tribunus. Sed erit cum Pontinio Appius consul. Cato tamen affirmat, se vivo illum non triumphare: id ego puto, ut multa ejusdem, ad nihil recasurum. Ad Att. 4. 16. It. Dio, l. 39. p. 120.

[2] Sed heus tu, scripseramne tibi me esse legatum Pompeio; et extra urbem quidem fore, ex Id. Jan. visum est hoc mihi ad multa quadrare. Ad Att. 4. 18.

[3] Quod mihi tempus, Romæ præsertim, ut iste me rogat, manenti, vacuum ostenditur? Ad Quint. 2. 15.

[4] Ego vero nullas δευτέρας φροντίδας habere possum in Cæsaris rebus—Videor id judicio facere. Jam enim debeo: sed tamen amore sum incensus. Ad Quint. 3. 1. § 5.

[5] Forum de manubiis inchoavit; cujus area super H-S. millies constitit. Sueton. J. Cæs. 26.

[6] Itaque Cæsaris amici (me dico et Oppium, dirumparis licet) in monumentum illud, quod tu tollere laudibus solebas, ut Forum laxaremus, et usque ad Libertatis atrium ex-

A. Urb. 699. Cic. 53. Coss.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

Paulus was employed in raising another, not much inferior to it, at his own expense: for he repaired and beautified an ancient basilica in the old forum; and built, at the same time, a new one, with Phrygian columns, which was called after his own name, and is frequently mentioned by the later writers, as a fabric of wonderful magnificence, computed to have cost him three hundred thousand pounds [1].

A. Urb. 700. Cic. 54.

THE new tribunes pursued the measures of their predecessors, and would not suffer an election of consuls; so that when the new year came on, the Republic wanted its proper head: in this case, the administration fell into the hands of an interrex; a provisional magistrate, who must necessarily be a patrician, and chosen by the body of patricians, called together for that purpose by the senate [2]. His power, however, was but short-lived, being transferred, every five days, from one interrex to another, till an election of consuls could be obtained: but the tribunes, whose authority was absolute, while there were no consuls to control them, continued fierce against any election at all: some were for reviving the ancient dignity of military tribunes; but that being unpopular, a more plausible scheme was taken up, and openly avowed, of declaring Pompey dictator. This gave great apprehensions to the city, for the memory of Sylla's dictatorship; and was vigorously opposed by all the chiefs of the senate, and especially by Cato: Pompey chose to keep himself out of sight, and retired into the country, to avoid the suspicion of affecting it. "The rumour of a dictatorship," says Cicero, "is disagreeable to the honest; but the other things which they talk of, are more so to me: the whole affair is dreaded, but flags: Pompey flatly disclaims it, though he never denied it to me before: the tribune, Hirrus, will probably be the promoter: good gods! how silly and fond of himself without a rival! At Pompey's request, I have deterred Crassus Junianus, who pays a great regard to me, from meddling with it. It is hard to know whether Pompey really desires it or not: but if Hirrus stir in it, he will not convince us

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plicaremus, consumsimus H-S. sexcenties: cum privatis non poterat transigi minore pecunia. Efficiemus rem gloriosissimam. Nam in Campo Martio septa tributis comitiis marmorea sumus et tecta facturi, eaque cingemus excelsa porticu, ut mille passuum conficiatur. Simul adjungetur huic operi villa etiam publica. Ad Att. 4. 16.

[1] Paulus in medio Foro Basilicam jam pæne texuit iisdem antiquis columnis: illam autem, quam locavit, facit magnificentissimam. Nihil gratius illo monumento, nihil gloriosius. Ib.

[2] Vid. Ascon. argum. in Milon.

that he is averse to it[1]." In another letter; "nothing is yet done as to the dictatorship; Pompey is still absent; Appius in a great bustle; Hirrus preparing to propose it; but several are named as ready to interpose their negative: the people do not trouble their heads about it; the chiefs are against it; I keep myself quiet[2]." Cicero's friend, Milo, was irresolute how to act on this occasion; he was forming an interest for the consulship; and, if he declared against a dictatorship, was afraid of making Pompey his enemy; or, if he should not help the opponents, that it would be carried by force; in both which cases, his own pretensions were sure to be disappointed: he was inclined, therefore, to join in the opposition, but so far only, as to repel any violence[3].

The tribunes, in the mean time, were growing every day more and more insolent, and engrossing all power to themselves; till Q. Pompeius Rufus, the grandson of Sylla, and the most factious espouser of a dictator, was, by a resolute decree of the senate, committed to prison; and Pompey himself, upon his return to the city, finding the greater and better part utterly averse to his dictatorship, yielded, at last, after an interregnum of six months, that Cn. Domitius Calvinus, and M. Messala, should be declared consuls[4]. These were agreeable likewise to Cæsar: Cicero had particularly recommended Messala to him: of whom, he says, in a letter to his brother: "as to your reckoning Messala and Calvinus sure consuls, you agree with what we think here; for I will be answerable to Cæsar for Messala[5]."

A. Urb. 700. Cic. 54. Coss.—Cn. Domitius Calvinus. M. Valerius Messala.

But, after all this bustle about a dictator, there seems to have been no great reason for being much afraid of it at this time; for the Republic was in so great a disorder, that nothing less than the dictatorial power could reduce it to a tolerable state: some good of that kind might reasonably be expected

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[1] Rumor Dictatoris injucundus bonis: mihi etiam magis quæ loquuntur. Sed tota res et timetur et refrigescit. Pompeius plane se negat velle; antea ipse mihi non negabat. Hirrus auctor fore videtur. O Dii, quam ineptus, et quam se amans sine rivali! Crassum Junianum, hominem mihi deditum, per me deterruit. Velit, nolit, scire difficile est. Hirro tamen agente, nolle se non probabit. Ad Quint. 3. 8.

[2] De Dictatore tamen actum nihil est. Pompeius abest: Appius miscet: Hirrus parat: multi intercessores numerantur: populus non curat: principes nolunt: ego quiesco. Ib. 9.

[3] Hoc horret Milo—et si ille Dictator factus sit, pæne diffidit. Intercessorem dictaturæ si juverit manu et præsidio suo, Pompeium metuit inimicum; si non juverit, timet, ne per vim perferatur. Ib. 8.

[4] Vid. Dio. l. 40, p. 141.

[5] Messalam quod certum consulem cum Domitio numeratis, nihil a nostra opinione dissentitis. Ego Messalam Cæsari præstabo. Ad Quint. 3. 8.

A. Urb. 700. Cic. 54. Coss.—Cn. Domitius Calvinus. M. Valerius Messala.

from Pompey, without the fear of any great harm, while there was so sure a check upon him as Cæsar; who, upon any exorbitant use of that power, would have had the senate, and all the better sort, on his side, by the specious pretence of asserting the public liberty: Cicero, therefore, judged rightly, in thinking, that there were other things, which might be apprehended, and seemed likely to happen, that, in their present situation, were of more dangerous consequence than a dictatorship.

There had scarce been so long an interregnum in Rome, since the expulsion of their kings; during which, all public business, and especially all judicial proceedings, were wholly interrupted; which explains a jocose passage in one of Cicero's letters, to Trebatius: "If you had not already," says he, "been absent from Rome, you would certainly have run away now: for what business is there for a lawyer in so many interregnums? I advise all my clients, if sued in any action, to move every interrex twice for more time; do not you think, that I have learnt the law of you to good purpose[1]?"

He now began a correspondence of letters with Curio, a young senator of distinguished birth and parts, who, upon his first entrance into the Forum, had been committed to his care, and was at this time quæstor in Asia. He was possessed of a large and splendid fortune, by the late death of his father; so that Cicero, who knew his high spirit and ambition, and that he was formed to do much good or hurt to his country, was desirous to engage him early in the interests of the Republic; and, by instilling great and generous sentiments, to inflame him with a love of true glory. Curio had sent orders to his agents at Rome, to proclaim a show of gladiators in honour of his deceased father; but Cicero stopped the declaration of it for a while, in hopes to dissuade him from so great and fruitless an expense[2]. He foresaw, that nothing was more likely to corrupt his virtue, than the ruin of his fortunes, or to make him a dangerous citizen, than prodigality; to which he was naturally inclined, and which Cicero, for that reason, was the more desirous to check, at his first setting out: but all his endeavours were to no purpose; Curio resolved to give the show of gladiators; and by a continual profusion of his money, answering to this beginning, after he had acted the patriot for

[1] Nisi ante Roma profectus esses, nunc eam certe relinqueres. Quis enim tot interregnis jurisconsultum desiderat? Ego omnibus, unde petitur, hoc consilii dederim, ut a singulis interregibus binas advocationes postulent. Satisne tibi videor abs te jus civile didicisse? Ep. Fam. 7. 11.

[2] Rupæ studium non defuit declarandorum munerum tuo nomine: sed nec mihi placuit, nec cuiquam tuorum, quidquam te absente fieri, quod tibi, cum venisses, non esset integrum, &c. Ibid. 2. 3.

A. Urb. 700. Cic. 54. Coss.—Cn. Domitius Calvinus. M. Valerius Messala.

some time, with credit and applause, was reduced, at last, to the necessity of selling himself to Cæsar.

There is but little of politics in these letters besides some general complaints, of the lost and desperate state of the Republic: in one of them, after reckoning up the various subjects of epistolary writing; "shall I joke with you then," says he, "in my letters? On my conscience, there is not a citizen, I believe, who can laugh at these times: or shall I write something serious? But what can Cicero write seriously to Curio, unless it be on the Republic? where my case, at present, is such, that I have no inclination to write what I do not think—[1]." In another, after putting him in mind of the incredible expectation which was entertained of him at Rome, "not that I am afraid," said he, "that your virtue should not come up to the opinion of the public: but rather, that you find nothing worth caring for at your return; all things are so ruined and oppressed: but I question whether it be prudent to say so much. It is your part, however, whether you retain any hopes, or quite despair, to adorn yourself with all those accomplishments, which can qualify a citizen, in wretched times and profligate morals, to restore the Republic to its ancient dignity[2]."

The first news from abroad, after the inauguration of the consuls, was of the miserable death of Crassus and his son Publius, with the total defeat of his army by the Parthians. This was one of the greatest blows that Rome had ever received from a foreign enemy, and for which it was ever after meditating revenge: the Roman writers generally imputed it to Crassus's contempt of the auspices; as some Christians have since charged it, to his sacrilegious violation of the temple of Jerusalem, which he is said to have plundered of two millions; both of them, with equal superstition, pretending to unfold the counsels of heaven, and to fathom those depths which are declared to be unsearchable[3]. The chief and immediate concern, which the city felt on this occasion, was for the detriment that the Republic had suffered, and the danger to which it was exposed, by the loss of so great an army; yet the principal mischief lay, in what they did not at first regard, and seemed

[1] Jocerne tecum per litteras? civem mehercule non puto esse, qui temporibus his ridere possit. An gravius aliquid scribam? Quid est quod possit graviter a Cicerone scribi ad Curionem, nisi de Rep.? Atque in hoc genere hæc mea causa est, ut neque ea, quæ non sentio, velim scribere. Ibid. 4.

[2] Non quo verear ne tua virtus opinioni hominum non respondeat: sed mehercule, ne cum veneris, non habeas jam quod cures: ita sunt omnia debilitata jam prope et extincta, &c. Ibid. 5.

[3] M. Crasso quid acciderit, videmus, dirarum obnunciatione neglecta. [De Div. l. 16.]

Being for his impious sacrilege at Jerusalem justly destined to destruction, God did cast infatuations into all his councils, for the leading him thereto. Prideaux Connect. Par. 2. p. 362.

A. Urb. 700. Cic. 54. Coss.—Cn. Domitius Calvinus. M. Valerius Messala.

rather to rejoice at, the loss of Crassus himself. For after the death of Julia, Crassus's authority was the only means left of curbing the power of Pompey, and the ambition of Cæsar, being ready always to support the weaker, against the encroachments of the stronger, and keep them both within the bounds of a decent respect to the laws; but this check being now taken away, and the power of the empire thrown, as a kind of prize, between two, it gave a new turn to their several pretensions, and created a fresh competition for the larger share; which, as the event afterwards shewed, must necessarily end in the subversion of the whole.

Publius Crassus, who perished with his father in this fatal expedition, was a youth of an amiable character; educated with the strictest care, and perfectly instructed in all the liberal studies: he had a ready wit and easy language; was grave without arrogance, modest without negligence; adorned with all the accomplishments proper to form a principal citizen and leader of the Republic: by the force of his own judgment he had devoted himself very early to the observance and imitation of Cicero, whom he perpetually attended and reverenced with a kind of filial piety. Cicero conceived a mutual affection for him, and observing his eager thirst for glory, was constantly instilling into him the true notion of it; and exhorting him to pursue that sure path to it, which his ancestors had left beaten and traced out to him, through the gradual ascent of civil honours. But by serving under Cæsar in the Gallic wars, he had learnt, as he fancied, a shorter way to fame and power than what Cicero had been inculcating; and having signalized himself in a campaign or two, as a soldier, was in too much haste to be a general; when Cæsar sent him, at the head of a thousand horse, to the assistance of his father in the Parthian war. Here the vigour of his youth and courage carried him on so far, in the pursuit of an enemy, whose chief art of conquest consisted in flying, that he had no way left to escape, but what his high spirit disdained, by the desertion of his troops and a precipitate flight; so that, finding himself oppressed with numbers, cruelly wounded, and in danger of falling alive into the hands of the Parthians, he chose to die by the sword of his armour-bearer. Thus, while he aspired, as Cicero says, to the fame of another Cyrus or Alexander, he fell short of that glory, which many of his predecessors had reaped, from a succession of honours, conferred by their country, as the reward of their services[1].

[1] Hoc magis sum Publio deditus, quod me, quanquam a pueritia semper, tamen hoc tempore maxime, sicut alterum parentem et observat et diligit. Ep. Fam. 5. 8. P. Crassum

A. Urb. 700. Cic. 54. Coss.—Cn. Domitius Calvinus. M. Valerius Messala.

By the death of young Crassus, a place became vacant in the college of Augurs, for which Cicero declared himself a candidate: nor was any one so hardy as to appear against him, except Hirrus, the tribune, who, trusting to the popularity of his office, and Pompey's favour, had the vanity to pretend to it; but a competition so unequal furnished matter of raillery only to Cicero, who was chosen without any difficulty or struggle, with the unanimous approbation of the whole body[1]. This college, from the last regulation of it by Sylla, consisted of fifteen, who were all persons of the first distinction in Rome: it was a priesthood for life, of a character indelible, which no crime or forfeiture could efface: the priests of all kinds were originally chosen by their colleges, till Domitius, a tribune, about fifty years before, transferred the choice of them to the people, whose authority was held to be supreme in sacred, as well as civil affairs[2]. This act was reversed by Sylla, and the ancient right restored to the colleges; but Labienus, when tribune, in Cicero's consulship, recalled the law of Domitius, to facilitate Cæsar's advancement to the high-priesthood: it was necessary, however, that every candidate should be nominated to the people by two augurs, who gave a solemn testimony, upon oath, of his dignity and fitness for the office: this was done in Cicero's case by Pompey and Hortensius, the two most eminent members of the college; and, after the election, he was installed, with all the usual formalities, by Hortensius[3].

As in the last year, so in this, the factions of the city prevented the choice of consuls: the candidates, T. Annius Milo, Q. Metellus Scipio, and P. Plautius Hypsæus pushed on their several interests with such open violence and bribery, as if the consulship was to be carried only by money or arms[4]. Clodius was putting in at the same time for the prætorship, and employing all his credit and interest to disappoint Milo, by whose obtaining the consulship, he was sure to be eclipsed and con-

P. Crassum ex omni nobilitate adolescentem dilexi plurimum, &c. Ibid. 13. 16.

Cum P. Crasso, cum initio ætatis ad amicitiam se meam contulisset, sæpe egisse me arbitror, cum eum vehementissime hortarer, ut eam laudis viam rectissimam esse duceret, quam majores ejus ei tritam reliquissent. Erat enim cum institutus optime, tum plane perfecteque eruditus. Ineratque et ingenium satis acre, et orationis non inelegans copia: prætereaque sine arrogantia gravis esse videbatur, et sine segnitie verecundus, &c. Vid. Brut. p. 407. It. Plut. in Crass.

[1] Quomodo Hirrum putas Auguratus tui competitorem. Ep. Fam. 8. 3.

[2] Atque hoc idem de cæteris Sacerdotiis Cn. Domitius tribunus Pl. tulit, &c. De Leg. Ag. 2. 7.

[3] Quo enim tempore me Augurem a toto collegio expetitum Cn. Pompeius et Q. Hortensius nominaverunt; neque enim licebat a pluribus nominari.—Philip. 2. 2.

Cooptatum me ab eo in collegium recordabar, in quo juratus judicium dignitatis meæ fecerat: et inauguratum ab eodem, ex quo, Augurum institutis in parentis eum loco colere debebam. Brut. init.

[4] Plut. in Cato.

A. Urb. 700. Cic. 54. Coss.—Cn. Domitius Calvinus. M. Valerius Messala.

trolled, in the exercise of his subordinate magistracy[1]. Pompey was wholly averse to Milo, who did not pay him that court which he expected, but seemed to affect an independency, and to trust to his own strength, while the other two competitors were wholly at his devotion. Hypsæus had been his quæstor, and always his creature; and he designed to make Scipio his father-in-law, by marrying his daughter Cornelia, a lady of celebrated accomplishments, the widow of young Crassus.

Cicero, on the other hand, served Milo to the utmost of his power, and ardently wished him success. This he owed to Milo's constant attachment to him, which, at all hazards, he now resolved to repay. The affair, however, was likely to give him much trouble, as well from the difficulty of the opposition, as from Milo's own conduct and unbounded prodigality, which threatened the ruin of all his fortunes. In a letter to his brother, who was still with Cæsar, he says, "Nothing can be more wretched than these men and these times: wherefore, since no pleasure can now be had from the Republic, I know not why I should make myself uneasy: books, study, quiet, my country-houses, and above all, my children, are my sole delight. Milo is my only trouble: I wish his consulship may put an end to it; in which I will not take less pains, than I did in my own; and you will assist us there also, as you now do: all things stand well with him, unless some violence defeat us. I am afraid only, how his money will hold out: for he is mad beyond all bounds in the magnificence of his shows, which he is now preparing at the expense of 250,000*l.*; but it shall be my care to check his inconsiderateness in this one article, as far as I am able[2]," &c.

In the heat of this competition, Curio was coming home from Asia, and expected shortly at Rome; whence Cicero sent an express to meet him on the road, or at his landing in Italy, with a most earnest and pressing letter to engage him to Milo's interest.

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[1] Occurrebat ei, mancam ac debilem Præturam suam futuram consule Milone. Pro Milon. 9.

[2] Itaque ex Rep. quoniam nihil jam voluptatis capi potest; cur stomacher, nescio. Litteræ me et studia nostra, et otium, villæque delectant, maximeque pueri nostri. Angit unus Milo. Sed velim finem afferat consulatus: in quo enitar non minus quam sum enisus in nostro: tuque istinc, quod facis, adjuvabis. De quo cætera (nisi plane vis eripuerit) recte sunt: de re familiari timeo.

Ὁ δὲ μαίνεται οὐκ ἔτ' ἀνεκτῶς——

qui ludos H.S. CCC. comparet. Cujus in hoc uno inconsiderantiam et ego sustinebo, ut potero. Ad Quint. 3. 9.

Cicero had great reason for the apprehensions which he expresses on account of Milo's extravagance: for Milo had already wasted three estates in giving plays and shows to the people; and, when he went, soon after, into exile, was found to owe still above half a million of our money. Plin. l. 36. 15. Ascon. Argum. in Milon.

A. Urb. 701. Cic. 55.

M. T. CICERO TO C. CURIO.

"BEFORE we had yet heard of your coming towards Italy, I sent away S. Vilius, Milo's friend, with this letter to you: but when your arrival was supposed to be near, and it was known for certain that you had left Asia, and were upon the road to Rome, the importance of the subject left no room to fear, that we should be thought to send too hastily, when we were desirous to have it delivered to you as soon as possible. If my services to you, Curio, were really so great, as they are proclaimed to be by you, rather than considered by me, I should be more reserved in asking, if I had any great favour to beg of you: for it goes hard with a modest man, to ask any thing considerable of one, whom he takes to be obliged to him; lest he be thought to demand, rather than to ask; and to look upon it as a debt, not as a kindness. But since your services to me, so eminently displayed in my late troubles, are known to all to be the greatest (and it is the part of an ingenuous mind to wish to be more obliged to those, to whom we are already much obliged), I made no scruple to beg of you, by letter, what, of all things, is the most important and necessary to me: for, I am not afraid lest I should not be able to sustain the weight of all your favours, though ever so numerous, being confident that there is none so great, which my mind is not able both fully to contain, and amply to requite and illustrate. I have placed all my studies, pains, care, industry, thoughts, and, in short, my very soul, on Milo's consulship; and have resolved with myself, to expect from it not only the common fruit of duty, but the praise even of piety: nor was any man, I believe, ever so solicitous for his own safety and fortunes, as I am for his honour, on which I have fixed all my views and hopes. You, I perceive, can be of such service to him, if you please, that we shall have no occasion for any thing farther. We have already with us the good wishes of all the honest, engaged to him by his tribunate; and, as you will imagine also, I hope, by his attachment to me; of the populace, and the multitude, by the magnificence of his shows and the generosity of his nature; of the youth and men of interest, by his own peculiar credit or diligence among that sort. He has all my assistance, likewise, which, though of little weight, yet, being allowed by all to be just and due to him, may perhaps be of some influence. What we want, is a captain and leader, or a pilot, as it were, of all those winds; and, were we to choose one out of the whole city, we could not find a man so fit for the purpose as you. Wherefore, if from all the pains,

which I am now taking for Milo, you can believe me to be mindful of benefits; if grateful; if a good man; if worthy, in short, of your kindness; I beg of you to relieve my present solicitude, and lend your helping hand to my praise; or, to speak more truly, to my safety. As to T. Annius himself, I promise you, if you embrace him, that you will not find a man of a greater mind, gravity, constancy, or of greater affection to you: and, as for myself, you will add such a lustre and fresh dignity to me, that I shall readily own you to have shewn the same zeal for my honour, which you exerted before for my preservation. If I was not sure, from what I have already said, that you would see how much I take my duty to be interested in this affair, and how much it concerns me, not only to struggle, but even to fight for Milo's success, I should press you still farther; but I now recommend, and throw the whole cause, and myself also with it, into your hands; and beg of you, to assure yourself of this one thing, that, if I obtain this favour from you, I shall be more indebted almost to you, than even to Milo himself; since my safety, in which I was principally assisted by him, was not so dear, as the piety of shewing my gratitude will be agreeable to me, which, I am persuaded, I shall be able to effect by your assistance. Adieu[1]."

The senate, and the better sort, were generally in Milo's interest; but three of the tribunes were violent against him, Q. Pompeius Rufus, Munatius Plancus Bursa, and Sallust the historian; the other seven were his fast friends, but, above all, M. Cœlius, who, out of regard to Cicero, served him with a particular zeal. But, while all things were proceeding very prosperously in his favour, and nothing seemed wanting to crown his success, but to bring on the election, which his adversaries, for that reason, were labouring to keep back, all his hopes and fortunes were blasted at once, by an unhappy rencounter with his old enemy Clodius, in which Clodius was killed by his servants, and by his command.

Their meeting was wholly accidental, on the Appian road, not far from the city; Clodius coming home from the country towards Rome; Milo going out about three in the afternoon; the first on horseback, with three companions, and thirty servants, well armed; the latter in a chariot, with his wife and one friend, but with a much greater retinue, and, among them, some gladiators. The servants, on both sides, began presently to insult each other; when Clodius, turning briskly to some of Milo's men, who were nearest to him, and threatening them

[1] Ep. Fam. 2. 6.

A. Urb. 701. Cic. 55.

with his usual fierceness, received a wound in the shoulder from one of the gladiators; and, after receiving several more in the general fray, which instantly ensued, finding his life in danger, was forced to fly for shelter into a neighbouring tavern. Milo, heated by this success, and the thoughts of revenge, and reflecting that he had already done enough, to give his enemy a great advantage against him, if he was left alive to pursue it, resolved, whatever was the consequence, to have the pleasure of destroying him, and so ordered the house to be stormed, and Clodius to be dragged out and murdered. The master of the tavern was likewise killed, with eleven of Clodius's servants, while the rest saved themselves by flight: so that Clodius's body was left in the road, where it fell, till S. Tedius, a senator, happening to come by, took it up into his chaise, and brought it with him to Rome, where it was exposed in that condition, all covered with blood and wounds, to the view of the populace, who flocked about it in crowds, to lament the miserable fate of their leader. The next day, the mob, headed by S. Clodius, a kinsman of the deceased, and one of his chief incendiaries, carried the body naked, so as all the wounds might be seen, into the Forum, and placed it in the rostra, where the three tribunes, Milo's enemies, were prepared to harangue upon it in a style suited to the lamentable occasion, by which they inflamed their mercenaries to such a height of fury, that, snatching up the body, they ran away with it into the senate-house, and, tearing up the benches, tables, and every thing combustible, dressed up a funeral pile upon the spot, and, together with the body, burnt the house itself, with a basilica, also, or public hall, adjoining, called the Porcian; and, in the same fit of madness, proceeded to storm the house of Milo, and of M. Lepidus, the interrex, but were repulsed in both attacks with some loss[1].

These extravagances raised great indignation in the city, and gave a turn in favour of Milo, who, looking upon himself as undone, was meditating nothing before, but a voluntary exile: but now, taking courage, he ventured to appear in public, and was introduced into the rostra by Cœlius, where he made his defence to the people: and, to mitigate their resentment, distributed, through all the tribes, above three pounds a man, to every poor citizen. But all his pains and expense

[1] Quanquam re vera, fuerat pugna fortuita. Quintil. l. 6. c. 5.
Ἐλπίσας—ῥᾷον τοῦ φόνου τελευτήσαντος αὐτοῦ, ἢ τοῦ τραύματος, εἰ περιγίγνοιτο, ἀφεθήσεσθαι. Dio, l. 40. p. 143.
Milo, ut cognovit vulneratum Clodium, cum sibi periculosius illud etiam, vivo eo, futurum intelligeret, occiso autem magnum solatium esset habiturus, etiam si subeunda pœna esset, exturbari tabernam jussit. Ita Clodius latens extractus est, multisque vulneribus confectus, &c. Vid. Ascon. Argum. in Milon.

A. Urb. 701. Cic. 55.

were to little purpose; for the three tribunes employed all the arts of party and faction to keep up the ill humour of the populace; and, what was more fatal, Pompey would not be brought into any measures of accommodating the matter; so that the tumults still increasing, the senate passed a decree, that the interrex, assisted by the tribunes and Pompey, should take care that the Republic receive no detriment; and that Pompey, in particular, should raise a body of troops for the common security, which he presently drew together from all parts of Italy. In this confusion, the rumour of a dictator was again industriously revived, and gave a fresh alarm to the senate; who, to avoid the greater evil, resolved presently to create Pompey the single consul; so that the interrex, Servius Sulpicius, declared his election accordingly, after an interregnum of near two months[1].

A. Urb. 701. Cic. 55. Cos.—Cn. Pompeius Magnus III. Sine Collega.

POMPEY applied himself immediately to calm the public disorders, and published several new laws, prepared by him for that purpose: one of them was to appoint a special commission, to inquire into Clodius's death, the burning of the senate-house, and the attack on M. Lepidus; and to appoint an extraordinary judge, of consular rank, to preside in it: a second was, against bribery and corruption in elections, with the inflictions of new and severer penalties.—By these laws, the method of trials was altered, and the length of them limited: three days were allowed for the examination of witnesses, and the fourth for the sentence: on which the accuser was to have two hours only to enforce the charge; the criminal three for his defence[2]: which regulation Tacitus seems to consider as the first step towards the ruin of the Roman eloquence, by imposing reins, as it were, upon its free and ancient course[3]. Cœlius opposed his negative to these laws, as being rather privileges than laws, and provided particularly against Milo: but he was soon obliged to withdraw it, upon Pompey's declaring that he would support them by force of arms. The three tribunes, all the while, were perpetually haranguing and terrifying the city with forged stories, of magazines of arms prepared by Milo, for massacreing his enemies, and burning the city, and produced their creatures, in the rostra, to vouch the truth of them to the people. They charged him particularly with a design against Pompey's life, and brought one

[1] Vid. Dio, ibid. et Ascon. Argum. [2] Ibid.
[3] Primus tertio consulatu Cn. Pompeius astrinxit, imposuitque veluti frænos eloquentiæ, &c. Dialog. de Orat. 38.

A. Urb. 701. Cic. 55. Cos.—Cn. Pompeius Magnus III. Sine Collega.

Licinius, a killer of the victims for sacrifice, to declare that Milo's servants had confessed it to him in their cups, and then endeavoured to kill him, lest he should discover it: and, to make his story the more credible, shewed a slight wound in his side, made by himself, which he affirmed to have been given by the stroke of a gladiator. Pompey himself confirmed this fact, and laid an account of it before the senate; and, by doubling his guard, affected to intimate a real apprehension of danger[1]. Nor were they less industrious to raise a clamour against Cicero; and, in order to deter him from pleading Milo's cause, threatened him also with trials and persecutions; giving it out every where, that Clodius was killed indeed by the hand of Milo, but by the advice and contrivance of a greater man[2]. "Yet, such was his constancy to his friend," says Asconius, "that neither the loss of popular favour, nor Pompey's suspicions, nor his own danger, nor the terror of arms, could divert him from the resolution of undertaking Milo's defence[3]."

But it was Pompey's influence and authority which ruined Milo[4]. He was the only man in Rome who had the power either to bring him to a trial, or to get him condemned: not that he was concerned for Clodius's death, or the manner of it, but pleased rather that the Republic was freed, at any rate, from so pestilent a demagogue; yet he resolved to take the benefit of the occasion, for getting rid of Milo too, from whose ambition and high spirit he had cause to apprehend no less trouble.—He would not listen, therefore, to any overtures, which were made to him by Milo's friends; and, when Milo offered to drop his suit for the consulship, if that would satisfy him, he answered, "that he would not concern himself with any man's suing or desisting, nor give any obstruction to the power and inclination of the Roman people."—He attended the trial, in person, with a strong guard to preserve peace, and prevent any violence from either side. There were many clear and positive proofs produced against Milo, though some of them were supposed to be forged: among the rest, the vestal virgins deposed, that a woman unknown came to them in Milo's

[1] Audiendus Popa Licinius, nescio qui de Circo maximo, servos Milonis apud se ebrios factos confessos esse, de interficiendo Cn. Pompeio conjurasse.—De amicorum sententia rem defert ad Senatum. Pro Milon. 24.

[2] Scitis, judices, fuisse, qui in hac rogatione suadenda dicerent, Milonis manu cædem esse factam, consilio vero majoris alicujus: videlicet me latronem et sicarium abjecti homines describebant. Ibid. 18.

[3] Tanta tamen constantia ac fides fuit Ciceronis, ut non populi a se alienatione, non Cn. Pompeii suspicionibus, non periculi futuri metu,—non armis, quæ palam in Milonem sumpta erant, deterreri potuerit a defensione ejus. Argum. Milon.

[4] Milonem reum non magis invidia facti, quam Pompeii damnavit voluntas. Vell. Pat. 2. 47.

A. Urb. 701. Cic. 55. Cos.—Cn. Pompeius Magnus III. Sine Collega.

name, to discharge a vow, said to be made by him, on the account of Clodius's death[1].

When the examination was over, Munatius Plancus called the people together, and exhorted them to appear in a full body the next day, when judgment was to be given, and to declare their sentiments in so public a manner, that the criminal might not be suffered to escape: which Cicero reflects upon, in the defence, as an insult on the liberty of the bench[2]. Early in the morning, on the eleventh of April, the shops were all shut, and the whole city gathered into the Forum, where the avenues were possessed by Pompey's soldiers, and he himself seated in a conspicuous part, to overlook the whole proceeding, and hinder all disturbance. The accusers were young Appius, the nephew of Clodius, M. Antonius, and P. Valerius, who, according to the new law, employed two hours in supporting their indictment. Cicero was the only advocate on Milo's side; but, as soon as he rose up to speak, he was received with so rude a clamour, by the Clodians, that he was much discomposed and daunted at his first setting out, yet recovered spirit enough to go through his speech of three hours, which was taken down in writing, and published as it was delivered, though the copy of it now extant is supposed to have been retouched and corrected by him, afterwards, for a present to Milo, in his exile[3].

In the council of Milo's friends, several were of opinion, that he should defend himself, by avowing the death of Clodius to be an act of public benefit: but Cicero thought that defence too desperate, as it would disgust the grave, by opening so great a door to licence, and offend the powerful, lest the precedent should be extended to themselves. But young Brutus was not so cautious, who, in an oration, which he composed and published afterwards, in vindication of Milo, maintained the killing of Clodius to be right and just, and of great service to the Republic[4]. It was notorious, that, on both sides, they had often threatened death to each other; Clodius, especially, had declared several times, both to the senate and the people, that Milo ought to be killed; and that, if the consulship could not be taken from him, his life could: and when Favonius asked him once, what hopes he could have of playing his mad pranks,

[1] Vid. Ascon. Argum. in Milon.

[2] Ut intelligatis contra hesternam illam concionem licere vobis, quod sentiatis, libere judicare. Pro Milon. 26. Vid. Ascon. ibid.

[3] Cicero, cum inciperet dicere, acceptus est acclamatione Clodianorum—itaque non ea, qua solitus erat, constantia dixit. Manet autem illa quoque excepta ejus oratio. Ascon. Argum.

[4] Cum quibusdam placuisset, ita defendi crimen, interfici Clodium pro Repub. fuisse, quam formam M. Brutus secutus est in ea oratione, quam pro Milone composuit, et edidit, quamvis non egisset, Ciceroni id non placuit. Ib.

A. Urb. 701. Cic. 55. Cos.—Cn. Pompeius Magnus III. Sine Collega.

while Milo was living, he replied, that in three or four days, at most, he should live no more: which was spoken just three days before the fatal encounter, and attested by Favonius[1]. Since Milo then was charged with being the contriver of their meeting, and the aggressor in it, and several testimonies were produced to that purpose, Cicero chose to risk the cause on that issue; in hopes to persuade what seemed to be the most probable, that Clodius actually lay in wait for Milo, and contrived the time and place; and that Milo's part was but a necessary act of self-defence. This appeared plausible, from the nature of their equipage, and the circumstances in which they met: for though Milo's company was the more numerous, yet it was much more encumbered, and unfit for an engagement, than his adversary's; he himself being in a chariot with his wife, and all her women along with him: while Clodius with his followers were on horseback: as if prepared and equipped for fighting[2]. He did not preclude himself, however, by this, from the other plea which he often takes occasion to insinuate, that if Milo had really designed and contrived to kill Clodius, he would have deserved honours instead of punishment, for cutting off so desperate and dangerous an enemy to the peace and liberty of Rome[3].

In this speech for Milo, after he had shewn the folly of paying such a regard to the idle rumours and forgeries of his enemies, as to give them the credit of an examination, he touches Pompey's conduct and pretended fears, with a fine and masterly raillery; and, from a kind of prophetic foresight of what might one day happen, addresses himself to him in a very pathetic manner.—"I could not but applaud," says he, "the wonderful diligence of Pompey in these enquiries; but to tell you, freely, what I think; those who are charged with the care of the whole Republic, are forced to hear many things, which

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[1] Etenim palam dictitabat, consulatum Miloni eripi non posse, vitam posse. Significavit hoc sæpe in Senatu; dixit in concione. Quinetiam Favonio, quærenti ex eo, qua spe fureret, Milone vivo? Respondit, triduo illum, ad summum quatriduo periturum. Pro Milon. 9.

Post diem tertium gesta res est, quam dixerat. Ib. 16.

[2] Interim cum sciret Clodius—iter solemne—necessarium—Miloni esse Lanuvium—Roma ipse profectus pridie est, ut ante suum fundum, quod re intellectum est, insidias Miloni collocaret—Milo autem cum in Senatu fuisset eo die, quod Senatus dimissus est, domum venit, calceos et vestimenta mutavit: paullisper, dum se uxor, ut fit, comparat, commoratus est—obviam fit ei Clodius expeditus in equo, nulla rheda, nullis impedimentis, nullis Græcis comitibus, sine uxore, quod nunquam fere; cum hic insidiator,—(Milo)—cum uxore in rheda veheretur penulatus, magno et impedito et muliebri ac delicato ancillarum et puerorum comitatu. Pro Milon. 10. it. 21.

[3] Quamobrem si cruentum gladium tenens clamaret T. Annius, adeste, quæso, atque audite cives: P. Clodium interfeci: ejus furores, quos nullis jam legibus, nullis judiciis frænare poteramus, hoc ferro, atque hac dextra a cervicibus vestris repuli, &c. Vos tanti sceleris ultorem non modo honoribus nullis afficietis, sed etiam ad supplicium rapi patiemini? Pro Milon. 28, &c.

A. Urb. 701. Cic. 55. Cos.—Cn. Pompeius Magnus III. Sine Collega.

they would contemn, if they were at liberty to do it. He could not refuse an audience to that paltry fellow, Licinius, who gave the information about Milo's servants—I was sent for among the first of those friends, by whose advice he laid it before the senate; and was, I own, in no small consternation, to see the guardian both of me and my country under so great an apprehension; yet, I could not help wondering that such credit was given to a butcher; such regard to drunken slaves; and how the wound in the man's side, which seemed to be the prick only of a needle, could be taken for the stroke of a gladiator. But Pompey was shewing his caution rather than his fear; and disposed to be suspicious of every thing, that you might have reason to fear nothing. There was a rumour, also, that Cæsar's house was attacked for several hours in the night; the neighbours, though in so public a place, heard nothing at all of it; yet, the affair was thought fit to be inquired into. I can never suspect a man of Pompey's eminent courage of being timorous; nor yet think any caution too great in one, who had taken upon himself the defence of the whole Republic. A senator, likewise, in a full house, affirmed lately in the capitol, that Milo had a dagger under his gown, at that very time: Milo stripped himself presently in that most sacred temple; that, since his life and manners would not give him credit, the thing itself might speak for him, which was found to be false, and basely forged. But if, after all, Milo must still be feared, it is no longer the affair of Clodius, but your suspicions, Pompey, which we dread: your suspicions, I say, and speak it so, that you may hear me.—If those suspicions stick so close, that they are never to be removed; if Italy must never be free from new levies, nor the city from arms, without Milo's destruction; he would not scruple, such is his nature and his principles, to bid adieu to his country, and submit to a voluntary exile: but, at taking leave, he would call upon thee, O thou great one! as he now does, to consider how uncertain and variable the condition of life is; how unsettled and inconstant a thing fortune; what unfaithfulness there is in friends; what dissimulation suited to times and circumstances; what desertion, what cowardice in our dangers, even of those who are dearest to us; there will, there will, I say, be a time, and the day will certainly come, when you with safety still, I hope, to your fortunes, though changed, perhaps, by some turn of the common times, which, as experience shews, will often happen to us all, may want the affection of the friendliest, the fidelity of the worthiest, the courage of the bravest man living [1]," &c.

[1] Pro Milon. 24, 25, 26.

A. Urb. 701. Cic. 55. Cos.—Cn. Pompeius Magnus III. Sine Collega.

Of one and fifty judges, who sat upon Milo, thirteen only acquitted, and thirty-eight condemned, him: the votes were usually given by ballot; but Cato, who absolved him, chose to give his vote openly; "and, if he had done it earlier," says Velleius, "would have drawn others after him; since all were convinced, that he who was killed, was, of all who had ever lived, the most pernicious enemy to his country, and to all good men[1]." Milo went into exile at Marseilles, a few days after his condemnation: his debts were so great, that he was glad to retire the sooner from the importunity of his creditors: for whose satisfaction his whole estate was sold by public auction. Here Cicero still continued his care for him, and, in concert with Milo's friends, ordered one of his wife's freedmen, Philotimus, to assist at the sale, and to purchase the greater part of the effects, in order to dispose of them, afterwards, to the best advantage, for the benefit of Milo and his wife Fausta, if any thing could be saved for them. But his intended service was not so well relished by Milo, as he expected; for Philotimus was suspected of playing the knave, and secreting part of the effects to his own use, which gave Cicero great uneasiness; so that he pressed Atticus and Cœlius to inquire into the matter very narrowly, and oblige Philotimus to give satisfaction to Milo's friends; and to see, especially, that his own reputation did not suffer by the management of his servant[2]. Through this whole struggle about Milo, Pompey treated Cicero with great humanity; he assigned him a guard at the trial; forgave all his labours for his friend, though in opposition to himself; and, so far from resenting what he did, would not suffer other people's resentments to hurt him[3].

The next trial before the same tribunal, and for the same crime, was of M. Saufeius, one of Milo's confidents, charged with being the ringleader, in storming the house, and killing Clodius; he was defended also by Cicero, and acquitted only by one vote: but being accused a second time, on the same account, though for a different fact, and again defended by

[1] M. Cato palam lata absolvit sententia, quam si maturius tulisset, non defuissent, qui sequerentur exemplum, probarentque eum civem occisum, quo nemo perniciosior Reip. neque bonis inimicior vixerat. Vell. Pat. 2. 47.

[2] Consilium meum hoc fuerat, primum ut in potestate nostra res esset, ne illum malus emptor et alienus mancipiis, quæ permulta secum habet, spoliaret: deinde ut Faustæ, cui cautum ille voluisset, ratum esset. Erat etiam illud, ut ipsi nos, si quid servari posset, quam facillime servaremus. Nunc rem totam perspicias velim—si ille queritur—si idem Fausta vult, Philotimus, ut ego ei coram dixeram, mihique ille receperat, ne sit invito Milone in bonis. Ad Att. 5. 8. it. 6. 4.

Quod ad Philotimi liberti officium et bona Milonis attinet, dedimus operam ut et Philotimus quam honestissime Miloni absenti, ejusque necessariis satisfaceret, et secundum ejus fidem et sedulitatem existimatio tua conservaretur. Ep. Fam. 8. 3.

[3] Qua humanitate tulit contentionem meam pro Milone, adversante interdum actionibus suis? Quo studio providit, ne quæ me illius temporis invidia attingeret? Cum me consilio, tum auctoritate, cum armis denique texit suis. Ib. 3. 10.

A. Urb. 701. Cic. 55. Cos.—Cn. Pompeius Magnus III. Sine Collega.

Cicero, he was acquitted by a great majority. But Sex. Clodius, the captain of the other side, had not the luck to escape so well, but was condemned, and banished with several others of that faction, to the great joy of the city, for burning the senate-house, and the other violences committed upon Clodius's death [1].

A. Urb. 701. Cic. 55. Coss.—Cn. Pomp. Magnus III. Q. Cæcil. Metel. Scipio.

POMPEY no sooner published his new law against bribery, than the late consular candidates, Scipio and Hypsæus, were severally impeached upon it; and, being both of them notoriously guilty, were in great danger of being condemned; but Pompey, calling the body of the judges together, begged of them, as a favour, that out of the great number of state criminals, they would remit Scipio to him; whom, after he had rescued from this prosecution, he declared his colleague in the consulship, for the last five months of the year; having first made him his father-in-law, by marrying his daughter, Cornelia. The other candidate, Hypsæus, was left to the mercy of the law; and, being likely to fare the worse for Scipio's escape, and to be made a sacrifice to the popular odium, he watched an opportunity of access to Pompey, as he was coming out of his bath, and, throwing himself at his feet, implored his protection: but though he had been his quæstor, and ever obsequious to his will, yet Pompey is said to have thrust him away, with great haughtiness and inhumanity, telling him, coldly, that he would only spoil his supper by detaining him [2].

Before the end of the year, Cicero had some amends for the loss of his friend Milo, by the condemnation and banishment of two of the tribunes, the common enemies of them both, Q. Pompeius Rufus, and T. Munatius Plancus Bursa, for the violences of their tribunate, and burning the senate-house. As soon as their office expired, Cœlius accused the first, and Cicero himself the second; the only cause, excepting that of Verres, in which he ever acted the part of an accuser. But Bursa had deserved it, both for his public behaviour, in his office, and his personal injuries to Cicero; who had defended and preserved him in a former trial. He depended on Pompey's saving him; and had no apprehension of danger, since

[1] Ascon. Argum. pro Milon.

[2] Cn. autem Pompeius quam insolenter? Qui balneo egressus, ante pedes suos prostratum Hypsæum ambitus reum et nobilem virum et sibi amicum, jacentem reliquit, contumelioso voce proculcatum. Nihil enim eum aliud agere, quam ut convivium suum moraretur, respondit—Ille vero P. Scipionem, socerum suum, legibus noxium, quas ipse tulerat, in maxima quidem reorum et illustrium ruina, muneris loco a Judicibus deposcere. Val. Max. 9. 5. it. Plut. in Pomp.

A. Urb. 701. Cic. 55. Coss.—Cn. Pomp. Magnus III. Q. Cæcil. Metel. Scipio.

Pompey undertook to plead his cause, before judges of his own appointing: yet, by Cicero's vigour in managing the prosecution, he was condemned by an unanimous vote of the whole bench [1]. Cicero was highly pleased with this success, as he signifies in a letter to his friend Marius, which will explain the motives of his conduct in it.

"I know very well," says he, "that you rejoice at Bursa's fate, but you congratulate me too coldly: you imagine, you tell me, that for the sordidness of the man, I take the less pleasure in it; but, believe me, I have more joy from this sentence, than from the death of my enemy; for, in the first place, I love to pursue, rather by a trial than the sword; rather with the glory than the ruin of a friend; and it pleased me extremely, to see so great an inclination of all honest men, on my side, against the incredible pains of one, the most eminent and powerful: and lastly, what you will scarce think possible, I hated this fellow worse than Clodius himself; for I had attacked the one, but defended the other: and Clodius, when the safety of the Republic was risked upon my head, had something great in view, not indeed from his own strength, but the help of those, who could not maintain their ground, whilst I stood firm; but this silly ape, out of a gaiety of heart, chose me particularly for the object of his invectives; and persuaded those, who envied me, that he would always be at their service, to insult me at any warning. Wherefore I charge you to rejoice in good earnest; for it is a great victory which we have won. No citizens were ever stouter than those who condemned him, against so great a power of one, by whom themselves were chosen judges, which they would never have done, if they had not made my cause and grief their own. We are so distracted here, by a multitude of trials and new laws, that our daily prayer is against all intercalations, that we may see you as soon as possible [2]."

Soon after the death of Clodius, Cicero seems to have written his Treatise on Laws [3], after the example of Plato, whom, of all writers, he most loved to imitate; for as Plato, after he had written on government in general, drew up a body of laws, adapted to that particular form of it, which he had been delineating; so Cicero chose to deliver his political sentiments in the same method [4]; not by translating Plato, but imitating his manner in the explication of them. This work

[1] Plancum, qui omnibus sententiis maximo vestro plausu condemnatus. Philip. 6. 4.
[2] Ep. Fam. 7. 2.
[3] Vid. de Leg. 2. 17.
[4] Sed ut vir doctissimus fecit Plato, atque idem gravissimus philosophorum omnium, qui princeps de Repub. conscripsit, idemque separatim de legibus ejus, id mihi credo esse faciundum. De Leg. 2. 6.

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being designed, then, as a supplement or second volume to his other upon the Republic, was distributed, probably, as that other was, into six books; for we meet with some quotations among the ancients from the fourth and fifth; though there are but three now remaining, and those in some places imperfect. In the first of these, he lays open the origin of law and the source of obligation, which he derives from the universal nature of things, or, as he explains it, from the consummate reason or will of the supreme God [1]: in the other two books, he gives a body of laws, conformable to his own plan and idea of a well-ordered city [2]: first, those which relate to religion and the worship of the gods: secondly, those which prescribe the duties and powers of the several magistrates, from which the peculiar form of each government is denominated. These laws are generally taken from the old constitution or custom of Rome [3]; with some little variation and temperament, contrived to obviate the disorders to which that Republic was liable, and to give it a stronger turn towards the aristocratical side [4]: in the other books, which are lost, he had treated, as he tells, of the particular rights and privileges of the Roman people [5].

Pompey was preparing an inscription this summer for the front of the new temple, which he had lately built to Venus the Conqueress, containing, as usual, the recital of all his titles; but, in drawing it up, a question happened to be started, about the manner of expressing his third consulship; whether it should be by consul tertium or tertio. This was referred to the principal critics of Rome, who could not, it seems, agree about it; some of them contending for the one, some for the other; so that Pompey left it to Cicero to decide the matter, and to inscribe what he thought the best. But Cicero, being unwilling to give judgment on either side, when there were great authorities on both sides, and Varro among them, advised Pompey to abbreviate the word in question, and order TERT. to be inscribed, which fully declared the thing, without determining the dispute. From this fact we may observe, how nicely exact they were in this age, in preserving a pro-

[1] Hanc igitur video sapientissimorum fuisse sententiam, legem neque hominum ingeniis excogitatam, nec scitum aliquod esse populorum, sed æternum quiddam, quod universum mundum regeret, imperandi prohibendique sapientia. Ita principem legem illam et ultimam mentem esse dicebant, omnia ratione aut cogentis aut vetantis Dei. Quamobrem lex vera atque princeps—ratio est recta summi Jovis. Ibid. 2. 4.

[2] Nos autem quoniam—quæ de optima Repub. sentiremus, in sex libris ante diximus, accommodabimus hoc tempore leges ad illum, quem probamus, civitatis statum. Ibid. 3. 2.

[3] Et si quæ forte a me hodie rogabuntur, quæ non sint in nostra Repub. nec fuerint, tamen erunt fere in more majorum, qui tum, ut lex, valebat. Ibid. 2. 10.

[4] Nihil habui; sane non multum, quod putarem novandum in legibus. Ibid. 3. 5.

[5] Ibid. 3. 20.

A. Urb. 701. Cic. 55. Coss.—Cn. Pomp. Magnus III. Q. Cæcil. Metel. Scipio.

priety of language in their public monuments and inscriptions[1].

Among the other acts of Pompey, in this third consulship, there was a new law against bribery, contrived to strengthen the old ones that were already subsisting against it, by disqualifying all future consuls and prætors from holding any province, till five years after the expiration of their magistracies; for this was thought likely to give some check to the eagerness of suing and bribing for those great offices, when the chief fruit and benefit of them was removed to such a distance[2]. But, before the law passed, Pompey took care to provide an exception for himself, and to get the government of Spain continued to him for five years longer, with an appointment of money for the payment of his troops; and lest this should give offence to Cæsar, if something also of an extraordinary kind was not provided for him, he proposed a law, to dispense with Cæsar's absence in suing for the consulship, of which Cæsar at that time seemed very desirous. Cœlius was the promoter of this law, engaged to it by Cicero, at the joint request of Pompey and Cæsar[3]; and it was carried with the concurrence of all the tribunes, though not without difficulty and obstruction from the senate: but this unusual favour, instead of satisfying Cæsar, served only, as Suetonius says, to raise his hopes and demands still higher[4].

By Pompey's law, just mentioned, it was provided, that for the supply of governors for the interval of five years, in which the consuls and prætors were disqualified, the senators of consular and prætorian rank, who had never held any foreign command, should divide the vacant provinces among themselves by lot: in consequence of which, Cicero, who was obliged to take his chance with the rest, obtained the government of Cilicia, now in the hands of Appius, the late consul: this province included also Pisidia, Pamphilia, and three dioceses, as they were called, or districts of Asia, together with the island of Cyprus; for the guard of all which, a standing army was kept up of two legions, or about twelve thousand foot; with two thousand six hundred horse[5]: and thus one of those provincial governments, which were withheld from others by law, to correct their inordinate passion for them, was, contrary to his

[1] This story is told by Tiro, a favourite slave and freedman of Cicero, in a letter preserved by A. Gellius. l. 10. 1.

[2] Dio, p. 142.

[3] Rogatus ab ipso Ravennæ de Cœlio tribuno pleb. ab ipso autem? Etiam a Cnæo nostro. Ad Att. 7. 1.

[4] Egit cum tribunis pleb.—ut absenti sibi—petitio secundi consulatus daretur—Quod ut adeptus est, altiora jam meditans et spei plenus, nullum largitionis aut officiorum in quenquam genus publice privatimque omisit. Sueton. J. Cæs. 26.

[5] Ad Att. 5. 15.

A. Urb. 701. Cic. 55. Coss.—Cn. Pomp. Magnus III. Q. Cæcil. Metel. Scipio.

will and expectation, obtruded at last upon Cicero; whose business it had been, through life, to avoid them [1].

The city began now to feel the unhappy effects both of Julia's and Crassus's death, from the mutual apprehensions and jealousies, which discovered themselves more and more every day between Pompey and Cæsar: the senate was generally in Pompey's interest; and, trusting to the name and authority of so great a leader, were determined to humble the pride and ambition of Cæsar, by recalling him from his government; whilst Cæsar, on the other hand, trusting to the strength of his troops, resolved to keep possession of it in defiance of all their votes; and, by drawing a part of his forces into the Italic, or Cisalpine Gaul, so as to be ready at any warning to support his pretensions, began to alarm all Italy with the melancholy prospect of an approaching civil war; and this was the situation of affairs when Cicero set forward towards his government of Cilicia.

SECTION. VII.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

This year opens to us a new scene in Cicero's life, and presents him in a character, which he had never before sustained, of the governor of a province, and general of an army. These preferments were, of all others, the most ardently desired by the great, for the advantages which they afforded, both of acquiring power and amassing wealth: for their command, though accountable to the Roman people, was absolute and uncontrollable in the province: where they kept up the state and pride of sovereign princes, and had all the neighbouring kings paying a court to them, and attending their orders. If their genius was turned to arms, and fond of martial glory, they could never want a pretext for war, since it was easy to drive the subjects into rebellion, or the adjoining nations to acts of hostility, by their oppressions and injuries, till, from the destruction of a number of innocent people, they had acquired the title of emperor, and with it the pretension to a triumph; without which, scarce any proconsul was ever known to return from a remote and frontier province [2]. Their opportunities of

[1] Cum, et contra voluntatem meam et præter opinionem accidisset, ut mihi cum imperio in provinciam proficisci necesse esset. Ep. Fam. 3. 2.

[2] While the ancient discipline of the Republic subsisted, no general could pretend to a triumph, who had not enlarged the bounds of the empire by his conquests, and killed, at least, five thousand enemies in battle, without any considerable loss of his own soldiers. This was expressly enacted by an old law: in support of which a second was afterwards provided, that made it penal for any of their triumphant commanders to give a false

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

raising money were as immense as their power, and bounded only by their own appetites: the appointments from the treasury, for their equipage, plate, and necessary furniture, amounted as it appears from some instances, to near a hundred and fifty thousand pounds[1]: and besides the revenues of kingdoms, and pay of armies, of which they had the arbitrary management, they could exact what contributions they pleased, not only from the cities of their own jurisdiction, but from all the states and princes around them, who were under the protection of Rome. But while their primary care was to enrich themselves, they carried out with them always a band of hungry friends and dependants, as their lieutenants, tribunes, præfects, with a crew of freedmen and favourite slaves, who were all likewise to be enriched by the spoils of the province, and the sale of their master's favours. Hence flowed all those accusations and trials for the plunder of the subjects, of which we read so much in the Roman writers: for as few or none of the proconsuls behaved themselves with that exact justice, as to leave no room for complaint, so the factions of the city, and the quarrels of families, subsisting from former impeachments, generally excited some or other to revenge the affront in kind, by undertaking the cause of an injured province, and dressing up an impeachment against their enemy.

But whatever benefit or glory this government seemed to offer, it had no charms for Cicero: the thing itself was disagreeable to his temper[2], nor worthy of those talents, which were formed to sit at the helm, and shine in the administration of the whole Republic: so that he considered it only as an honourable exile, or a burthen imposed by his country, to which his duty obliged him to submit. His first care, therefore, was to provide, that this command might not be prolonged to him, beyond the usual term of a year; which was frequently done, when the necessities of the province, the character of the man, the intrigues of parties, or the hurry of other business at home, left the senate neither leisure nor inclination to think

account of the number of slain, either on the enemy's side, or their own; and obliged them, upon their entrance into the city, to take an oath before the quæstors or public treasurers, that the accounts, which they had sent to the senate, of each number, were true. [Val. Max. 2. 8.] But these laws had long been neglected and treated as obsolete; and the honour of a triumph usually granted, by intrigue and faction, to every general of any credit, who had gained some little advantage against pirates or fugitives, or repelled the incursions of the wild barbarians, who bordered upon the distant provinces.

[1] Nonne H. S. centies et octagies—quasi vasarii nomine—ex ærario tibi attributum, Romæ in quæstu reliquisti? In Pison. 35.

[2] Totum negotium non est dignum viribus nostris, qui majora onera in Rep. sustinere et possim et soleam. Ep. Fam. 2. xi.

O rem minime aptam meis moribus, &c. Ad Att. 5. 10.

Sed est incredibile, quam me negotii tædeat, non habet satis magnum campum ille tibi non ignotus cursus animi mei. Ibid. 15.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

of changing the governor: and this was more likely to happen at present, through the scarcity of magistrates, who were now left capable by the late law of succeeding him. Before his departure, therefore, he solicited all his friends not to suffer such a mortification to fall upon him; and, after he was gone, scarce wrote a single letter to Rome, without urging the same requests, in the most pressing terms; in his first to Atticus, within three days of their parting: "Do not imagine," says he, "that I have any other consolation in this great trouble, than the hopes that it will not be continued beyond the year: many who judge of me by others, do not take me to be in earnest: but you, who know me, will use all your diligence, especially when the affair is to come on[1]."

He left the city about the first of May, attended by his brother and their two sons: for Quintus had quitted his commission under Cæsar, in order to accompany him into Cilicia, in the same capacity of his lieutenant. Atticus had desired him, before he left Italy, to admonish his brother to show more complaisance and affection to his wife Pomponia, who had been complaining to him of her husband's peevishness and churlish carriage; and, lest Cicero should forget it, he put him in mind again, by a letter to him on the road, that since all the family were to be together in the country, on this occasion of his going abroad, he would persuade Quintus to leave his wife, at least, in good humour at their parting: in relation to which, Cicero sends him the following account of what passed:

"When I arrived at Arpinum, and my brother was come to me, our first and chief discourse was on you; which gave me an opportunity of falling upon the affair of your sister, which you and I had talked over together at Tusculum: I never saw any thing so mild and moderate as my brother was without giving the least hint of his ever having had any real cause of offence from her. The next morning we left Arpinum; and that day being a festival, Quintus was obliged to spend it at Arcanum, where I dined with him, but went on afterwards to Aquinum. You know this villa of his: as soon as we came thither, Quintus said to his wife, in the civilest terms, Do you, Pomponia, invite the women, and I will send to the men: (nothing, as far as I saw, could be said more obligingly, either in his words or manner:) to which she replied, so as we all might hear it, I am but a stranger here myself: referring, I guess, to my brother's having sent Statius before us to order

[1] Noli putare mihi aliam consolationem esse hujus ingentis molestiæ, nisi quod spero non longiorem annua fore. Hoc me ita velle multi non credunt ex consuetudine aliorum. Tu qui scis, omnem diligentiam adhibebis; tum scilicet, cum id agi debebit. Ibid. 8.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

the dinner: upon which, See, says my brother to me, what I am forced to bear every day. This, you will say, was no great matter. Yes, truly, great enough to give me much concern: to see her reply so absurdly and fiercely, both in her words and looks; but I dissembled my uneasiness. When we sat down to dinner, she would not sit down with us: and when Quintus sent her several things from the table, she sent them all back: in short, nothing could be milder than my brother, or ruder than your sister: yet I omit many particulars, which gave more trouble to me than to Quintus himself. I went away to Aquinum; he staid at Arcanum: but when he came to me early the next morning, he told me, that she refused to lie with him that night; and at their parting, continued in the same humour in which I had seen her. In a word, you may ler her know, from me, that, in my opinion, the fault was all on her side that day. I have been longer perhaps than was necessary, in my narrative, to let you see, that there is occasion also, on your part, for advice and admonition[1]."

One cannot help observing, from this little incident, what is confirmed by innumerable instances in the Roman story, that the freedom of a divorce, which was indulged without restraint at Rome, to the caprice of either party, gave no advantage of comfort to the matrimonial state; but on the contrary, seems to have encouraged rather a mutual perverseness and obstinacy; since, upon any little disgust, or obstruction given to their follies, the expedient of a change was ready always to flatter them with the hopes of better success in another trial: for there never was an age or country, where there was so profligate a contempt and violation of the nuptial bond, or so much lewdness and infidelity, in the great of both sexes, as at this time in Rome.

Cicero spent a few days, as he passed forward, at his Cuman villa, near Baiæ, where there was such a resort of company to him, that he had, he says, a kind of a little Rome about him: Hortensius came among the rest, though much out of health, to pay his compliments, and wish him a good voyage; and, at taking leave, when he asked what commands he had for him in his absence, Cicero begged of him only to use all his authority, to hinder his government from being prolonged to him[2]. In sixteen days from Rome, he arrived at Tarentum, where he had promised to make a visit to Pompey, who was taking the benefit of that soft air, for the recovery of his health, at one of

[1] Ad Att. 5. 1.

[2] In Cumano cum essem, venit ad me, quod mihi pergratum fuit, noster Hortensius: cui, deposcenti mea mandata, cætera universe mandavi; illud proprie, ne pateretur, quantum esset in ipso, prorogari nobis provinciam—habuimus in Cumano quasi pusillam Romam: tanta erat in his locis multitudo. Ibid. 2.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

his villas in those parts; and had invited and pressed Cicero to spend some days with him upon his journey: they proposed great satisfaction on both sides from this interview, for the opportunity of conferring together, with all freedom, on the present state of the Republic, which was to be their subject: though Cicero expected, also, to get some lessons of the military kind, from this renowned commander. He promised Atticus an account of this conference; but the particulars being too delicate to be communicated by letter, he acquainted him only, in general, that he found Pompey an excellent citizen, and provided for all events which could possibly be apprehended [1].

After three days' stay with Pompey, he proceeded to Brundisium, where he was detained for twelve days, by a slight indisposition, and the expectation of his principal officers, particularly of his lieutenant Pontinius, an experienced leader, the same who had triumphed over the Allobroges, and on whose skill he chiefly depended in his martial affairs. From Brundisium, he sailed to Actium, on the fifteenth of June; whence, partly by sea, and partly by land, he arrived at Athens on the twenty-sixth [2]. Here he lodged in the house of Aristus, the principal professor of the Academy; and his brother not far from him, with Xeno, another celebrated philosopher of Epicurus's school; they spent their time very agreeably; at home, in philosophical disquisitions; abroad, in viewing the buildings and antiquities of the place, with which Cicero was much delighted: there were several other men of learning, both Greeks and Romans, of the party; especially Gallus Caninius; and Patro, an eminent Epicurean and intimate friend of Atticus [3].

There lived at this time, in exile, at Athens, C. Memmius, banished upon a conviction of bribery, in his suit for the consulship; who, the day before Cicero's arrival, happened to go away to Mitylene. The figure which he had borne in Rome, gave him great authority in Athens; and the council of Areo-

[1] Nos Tarenti, quos cum Pompeio διαλόγους de Repub. habuerimus ad te perscribemus. Ibid. 5.

Tarentum veni a. d. xv Kal. Jun. quod Pontinium statueram expectare, commodissimum duxi dies eos—cum Pompeio consumere; eoque magis, quod ei gratum esse id videbam, qui etiam a me petierit, ut secum et apud se essem quotidie: quod concessi libenter, multos enim ejus præclaros de Repub. sermones accipiam: instruar etiam consiliis idoneis ad hoc nostrum negotium. Ibid. 6.

Ego, cum triduum cum Pompeio et apud Pompeium fuissem, proficiscebar Brundisium. —Civem illum egregium relinquebam, et ad hæc, quæ timentur, propulsanda paratissimum. Ibid. 7.

[2] Ad Att. 5. 8, 9.

[3] Valde me Athenæ delectarunt: urbs duntaxat, et urbis ornamentum, et hominum amores in te, et in nos quædam benevolentia; sed multum et philosophia—si quid est, est in Aristo apud quem eram, nam Xenonem tuum—Quinto concesseram.—Ad Att. 5. 10. Ep. Fam. 2. 8. 13. 1.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

pagus had granted him a piece of ground to build upon, where Epicurus formerly lived, and where there still remained the old ruins of his walls. But this grant had given great offence to the whole body of the Epicureans, to see the remains of their master in danger of being destroyed. They had written to Cicero, at Rome, to beg him to intercede with Memmius, to consent to a revocation of it; and now at Athens, Xeno and Patro renewed their instances, and prevailed with him to write about it, in the most effectual manner; for though Memmius had laid aside his design of building, the Areopagites would not recal their decree without his leave [1]. Cicero's letter is drawn with much art and accuracy: he laughs at the trifling zeal of these philosophers, for the old rubbish and paltry ruins of their founder, yet earnestly presses Memmius to indulge them in a prejudice, contracted through weakness, not wickedness; and, though he professes an utter dislike of their philosophy, yet he recommends them, as honest, agreeable, friendly men, for whom he entertained the highest esteem [2]. From this letter one may observe, that the greatest difference in philosophy made no difference of friendship among the great of these times. There was not a more declared enemy to Epicurus's doctrine than Cicero: he thought it destructive of morality, and pernicious to society; but he charged this consequence to the principles, not the professors of them; with many of whom he held the strictest intimacy, and found them to be worthy, virtuous, generous friends and lovers of their country: there is a jocose letter to Trebatius, when he was with Cæsar in Gaul, upon his turning Epicurean, which will help to confirm this reflection.

CICERO TO TREBATIUS.

"I WAS wondering, why you had given over writing to me; till Pansa informed me that you were turned Epicurean. O rare camp! what would you have done if I had sent you to Tarentum, instead of Samarobriva? I began to think the worse of you, ever since you made my friend Seius your pattern. But with what face will you now pretend to practise the law, when you are to do every thing for your own interest, and not for your clients? and what will become of that old form and test of fidelity; as true men ought to act truly with one another?

[1] Visum est Xenoni, et post, ipsi Patroni, me ad Memmium scribere, qui pridie, quam ego Athenas veni, Mitylenas profectus erat,—non enim dubitabat Xeno, quin ab Areopagitis invito Memmio impetrari non posset. Memmius autem ædificandi consilium abjecisset, sed erat Patroni iratus, itaque scripsi ad eum accurate. Ad Att. 5. 11.

[2] Ep. Fam. 13. 1.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

what law will you allege for the distribution of common right, when nothing can be common with those who measure all things by their pleasure? with what face can you swear by Jupiter; when Jupiter, you know, can never be angry with any man? and what will become of your people of Ulubræ, since you do not allow a wise man to meddle with politics? wherefore, if you are really gone off from us, I am sorry for it: but if it be convenient to pay this compliment to Pansa, I forgive you; on condition, however, that you write me word what you are doing, and what you would have me do for you here[1]." The change of principles in Trebatius, though equivalent in effect to a change of religion with us, made no alteration in Cicero's affection for him. This was the dictate of reason to the best and wisest of the heathens; and may serve to expose the rashness of those zealots who, with the light of a most Divine and benevolent religion, are perpetually insulting and persecuting their fellow-Christians, for differences of opinion, which, for the most part, are merely speculative, and without any influence on life, or the good and happiness of civil society.

After ten days spent at Athens, where Pontinius at last joined him, Cicero set sail towards Asia. Upon leaving Italy, he had charged his friend Cœlius with the task of sending him the news of Rome; which Cœlius performed very punctually, in a series of letters which make a valuable part in the collection of his familiar epistles; they are polite and entertaining; full of wit and spirit: yet not flowing with that easy turn and elegance of expression, which we always find in Cicero's. The first of them, with Cicero's answer, will give us a specimen of the rest.

M. CŒLIUS TO M. CICERO.

"According to my promise at parting, to send you an account of all the news of the town, I have provided one to collect it for you so punctually, that I am afraid, lest you should think my diligence at last too minute: but I know how curious you are: and how agreeable it is to all, who are abroad, to be informed of every thing that passes at home, though ever so trifling. I beg of you, however, not to condemn me of arrogance, for deputing another to this task; since, as busy as I now am, and as lazy as you know me to be in writing, it would be the greatest pleasure to me to be employed in any thing that revives the remembrance of you: but the packet itself, which I have sent, will, I imagine, rea-

[1] Ibid. 7. 12.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

dily excuse me: for what leisure would it require, not only to transcribe, but to attend even to the contents of it? there are all the decrees of the senate, edicts, plays, rumours: if the sample does not please you, pray let me know it, that I may not give you trouble at my cost. If any thing important happens in the Republic, above the reach of these hackney writers, I will send you an account of it myself; in what manner it was transacted; what speculations are raised upon it; what effects apprehended: at present, there is no great expectation of any thing: as to those rumours, which were so warm at Cumæ, of assembling the colonies beyond the Po, when I came to Rome, I heard not a syllable about them. Marcellus, too, because he has not yet made any motion for a successor to the two Gauls, but puts it off, as he told me himself, to the first of June, has revived the same talk concerning him, which was stirring when we were at Rome together. If you saw Pompey, as you designed to do, pray send me word in what temper you found him; what conversation he had with you; what inclination he shewed; for he is apt to think one thing, and say another; yet has not wit enough to conceal what he really means. As for Cæsar, there are many ugly reports about him, but propagated only in whispers: some say, that he has lost all his horse; which I take, indeed, to be true: others, that the seventh legion has been beaten; and that he himself is besieged by the Bellovaci, and cut off from the rest of his army. There is nothing yet certain; nor are these uncertain stories publicly talked of; but among the few, whom you know, told openly by way of secrets: Domitius never mentions them, without clapping his hand to his mouth. On the twenty-first of May, the mob, under the rostra, sent about a report, (may it fall on their own heads) which was warmly propagated through the Forum and the whole city, that you were killed upon the road by Q. Pompeius: but I, who knew him to be then at Bauli, and in such a starving condition, that I could not help pitying him, being forced to turn pilot for his bread, was not concerned about it; and wished only, that if any real dangers threatened you, you might be quit for this lie: your friend Plancus Bursa is at Ravenna, where he has had a large donative from Cæsar; but is not yet easy, nor well provided. Your books on government are applauded by all people [1]."

M. T. CICERO, PROCONSUL, TO M. CŒLIUS.

"How! was it this, think you, that I charged you with; to

[1] Ibid. 8. 1.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

send me the matches of gladiators; the adjournments of causes; and Chrestus's news-letter; and what nobody dares mention to me when at Rome? see how much I ascribe to you in my judgment: nor indeed without reason, for I have never yet met with a better head for politics: I would not have you write what passes every day in public, though ever so important, unless it happen to affect myself: others will write it; many bring accounts of it; and fame itself conveys a great part to me: I expect from you, neither the past, nor the present; but as from one, who sees a great way before him, the future only; that when I have before me, in your letters, the plan of the Republic, I may be able to judge what sort of edifice it will be. Nor have I hitherto, indeed, any cause to complain of you: for nothing has yet happened, which you could foresee better than any of us; especially myself, who spent several days with Pompey, in conversing on nothing else but the Republic; which it is neither possible nor proper for me to explain by letter: take this only from me: that Pompey is an excellent citizen, prepared, both with courage and counsel, for all events which can be foreseen: wherefore give yourself up to the man; believe me, he will embrace you; for he now holds the same opinion with us, of good and bad citizens. After I had been ten days at Athens, where our friend Gallus Caninius was much with me, I left it on the sixth of July, when I sent away this letter. As I earnestly recommend all my affairs to you, so nothing more particularly, than that the time of my provincial command be not prolonged. This is every thing to me; which, when, and how, and by whom it is to be managed, you will be the best able to contrive. Adieu[1]."

He landed at Ephesus on the twenty-second of July, after a slow but safe passage of fifteen days; the tediousness of which was agreeably relieved by touching, on the way, at several of the islands of the Ægean sea, of which he sends a kind of journal to Atticus[2]. Many deputations from the cities of Asia, and a great concourse of people, came to meet him as far as Samos; but a much greater still was expecting his landing at Ephesus. The Greeks flocked eagerly, from all parts, to see a man so celebrated through the empire for the fame of his learning and eloquence; so that all his boastings, as he merrily says, of many years past, were now brought to the test[3]. After reposing himself, for three days, at Ephesus, he

[1] Ibid. 2. 8.

[2] Ephesum venimus a. d. xi. Kal. Sext. Ad Att. 5. 13. vid. it. ib. 12.

[3] De concursu legationum, privatorum, et de incredibili multitudine, quæ mihi jam Sami, sed mirabilem in modum Ephesi præsto fuit, aut te audisse puto—ex quo te intelligere certo scio multorum annorum ostentationes meas nunc in discrimen esse adductas. Ibid. 13.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

marched forward towards his province; and on the last of July arrived at Laodicea, one of the capital cities of his jurisdiction. From this moment, the date of his government commenced, which he bids Atticus take notice of, that he might know how to compute the precise extent of his annual term [1].

It was Cicero's resolution, in this provincial command, to practise those admirable rules, which he had drawn up formerly for his brother; and from an employment, wholly tedious and disagreeable to him, to derive fresh glory upon his character, by leaving the innocence and integrity of his administration as a pattern of governing to all succeeding proconsuls. It had always been the custom, when any governors went abroad to their provinces, that the countries through which they passed, should defray all the charges of their journey: but Cicero no sooner set his foot on foreign ground, than he forbad all expense whatsoever, public or private, to be made either upon himself, or any of his company, which raised a great admiration of him in all the cities of Greece [2]. In Asia he did the same, not suffering his officers to accept what was due to them, even by law, forage and wood for firing, or any thing else, but mere house-room, with four beds, which he remitted also, as oft as it was practicable, and obliged them to lodge in their tents; and, by his example, and constant exhortations, brought his lieutenants, tribunes, and præfects, so fully into his measures, that they all concurred with him, he says, wonderfully, in a jealous concern for his honour [3].

Being desirous to put himself at the head of his army, before the season of action was over, he spent but little time in visiting the cities of his jurisdiction, reserving the winter months for settling the civil affairs of the province [4]. He went, therefore, to the camp, at Iconium, in Lycaonia, about the twenty-fourth of August, where he had no sooner reviewed the troops, than he received an account from Antiochus, king

[1] Laodiceam veni prid. Kal. Sextiles. Ex hoc die clavum anni movebis. Ibid. 15.

[2] Ego—quotidie meditor, præcipio meis; faciam denique ut summa modestia et summa abstinentia munus hoc extraordinarium traducamus. Ibid. 9.

Adhuc sumptus nec in me aut publice aut privatim, nec in quemquam comitum. Nihil accipitur lege Julia, nihil ab hospite, persuasum est omnibus meis serviendum esse famæ meæ. Belle adhuc. Hoc animadversum Græcorum laude et multo sermone celebratur. Ibid. 10.

Nos adhuc iter per Græciam summa cum admiratione fecimus. Ibid. 11.

[3] Levantur miseræ civitates, quod nullus fit sumptus in nos, neque in Legatos, neque in Quæstorem, neque in quemquam.—Scito, non modo nos fœnum, aut quod lege Julia dari solet, non accipere, sed ne ligna quidem, nec præter quatuor lectos, et tectum, quemquam accipere quidquam: multis locis ne tectum quidem, et in tabernaculo manere plerumque. Ad Att. 5. 16.

Ut nullus teruncius insumatur in quemquam; id fit etiam et legatorum et tribunorum et præfectorum diligentia. Nam omnes mirifice συμφιλοδοξοῦσιν gloriæ meæ. Ibid. 17.

[4] Erat mihi in animo recta proficisci ad exercitum, æstivos menses reliquos rei militari dare, hibernos jurisdictioni. Ibid. 14.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

of Comagene, (which was confirmed from the other princes of those parts) that the Parthians had passed the Euphrates, with a mighty force, in order to invade the Roman territory, under the command of Pacorus the king's son. Upon this news, he marched towards Cilicia, to secure his province from the inroads of the enemy, or any commotions within: but as all access to it was difficult, except on the side of Cappadocia, an open country, and not well provided, he took his route through that kingdom, and encamped in that part of it, which bordered upon Cilicia, near to the town of Cybistra, at the foot of Mount Taurus. His army, as it is said above, consisted of about twelve thousand foot, and two thousand six hundred horse, besides the auxiliary troops of the neighbouring states, and especially of Deiotarus, king of Galatia, the most faithful ally of Rome, and Cicero's particular friend, whose whole forces he could depend upon at any warning [1].

While he lay in this camp, he had an opportunity of executing a special commission, with which he was charged by the senate, to take Ariobarzanes, king of Cappadocia, under his particular protection, and provide for the security of his person and government: in honour of whom the senate had decreed, what they had never done before to any foreign prince, that his safety was of great concern to the senate and people of Rome. His father had been killed by the treachery of his subjects, and a conspiracy of the same kind was apprehended against the son; Cicero, therefore, in a council of his officers, gave the king an account of the decree of the senate, and that in consequence of it, he was then ready to assist him with his troops and authority, in any measures that should be concerted for the safety and quiet of his kingdom.—The king, after great professions of his thanks and duty to the senate, for the honour of their decree, and to Cicero himself, for his care in the execution of it, said, that he knew no occasion for giving him any particular trouble at that time; nor had any suspicion of any design against his life or crown; upon which Cicero, after congratulating him upon the tranquillity of his affairs, advised him, however, to remember his father's fate, and, from the admonition of the senate, to be particularly vigilant in the care of his person, and so they parted. But the

[1] In castra veni a. d. vii. Kal. Sept. a. d. iii. exercitum lustravi. Ex his castris cum graves de Parthis nuncii venirent, perrexi in Ciliciam, per Cappadociæ partem eam, quæ Ciliciam attingit—

Regis Antiochi Comageni legati primi mihi nunciarunt Parthorum magnas copias Euphratem transire cœpisse.—Cum exercitum in Ciliciam ducerem—mihi litteræ redditæ sunt a Tarcondimoto, qui fidelissimus socius trans Taurum Populi Rom. existimatur, Pacorum, Orodi Regis Parthorum filium, cum permagno equitatu transisse Euphratem, &c. Ep. Fam. 15. 1.

Eodem die ab Jamblicho, Phylarcho Arabum—litteræ de eisdem rebus, &c.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

next morning, the king returned early to the camp, attended by his brother and counsellors, and, with many tears, implored the protection of Cicero, and the benefit of the senate's decree; declaring, that he had received undoubted intelligence of a plot, which those, who were privy to it, durst not venture to discover till Cicero's arrival in the country; but, trusting to his authority, had now given full information of it; and that his brother, who was present, and ready to confirm what he said, had been solicited to enter into it by the offer of the crown; he begged, therefore, that some of Cicero's troops might be left with him for his better guard and defence. Cicero told him, that under the present alarm of the Parthian war, he could not possibly lend him any part of his army; that since the conspiracy was detected, his own forces would be sufficient for preventing the effects of it; that he should learn to act the king, by shewing a proper concern for his own life, and exert his regal power in punishing the authors of the plot, and pardoning all the rest; that he need not apprehend any farther danger when his people were acquainted with the senate's decree, and saw a Roman army so near to them and ready to put it in execution: and having thus encouraged and comforted the king, he marched towards Cilicia, and gave an account of this accident, and of the motions of the Parthians, in two public letters to the consuls and the senate; he added a private letter also to Cato, who was a particular favourer and patron of Ariobarzanes, in which he informed him, that he had not only secured the king's person from any attempt, but had taken care, that he should reign, for the future, with honour and dignity, by restoring to his favour and service his old counsellors, whom Cato had recommended, and who had been disgraced by the intrigues of his court; and by obliging a turbulent young priest of Bellona, who was at the head of the malcontents, and the next in power to the king himself, to quit the country [1].

This king, Ariobarzanes, seems to have been poor, even to a proverb:

Mancipiis locuples, eget æris Cappadocum rex.
Hor. Ep. 1. 6.

For he had been miserably squeezed and drained by the Roman generals and governors; to whom he owed vast sums, either actually borrowed, or stipulated to be paid for particular services. It was a common practice with the great at Rome, to lend money at exorbitant interest, to the princes and cities dependant on the empire, which was thought an useful piece

[1] Ep. Fam. 15. 2, 3, 4.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

of policy to both sides; to the princes, for the opportunity of engaging to their interests the most powerful men of the Republic, by a kind of honourable pension; to the Romans, for the convenience of placing their money where it was sure to bring the greatest return of profit. The ordinary interest of these provincial loans was one per cent. by the month, with interest upon interest: this was the lowest; but, in extraordinary or hazardous cases, it was frequently four times as much. Pompey received monthly from this very king, above six thousand pounds sterling, which yet was short of his full interest. Brutus, also, had lent him a very large sum, and earnestly desired Cicero to procure the payment of it, with the arrears of interest: but Pompey's agents were so pressing, and the king so needy, that though Cicero solicited Brutus's affair very heartily, he had little hopes of getting any thing for him: when Ariobarzanes came, therefore, to offer him the same present of money which he had usually made to every other governor, he generously refused it, and desired only, that, instead of giving it to him, it might be paid to Brutus; but the poor prince was so distressed that he excused himself, by the necessity which he was under of satisfying some other more pressing demands; so that Cicero gives a sad account of his negociation, in a long letter to Atticus, who had warmly recommended Brutus's interests to him.

"I come now," says he, "to Brutus; whom, by your authority, I embraced with inclination, and began even to love; but—what am I going to say? I recal myself, lest I offend you—do not think, that I ever entered into any thing more willingly, or took more pains, than in what he recommended to me. He gave me a memorial of the particulars, which you had talked over with me before. I pursued your instructions exactly; in the first place, I pressed Ariobarzanes, to give that money to Brutus which he promised to me: as long as the king continued with me, all things looked well; but he was afterwards teazed by six hundred of Pompey's agents; and Pompey, for other reasons, can do more with him than all the world besides; but especially, when it is imagined that he is to be sent to the Parthian war: they now pay Pompey thirty-three Attic talents per month, out of the taxes, though this falls short of a month's interest; but our friend Cnæus takes it calmly; and is content to abate somewhat of the interest, without pressing for the principal. As for others, he neither does, nor can pay any man: for he has no treasury, no revenues: he raises taxes by Appius's method of capitation: but these are scarce sufficient for Pompey's monthly pay: two or three of the king's friends are very rich; but they hold their own

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

as closely as either you or I.—I do not forbear, however, to ask, urge, and chide him, by letters: king Deiotarus also told me, that he had sent people to him on purpose, to solicit for Brutus; but they brought him word back, that he had really no money: which I take, indeed, to be the case; that nothing is more drained than his kingdom; nothing poorer than the king[1]."

But Brutus had recommended another affair of the same nature to Cicero, which gave him much more trouble. The city of Salamis, in Cyprus, owed to two of his friends, as he pretended, Scaptius and Matinius, above twenty thousand pounds sterling, upon bond, at a most extravagant interest; and he begged of Cicero to take their persons and concerns under his special protection. Appius, who was Brutus's father-in-law, had granted every thing which was asked to Scaptius; a præfecture in Cyprus, with some troops of horse, with which he miserably harassed the poor Salaminians, in order to force them to comply with his unreasonable demands: for he shut up their whole senate in the council-room, till five of them were starved to death with hunger[2]. Brutus laboured to place him in the same degree of favour with Cicero: but Cicero being informed of this violence at Ephesus, by a deputation from Salamis, made it the first act of his government to recal the troops from Cyprus, and put an end to Scaptius's præfecture, having laid it down for a rule, to grant no command to any man who was concerned in trade, or negociating money in the province: to give satisfaction, however, to Brutus, he enjoined the Salaminians to pay off Scaptius's bond, which they were ready to do, according to the tenor of his edict, by which he had ordered, that no bonds in his province should carry above one per cent. by the month. Scaptius refused to take the money on those terms, insisting on four per cent. as the condition of his bond expressed; which, by computation, almost doubled the principal sum; while the Salaminians, as they protested to Cicero, could not have paid the original debt, if they had not been enabled to do it by his help, and out of his own dues, that he had remitted to them; which amounted to somewhat more than Scaptius's legal demand[3].

This extortion raised Cicero's indignation; and, notwith-

[1] Ad Att. 6. 1.

[2] Fuerat enim præfectus Appio, et quidem habuerat turmas equitum, quibus inclusum in curia senatum Salamine obsederat, ut fame senatores quinque morerentur. Ibid.

[3] Itaque ego, quo die tetigi provinciam, cum mihi Cyprii legati Ephesum obviam venissent, litteras misi, ut equites ex insula statim decederent—Ad Att. 6. 1. confeceram, ut solverent centesimis—at Scaptius quaternas postulabat—Ibid. homines non modo non recusare, sed etiam dicere, se a me solvere. Quod enim Prætori dare consuessent, quoniam ego non acceperam, se a me quodam modo dare; atque etiam minus esse aliquanto in Scaptii nomine, quam in vectigali prætorio. Ibid. 5. 21.

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standing the repeated instances of Brutus and Atticus, he was determined to over-rule it; though Brutus, in order to move him the more effectually, thought proper to confess, what he had all along dissembled, that the debt was really his own, and Scaptius only his agent in it[1]. This surprised Cicero still more, and though he had a warm inclination to oblige Brutus, yet he could not consent to so flagrant an injustice, but makes frequent and heavy complaints of it in his letters to Atticus.—"You have now," says he, in one of them, "the ground of my conduct; if Brutus does not approve it, I see no reason why we should love him; but I am sure it will be approved by his uncle Cato[2]." In another—"If Brutus thinks that I ought to allow him four per cent. when, by edict, I have decreed but one through all the province, and that to the satisfaction of the keenest usurers; if he complains, that I denied a præfecture to one, concerned in trade, which I denied, for that reason, to your friend Lenius, and to Sex. Statius, though Torquatus solicited for the one, and Pompey himself for the other, yet without disgusting either of them; if he takes it ill that I recalled the troops of horse out of Cyprus, I shall be sorry, indeed, that he has any occasion to be angry with me; but much more, not to find him the man that I took him to be.—I would have you to know, however, that I have not forgot what you intimated to me in several of your letters, that if I brought back nothing else from the province, but Brutus's friendship, that would be enough: let it be so, since you will have it so: yet it must always be with this exception, as far as it can be done, without my committing any wrong—[3]." In a third—"How, my dear Atticus! you, who applaud my integrity and good conduct, and are vexed sometimes, you say, that you are not with me; how can such a thing, as Ennius says, come out of your mouth, to desire me to grant troops to Scaptius, for the sake of extorting money? could you, if you were with me, suffer me to do it, if I would?—if I really had done such a thing, with what face could I ever read again, or

[1] Atque hoc tempore ipso impingit mihi epistolam Scaptius Bruti, rem illam suo periculo esse: quod nec mihi unquam Brutus dixerat nec tibi—Ibid. nunquam ex illo audivi illam pecuniam esse suam. Ibid.

[2] Habes meam causam; quæ si Bruto non probatur, nescio cur illum amemus: sed avunculo ejus certe probabitur. Ibid. 5. 21.

[3] Si Brutus putabit me quaternas centesimas oportuisse decernere, qui in tota provincia singulas observarem, itaque edixissem, idque etiam acerbissimis fœneratoribus probaretur; si præfecturam negotiatori denegatam queretur, quod ego Torquato nostro in tuo Lenio, Pompeio ipsi in S. Statio negavi, et iis probavi; si equites deductos moleste feret; accipiam equidem dolorem, mihi illum irasci, sed multo majorem, non esse eum talem, qualem putassem——Sed plane te intelligere volui, mihi non excidisse illud, quod tu ad me quibusdam litteris scripsisses, si nihil aliud de hac Provincia nisi illius benevolentiam deportassem, mihi id satis esse. Sit sane, quoniam ita tu vis; sed tamen cum eo credo, quod sine peccato meo fiat. Ibid.

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touch those books of mine, with which you are so much pleased[1]?" He tells him, likewise, in confidence, that all Brutus's letters to him, even when he was asking favours, were unmannerly, churlish, and arrogant; without regarding either what, or to whom he was writing; and if he continued in that humour—"you may love him alone," says he, "if you please; you shall have no rival of me; but he will come, I believe, to a better mind[2]." But to shew, after all, what a real inclination he had to oblige him, he never left urging king Ariobarzanes, till he had squeezed from him a hundred talents, in part of Brutus's debt, or about twenty thousand pounds; the same sum, probably, which had been destined to Cicero himself[3].

While he lay encamped in Cappadocia, expecting what way the Parthians would move, he received an account, that they had taken a different route, and were advanced to Antioch in Syria, where they held C. Cassius blocked up; and that a detachment of them had actually penetrated into Cilicia, but were routed, and cut off by those troops which were left to guard the country. Upon this he presently decamped, and, by great journeys over Mount Taurus, marched in all haste to possess himself of the passes of Amanus; a great and strong mountain, lying between Syria and Cilicia, and the common boundary of them both. By this march, and the approach of his army to the neighbourhood of Syria, the Parthians being discouraged, retired from Antioch; which gave Cassius an opportunity of falling upon them in their retreat, and gaining a considerable advantage, in which one of their principal commanders, Osaces, was mortally wounded[4].

In the suspense of the Parthian war, which the late disgrace

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[1] Ain' tandem, Attice, laudator integritatis et elegantiæ nostræ? ausus es hoc ex ore tuo, inquit Ennius, ut equites Scaptio ad pecuniam cogendam darem, me rogare? an tu, si mecum esses, qui scribis morderi te interdum quod non simul sis, paterere me id facere, si vellem?——et ego audebo legere unquam, aut attingere eos libros, quos tu dilaudas, si tale quid fecero? Ad Att. 6. 2.

[2] Ad me etiam, cum rogat aliquid, contumaciter, arroganter, ἀκοινωνήτως solet scribere——Ibid. 6. 1.

Omnino (soli enim sumus) nullas unquam ad me litteras misit Brutus—in quibus non esset arrogans, ἀκοινώνητον aliquid—in quo tamen ille mihi risum magis quam stomachum movere solet. Sed plane parum cogitat, quid scribat, aut ad quem—— Ibid. 6. 3.

[3] Bruti tui causa, ut sæpe ad te scripsi, feci omnia——Ariobarzanes non in Pompeium prolixior per ipsum, quam per me in Brutum—pro ratione pecuniæ liberius est Brutus tractatus, quam Pompeius. Bruto curata hoc anno talenta circiter c. Pompeio in sex mensibus promissa cc.——Ibid.

[4] Itaque confestim iter in Ciliciam feci per Tauri pylas. Tarsum veni a. d. iii. Non. Oct. inde ad Amanum contendi, qui Syriam a Cilicia in aquarum divortio dividit—rumore adventus nostri, et Cassio, qui Antiochia tenebatur, animus accessit, et Parthis timor injectus est. Itaque eos cedentes ab oppido Cassius insecutus rem bene gessit. Qua in fuga magna auctoritate Osaces, dux Parthorum, vulnus accepit, eoque interiit paucis post diebus. Ibid. 5. 20.

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of Crassus had made terrible at Rome, Cicero's friends, who had no great opinion of his military talents, were in some pain for his safety and success: but now that he found himself engaged, and pushed to the necessity of acting the general, he seems to have wanted neither the courage nor conduct of an experienced leader. In a letter to Atticus, dated from his camp—"We are in great spirits," says he, "and, as our counsels are good, have no distrust of an engagement: we are securely encamped, with plenty of provisions, and in sight almost of Cilicia; with a small army indeed, but, as I have reason to believe, entirely well affected to me; which I shall double by the accession of Deiotarus, who is upon the road to join me: I have the allies more firmly attached to me, than any governor ever had: they are wonderfully taken with my easiness and abstinence: we are making new levies of citizens, and establishing magazines: if there be occasion for fighting, we shall not decline it; if not, shall defend ourselves by the strength of our posts: wherefore, be of good heart, for I see, as much as if you were with me, the sympathy of your love for me[1]."

But the danger of the Parthians being over, for this season, Cicero resolved, that his labour should not be lost, and his army dismissed, without attempting something of moment. The inhabitants of the mountains, close to which he now lay, were a fierce, untamed race of banditti, or freebooters, who had never submitted to the Roman power, but lived in perpetual defiance of it, trusting to their forts and castles, which were supposed to be impregnable from the strength of their situation. He thought it, therefore, of no small importance to the empire, to reduce them to a state of subjection; and, in order to conceal his design, and take them unprovided, he drew off his forces, on pretence of marching to the distant parts of Cilicia; but, after a day's journey, stopped short, and having refreshed his army and left his baggage behind, turned back again in the night with the utmost celerity, and reached Amanus before day, on the thirteenth of October. He divided his troops among his four lieutenants, and himself, accompanied by his brother, led up one part of them, and so coming upon the natives by surprise, they easily killed or made them all prisoners: they took six strong forts, and burned many more; but the capital of the mountain, Erana, made a brave resistance, and held out from break of day to four in the afternoon. Upon this success, Cicero was saluted emperor, and sat down again at the foot of the hills, where he

[1] Ibid. 5. 18.

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spent five days in demolishing the other strong-holds, and wasting the lands of these mountaineers. In this place, his troops were lodged in the same camp, which Alexander the Great had formerly used, when he beat Darius at Issus; and where there remained three altars, as the monument of his victory, which bore his name to that day: a circumstance, which furnished matter for some pleasantry, in his letters to his friends at Rome[1].

From Amanus, he led his army to another part of the highlands, the most disaffected to the Roman name, possessed by a stout and free people, who had never been subject even to the kings of that country. Their chief town was called Pindenissum, situated on a steep and craggy hill, strongly fortified by nature and art, and provided with every thing necessary for defence: it was the constant refuge of all deserters, and the harbour of foreign enemies, and at that very time was expecting, and prepared to receive, the Parthians; Cicero, resolving therefore to chastise their insolence, and bring them under the Roman yoke, laid siege to it in form; and though he pushed it on with all imaginable vigour, and a continual battery of his engines, yet it cost him above six weeks to reduce it to the necessity of surrendering at discretion. The inhabitants were sold for slaves, and when Cicero was writing the account from his tribunal, he had already raised about a hundred thousand pounds by that sale: all the other plunder, excepting the horses, was given to the soldiers. In his letter upon it to Atticus, "the Pindenissians," says he, "surrendered to me on the Saturnalia, after a siege of seven-and-forty days: but what the plague, you will say, are these Pindenissians! I never heard of their name before. How can I help that? could I turn Cilicia into Ætolia or Macedonia? take this, however, for certain, that no man could do more, than I have done, with such an army[2]," &c. After this action another neighbouring

[1] Qui mons erat hostium plenus sempiternorum. Hic a. d. iii. Idus Octob. magnum numerum hostium occidimus. Castella munitissima, nocturno Pontinii adventu, nostro matutino cepimus, incendimus. Imperatores appellati sumus. Castra paucos dies habuimus ea ipsa, quæ contra Darium habuerat apud Issum Alexander, Imperator haud paullo melior, quam aut tu aut ego. Ibi dies quinque morati, direpto et vastato Amano, inde discessimus. Ad Att. 5. 20.

Expedito exercitu ita noctu iter feci, ut a. d. iii. Id. Octob. cum. lucisceret, in Amanum ascenderem, distributisque cohortibus et auxiliis, cum aliis Quintus frater Legatus, mecum simul, aliis C. Pontinius Legatus, reliquis M. Anneius et M. Tullius Legati præessent: plerosque nec opinantes oppressimus—Eranam autem, quæ fuit non vici instar, sed urbis, quod erat Amani caput—acriter et diu repugnantibus, Pontinio illam partem Amani tenente, ex antelucano tempore usque ad horam diei decimam, magna multitudine hostium occisa, cepimus, castellaque sex capta: complura incendimus. His rebus ita gestis, castra in radicibus Amani habuimus apud aras Alexandri quatriduum: et in reliquiis Amani delendis, agrisque vastandis—id tempus omne consumsimus. Ep. Fam. 15. 4. vid. ibid. 2. 10.

[2] Confectis his rebus ad oppidum Eleutherocilicum, *Pindenissum*, exercitum adduxi: quod cum esset altissimo et munitissimo loco, ab iisque incoleretur, qui ne Regibus

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nation, of the same spirit and fierceness, called Tiburani, terrified by the fate of Pindenissum, voluntarily submitted, and gave hostages; so that Cicero sent his army into winter quarters, under the command of his brother, into those parts of the province which were thought the most turbulent[1].

While he was engaged in this expedition, Papirius Pætus, an eminent wit and Epicurean, with whom he had a particular intimacy and correspondence of facetious letters, sent him some military instructions in the way of raillery; to which Cicero answered, in the same jocose manner: "Your letter," says he, "has made me a complete commander: I was wholly ignorant before of your great skill in the art of war; but perceive, that you have read Pyrrhus and Cineas. Wherefore I intend to follow your precepts, and withal, to have some ships in readiness on the coast; for they deny that there can be any better defence against the Parthian horse. But raillery apart; you little think what a general you have to deal with: for, in this government, I have reduced to practice, what I had worn out before with reading, the whole institution of Cyrus," &c.[2] These martial exploits spread Cicero's fame into Syria, where Bibulus was just arrived to take upon him the command; but kept himself close within the gates of Antioch, till the country was cleared of all the Parthians: his envy of Cicero's success, and title of emperor, made him impatient to purchase the same honour by the same service, on the Syrian side of the mountain Amanus; but he had the misfortune to be repulsed in his attempt, with the entire loss of the first cohort, and several officers of distinction, which Cicero calls an ugly blow, both for the time and the effect of it[3].

Though Cicero had obtained what he calls a just victory at Amanus, and, in consequence of it, the appellation of emperor, which he assumed from this time; yet he sent no public ac-

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quidem unquam paruissent: cum et fugitivos reciperent, et Parthorum adventum acerrime expectarent: ad existimationem imperii pertinere arbitratus sum comprimere eorum audaciam—vallo et fossa circumdedi, sex castellis, castrisque maximis sepsi, aggere, vineis, turribus oppugnavi, ususque tormentis multis, multis sagittariis, magno labore meo—septimo quadragesimo die rem confeci. Ep. Fam. 15. 4.

Qui (malum) isti Pindenissæ? qui sunt? inquies: nomen audivi nunquam. Quid ego faciam? potui Ciliciam, Ætoliam, aut Macedoniam reddere? hoc jam sic habeto, nec hoc exercitu hic tanta negotia geri potuisse, &c. Ad Att. 5. 20.

Mancipia vænibant Saturnalibus tertiis, cum hæc scribebam in tribunali, res erat ad H. S. cxx. Ibid.

[1] His erant finitimi pari scelere et audacia *Tiburani:* ab his, *Pindenisso* capto, obsides accepi, exercitum in hiberna dimisi. Q. Fratrem negotio præposui, ut in vicis aut captis aut male pacatis exercitus collocaretur. Ep. Fam. 15. 4.

[2] Ibid. 9. 25.

[3] Erat in Syria nostrum nomen in gratia. Venit interim Bibulus. Credo voluit appellatione hac inani nobis esse par. In eodem Amano cœpit laureolam in mustaceo quærere. At ille cohortem primam totam perdidit—sane plagam odiosam acceperat tum re tum tempore. Ad Att. 5. 20.

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count of it to Rome, till after the affair of Pindenissum, an exploit of more eclat and importance; for which he expected the honour of a thanksgiving, and began to entertain hopes even of a triumph. His public letter is lost, but that loss is supplied by a particular narrative of the whole action, in a private letter to Cato; the design of paying this compliment to Cato, was to engage his vote and concurrence to the decree of the supplication; and, by the pains which he takes to obtain it, where he was sure of gaining his point without it, shews the high opinion which he had of Cato's authority, and how desirous he was to have the testimony of it on his side. But Cato was not to be moved from his purpose by compliments or motives of friendship: he was an enemy, by principle, to all decrees of this kind, and thought them bestowed too cheaply, and prostituted to occasions unworthy of them: so that when Cicero's letters came under deliberation, though he spoke with all imaginable honour and respect of Cicero, and highly extolled both his civil and military administration, yet he voted against the supplication; which was decreed, however, without any other dissenting voice, except that of Favonius, who loved always to mimic Cato, and of Hirrus, who had a personal quarrel with Cicero: yet, when the vote was over, Cato himself assisted in drawing up the decree, and had his name inserted in it; which was the usual mark of a particular approbation of the thing, and friendship to the person in whose favour it passed[1]. But Cato's answer to Cicero's letter will shew the temper of the man, and the grounds on which he acted on this occasion.

M. CATO TO M. T. CICERO, EMPEROR.

"In compliance with what both the Republic and our private friendship require of me, I rejoice that your virtue, innocence, diligence, approved in the greatest affairs, exerts itself every where with equal vigour; at home in the gown, abroad in arms. I did all, therefore, that I could do, agreeably to my own judgment, when, in my vote and speech, I ascribed to your innocence and good conduct the defence of your province; the safety of the kingdom and person of Ariobarzanes;

[1] Nunc publice litteras Romam mittere parabam. Uberiores erunt, quam si ex Amano misissem. Ad Att. 5. 20.

Deinde de triumpho, quem video, nisi Reipub. tempora impedient, εὐπόριστον. Ibid. 7. 1.

Ei porro assensus est unus, familiaris meus Favonius; alter iratus Hirrus. Cato autem et scribendo affuit. Ibid.

Res ipsa declarat, tibi illum honorem supplicationis jucundum fuisse, quod scribendo affuisti. Hæc enim Senatus consulta non ignoro ab amicissimis ejus, cujus de honore agitur, scribi solere. Ep. Fam. 15. 6.

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the recovery of the allies to their duty and affection to our empire. I am glad, however, that a supplication is decreed; if, where chance has no part, but the whole was owing to your consummate prudence and moderation, you are better pleased, that we should hold ourselves indebted to the gods, than to you. But if you think that a supplication will pave the way to a triumph, and for that reason choose that fortune should have the praise rather than yourself; yet a triumph does not always follow a supplication, and it is much more honourable than any triumph, for the senate to decree, that a province is preserved to the empire by the mildness and innocence of the general, rather than by the force of arms, and the favour of the gods. This was the purpose of my vote; and I have now employed more words than it is my custom to do, that you might perceive, what I chiefly wish to testify, how desirous I am to convince you, that, in regard to your glory, I had a mind to do what I took to be the most honourable for you; yet rejoice to see that done, which you are the most pleased with. Adieu, and still love me; and, agreeably to the course which you have begun, continue your integrity and diligence to the allies and the Republic[1]."

Cæsar was delighted to hear of Cato's stiffness, in hopes that it would create a coldness between him and Cicero; and, in a congratulatory letter to Cicero, upon the success of his arms, and the supplication decreed to him, took care to aggravate the rudeness and ingratitude of Cato[2]. Cicero himself was highly disgusted at it; especially when Cato, soon afterwards, voted a supplication to his son-in-law, Bibulus, who had done much less to deserve it. "Cato," says he, "was shamefully malicious; he gave me what I did not ask, a character of integrity, justice, clemency; but denied me what I did:—yet this same man voted a supplication of twenty days to Bibulus. Pardon me, if I cannot bear this usage[3];"—yet as he had a good opinion of Cato in the main, and a farther suit to make to the senate in the demand of a triumph, he chose to dissemble his resentment, and returned him a civil answer, to signify his satisfaction and thanks for what he had thought fit to do[4].

Cicero's campaign ended just so, as Cœlius had wished in one of his letters to him; with fighting enough to give a claim

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[1] Ep. Fam. 15. 5.

[2] Itaque Cæsar iis litteris, quibus mihi gratulatur, et omnia pollicetur, quo modo exultat Catonis in me ingratissimi injuria. Ad Att. 7. 2.

[3] Aveo scire—Cato quid agat: qui quidem in me turpiter fuit malevolus. Dedit integritatis, justitiæ, clementiæ, fidei testimonium, quod non quærebam; quod postulabam, negavit——at hic idem Bibulo dierum viginti. Ignosce mihi, non possum hæc ferre. Ibid.

[4] Ep. Fam. 15. 6.

to the laurel, yet without the risk of a battle with the Parthians[1]. During these months of action, he sent away the two young Ciceros, the son and nephew, to king Deiotarus's court, under the conduct of the king's son, who came on purpose to invite them. They were kept strictly to their books and exercises, and made great proficiency in both; though the one of them, as Cicero says, wanted the bit, the other the spur. —Their tutor, Dionysius, attended them, a man of great learning and probity, but, as his young pupils complained, horribly passionate[2]. Deiotarus himself was setting forward to join Cicero, with all his forces, upon the first news of the Parthian irruption. He had with him thirty cohorts, of four hundred men each, armed and disciplined after the Roman manner, with two thousand horse: but the Parthian alarm being over, Cicero sent couriers to meet him on the road, in order to prevent his marching to no purpose, so far from his own dominions[3]. The old king, however, seems to have brought the children back again in person, for the opportunity of paying his compliments, and spending some time with his friend, for, by what Cicero intimates, they appear to have had an interview[4].

The remaining part of Cicero's government was employed in the civil affairs of the province, where his whole care was, to ease the several cities and districts of that excessive load of debts, in which the avarice and rapaciousness of former governors had involved them. He laid it down for the fixed rule of his administration, not to suffer any money to be expended, either upon himself or his officers: and, when one of his lieutenants, L. Tullius, in passing through the country, exacted only the forage and firing, which was due by law, and that but once a-day, and not, as all others had done before, from every town and village through which they passed, he was much out of humour, and could not help complaining of it, as a stain upon his government, since none of his people besides had taken even a single farthing. All the wealthier

[1] Ut optasti, ita est; velles enim, ais, tantummodo ut haberem negotii quod esset ad laureolam satis. Parthos times, quia diffidis copiis nostris. Ep. Fam. 2. 10. 8. 5.

[2] Cicerones nostros Deiotarus filius, qui Rex a Senatu appellatus est, secum in regnum. Dum in æstivis nos essemus, illum pueris locum esse bellissimum duximus. Ad Att. 5. 17.

Cicerones pueri amant inter se, discunt, exercentur: sed alter—frænis eget, alter calcaribus—Dionysius mihi quidem in amoribus est. Pueri autem aiunt eum furenter irasci. Sed homo nec doctior, nec sanctior fieri potest. Ibid. 6. 1.

[3] Mihi tamen cum Deiotaro convenit, ut ille in meis castris esset cum omnibus suis copiis, habet autem cohortes quadringenarias nostra armatura triginta; equitum duo millia.—Ibid.

Deiotarum confestim jam ad me venientem cum magno et firmo equitatu et peditatu, et cum omnibus suis copiis, certiorem feci, non videri esse causam cur abesset a regno. —Ep. Fam. 15. 4.

[4] Deiotarus mihi narravit, &c. Ad Att. 6. 1. 5. 21.

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cities of the province used to pay to all their proconsuls large contributions for being exempted from furnishing winter quarters to the army.—Cyprus alone paid yearly, on this single account, two hundred talents, or about forty thousand pounds: but Cicero remitted this whole tax to them, which alone made a vast revenue; and applied all the customary perquisites of his office to the relief of the oppressed province: yet for all his services and generosity, which amazed the poor people, he would accept no honours, but what were merely verbal; prohibiting all expensive monuments, as statues, temples, brazen horses, &c. which, by the flattery of Asia, used to be erected of course to all governors, though ever so corrupt and oppressive. While he was upon his visitation of the Asiatic districts, there happened to be a kind of famine in the country; yet wherever he came, he not only provided for his family, at his own expense, but prevailed with the merchants and dealers, who had any quantity of corn in their storehouses, to supply the people with it on easy terms[1]; living himself, all the while, splendidly and hospitably, and keeping an open table, not only for all the Roman officers, but the gentry of the province[2]. In the following letter to Atticus, he gave him a summary view of his manner of governing.

"I see," says he, "that you are much pleased with my moderation and abstinence; but you would be much more so if you were with me, especially at Laodicea, where I did wonders at the sessions, which I have just held, for the affairs of the dioceses, from the thirteenth of February to the first of May. Many cities are wholly freed from all their debts, many greatly eased, and all, by being allowed to govern themselves by their own laws, have recovered new life. There are two ways by which I have put them into a capacity of freeing, or of easing themselves at least of their debts; the one is, by suffering no expense at all to be made on the account of my government. When I say none at all, I speak not hyperboli-

[1] Cave putes quicquam homines magis unquam esse miratos, quam nullum teruntium, me obtinente provinciam, sumptus factum esse, nec in Remp. nec in quemquam meorum, præterquam in L. Tullium, Legatum. Is cæteroqui abstinens (sed Julia lege transitans, semel tamen in diem, non ut alii solebant omnibus vicis) facit ut mihi excipiendus sit, cum teruntium nego sumptus factum. Præter eum accepit nemo. Has sordes a nostro Q. Titinio accepimus. Ad Att. 5. 21.

Civitates locupletes, ne in hiberna milites reciperent, magnas pecunias dabant. Cyprii talenta Attica cc. Qua ex insula (non ὑπερβολικῶς sed verissime loquor) nummus nullus me obtinente erogabitur. Ob hæc beneficia, quibus obstupescunt, nullos honores mihi, nisi verborum, decerni sino. Statuas, fana τέθριππα, prohibeo. —Ibid.

Fames, quæ erat in hac mea Asia, mihi optanda fuerit. Quacunque iter feci, nulla vi,—auctoritate et cohortatione perfeci, ut et Græci et Cives Romani, qui frumentum compresserant, magnum numerum populis pollicerentur.—Ibid.

[2] Ita vivam, ut maximos sumptus facio. Mirifice delector hoc instituto. Ibid. 5. 15.

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cally; there is not so much as a farthing: it is incredible to think what relief they have found from this single article. The other is this: their own Greek magistrates had strangely abused and plundered them. I examined every one of them, who had borne any office for ten years past: they all plainly confessed; and, without the ignominy of a public conviction, made restitution of the money which they had pillaged: so that the people, who had paid nothing to our farmers for the present lustrum, have now paid the arrears of the last, even without murmuring. This has placed me in high favour with the publicans: a grateful set of men, you'll say: I have really found them such.—The rest of my jurisdiction shall be managed with the same address; and create the same admiration of my clemency and easiness. There is no difficulty of access to me, as there is to all other provincial governors; no introduction by my chamberlain: I am always up before day, and walking in my hall, with my doors open, as I used to do when a candidate at Rome: this is great and gracious here; though not at all troublesome to me, from my old habit and discipline[1]," &c.

This method of governing gave no small umbrage to Appius; who considered it as a reproach upon himself, and sent several querulous letters to Cicero, because he had reversed some of his constitutions: "And no wonder," says Cicero, "that he is displeased with my manner, for what can be more unlike, than his administration and mine? Under him the province was drained by expenses and exactions; under me, not a penny levied for public or private use: what shall I say of his præfects, attendants, lieutenants? of their plunders, rapines, injuries? whereas now, there is not a single family governed with such order, discipline, and modesty, as my province. This some of Appius's friends interpret ridiculously; as if I was taking pains to exalt my own character, in order to depress his; and doing all this, not for the sake of my own credit, but of his disgrace[2]." But the truth was, that, from the time of his reconciliation with Appius, he had a sincere desire to live on good terms with him; as well out of regard to the splendour of his birth and fortunes, as to his great alliances; for one of his daughters was married to Pompey's son, and another to Brutus[3]: so that, though their principles and maxims were totally different, yet he took care to do every thing with the

[1] Ad Att. 6. 2.

[2] Quid enim potest esse tam dissimile, quam illo imperante, exhaustam esse sumptibus et jacturis provinciam, nobis eam obtinentibus, nummum nullum esse erogatum nec privatim nec publice, &c. Ibid. 6. 1.

[3] Ego Appium, ut tecum sæpe locutus sum, valde diligo. Meque ab eo diligi statim cœptum esse, ut simultatem deposuimus, sensi—jam me Pompeii totum esse scis: Brutum

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greatest professions of honour and respect towards Appius, even when he found it necessary to rescind his decrees; considering himself only, he says, as a second physician called in to a case of sickness, where he found it necessary to change the method of cure, and when the patient had been brought low by evacuations, and blood-letting, to apply all kinds of lenitive and restoring medicines[1].

As soon as the government of Cilicia was allotted to him, he acquainted Appius with it by letter, begging of him, that, as no man could succeed to it with a more friendly disposition than himself, so Appius would deliver up the province to him, in such a condition, as one friend would expect to receive it from another[2]: in answer to which, Appius, having intimated some desire of an interview, Cicero took occasion to press it with much earnestness, as a thing of great service to them both; and that it might not be defeated, gave him an account of all his stages and motions, and offered to regulate them in such a manner, as to make the place of their meeting the most agreeable to Appius's convenience: but Appius being disgusted with the first edicts, which Cicero published, resolved, for that reason, to disappoint him; and, as Cicero advanced into the province, retired still to the remoter parts of it, and contrived to come upon him, at last, so suddenly, that Cicero had not warning enough given to go out and meet him; which Appius laid hold of, as a fresh ground of complaint against Cicero's pride, for refusing that common piece of respect to him[3].

This provoked Cicero to expostulate with him with great spirit—"I was informed," says he, "by one of my apparitors, that you complained of me for not coming out to meet you: I despised you, it seems, so as nothing could be prouder—when your servant came to me, near midnight, and told me, that you would be with me at Iconium before day, but could not say by which road, when there were two; I sent out your friend Varro by the one, and Q. Lepta, the commander of my artillery, by

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a me amari intelligis. Quid est causæ, cur mihi non in optatis est complecti hominem, florentem ætate, opibus, honoribus, ingenio, liberis, propinquis, affinibus, amicis? Ep. Fam. 2. 13.

[1] Ut si Medicus, cum ægrotus alii medico traditus sit, irasci velit ei medico, qui sibi successerit, si quæ ipse in curando constituerit mutet ille. Sic Appius, cum ἐξ ἀφαιρεσέως provinciam curarit, sanguinem miserit, &c. Ad Att. 6. 1.

[2] Cum contra voluntatem meam—accidisset, ut mihi cum imperio in Provinciam ire necesse esset—hæc una consolatio occurrebat, quod neque tibi amicior, quam ego sum, quisquam posset succedere, neque ego ab ullo Provinciam accipere, qui mallet eam mihi quam maxime aptam explicatamque, &c. Ep. Fam. 3. 2.

[3] — me libenter ad eam partem provinciæ primum esse venturum, quo te maxime velle arbitrarer, &c. Ibid. 5.

Appius noster, cum me adventare videt, profectus est Tarsum usque Laodicea. Ad Att. 5. 17.

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the other, with instructions to each of them, to bring me timely notice of your approach, that I might come out in person to meet you. Lepta came running back presently in all haste to acquaint me, that you had already passed by the camp; upon which I went directly to Iconium, where you know the rest. Did I then refuse to come out to you? to Appius Claudius; to an emperor; then, according to ancient custom; and, above all, to my friend? I, who of all men, am apt to do more in that way than becomes my dignity? but enough of this. The same man told me, likewise, that you said, What! Appius went out to meet Lentulus; Lentulus to Appius; but Cicero would not come out to Appius. Can you then be guilty of such impertinence? a man, in my judgment of the greatest prudence, learning, experience; and, I may add, politeness too, which the Stoics rightly judge to be a virtue? do you imagine, that your Appiuses and Lentuluses are of more weight with me than the ornaments of virtue? before I had obtained those honours, which, in the opinion of the world, are thought to be the greatest, I never fondly admired those names of your's: I looked indeed upon those, who had left them to you, as great men; but after I had acquired, and borne the highest commands, so as to have nothing more to desire, either of honour or glory, I never, indeed, considered myself as your superior, but hoped, that I was become your equal: nor did Pompey, whom I prefer to all men who ever lived, nor Lentulus, whom I prefer to myself, think otherwise: if you, however, are of a different opinion, it will do you no harm to read, with some attention, what Athenodorus says on this subject, that you may learn wherein true nobility consists. But to return to the point: I desire you to look upon me, not only as your friend, but a most affectionate one: It shall be my care, by all possible services, to convince you, that I am truly so: but if you have a mind to let people see, that you are less concerned for my interests, in my absence, than my pains for your's deserved, I free you from that trouble;

> "For I have friends enough to serve and love
> Both me and mine, and above all, Great Jove. Ibid. l. 174.

But, if you are naturally querulous, you shall not still hinder my good offices and wishes for you: all that you will do, is to make me less solicitous how you take them. I have written this with more than my usual freedom, from the consciousness of my duty and affection, which, being contracted by choice and judgment, it will be in your power to preserve, as long as you think proper. Adieu[1]."

[1] Ep. Fam. 3. 7.

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Cicero's letters to Appius make one book of his familiar epistles, the greatest part of which are of the expostulatory kind, on the subject of their mutual jealousies and complaints: in this slippery state of their friendship, an accident happened at Rome, which had like to have put an end to it. His daughter Tullia, after parting from her second husband Crassipes, as it is probably thought, by divorce[1], was married, in her father's absence, to a third, P. Cornelius Dolabella: several parties had been offered to her, and, among them, Ti. Claudius Nero, who afterwards married Livia, whom Augustus took away from him: Nero made his proposals to Cicero in Cilicia, who referred him to the women, to whom he had left the management of that affair; but, before those overtures reached them, they had made up the match with Dolabella, being mightily taken with his complaisant and obsequious address[2]. He was a nobleman of patrician descent, and of great parts and politeness; but of a violent, daring, ambitious temper, warmly attached to Cæsar; and, by a life of pleasure and expense, which the prudence of Tullia, it was hoped, would correct, greatly distressed in his fortunes; which made Cicero very uneasy, when he came afterwards to know it[3]. Dolabella, at the time of this marriage, for which he made way also by the divorce of his first wife[4], gave a proof of his enterprising genius, by impeaching Appius Claudius, of practices against the state, in his government of Cilicia, and of bribery and corruption in his suit for the consulship. This put a great difficulty upon Cicero, and made it natural to suspect, that he privately favoured the impeachment, where the accuser was his son-in-law: but in clearing himself of it to Appius, though he dissembled a little, perhaps, in disclaiming any part or knowledge of that match, yet he was very sincere in professing himself an utter stranger to the impeachment, and was, in truth, greatly disturbed at it. But, as from the circumstance of his

[1] What confirms this notion is, that Crassipes appears to have been alive at this time, and under Cicero's displeasure: who mentions him as the only senator, besides Hirrus, to whom he did not think fit to write about the affair of his supplication. Ad Att. 7. 1.

[2] Ego dum in provincia omnibus rebus Appium orno, subito sum factus accusatoris ejus socer—sed crede mihi nihil minus putaram ego, qui de Ti. Nerone, qui mecum egerat, certos homines ad mulieres miseram, qui Romam venerunt factis sponsalibus. Sed hoc spero melius. Mulieres quidem valde intelligo delectari obsequio et comitate adolescentis. Ibid. 6. 6.

[3] Gener est suavis—quantumvis vel ingenii, vel humanitatis; satis. Reliqua quæ nosti ferenda. Ibid. 7. 3.

Dolabellam a te gaudeo primum laudari, deinde etiam amari. Nam ea quæ speras Tulliæ meæ prudentia posse temperari, scio cui tuæ epistolæ respondeant. Ep. Fam. 2. 15. it. 8. 13.

Hac oblectabar specula, Dolabellam meum fore ab iis molestiis, quas libertate sua contraxerat, liberum. Ibid. 16.

[4] Illud mihi occurrit, quod inter postulationem, et nominis delationem, uxor a Dolabella discessit. Ibid. 8. 6.

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succeeding to Appius in his government, he was of all men the most capable of serving or hurting him at the trial, so Pompey, who took great pains to screen Appius, was extremely desirous to engage him on their side, and had thoughts of sending one of his sons to him for that purpose: but Cicero saved them that trouble, by declaring early and openly for Appius, and promising every thing from the province that could possibly be of service to him; which he thought himself obliged to do the more forwardly, to prevent any suspicion of treachery to his friend, on the account of his new alliance[1]: so that Appius, instead of declining a trial, contrived to bring it on, as soon as he could; and, with that view, having dropped his pretensions to a triumph, entered the city, and offered himself to his judges, before his accuser was prepared for him, and was acquitted, without any difficulty, of both the indictments.

In a little time after his trial, he was chosen censor, together with Piso, Cæsar's father-in-law, the last who bore that office during the freedom of the Republic. Clodius's law, mentioned above, which had greatly restrained the power of these magistrates, was repealed the last year, by Scipio, the consul, and their ancient authority restored to them[2], which was now exercised with great rigour by Appius; who, though really a libertine, and remarkable for indulging himself in all the luxury of life, yet, by an affectation of severity, hoped to retrieve his character, and pass for an admirer of that ancient discipline, for which many of his ancestors had been celebrated. Cœlius gives a pleasant account of him to Cicero: "Do you know," says he, "that the censor, Appius, is doing wonders amongst us, about statues and pictures, the number of our acres, and the payment of debts? he takes the censorship for soap or nitre, and thinks to scour himself clean with it; but he is mistaken: for while he is labouring to wash out his stains, he opens his very veins and bowels, and lets us see him the more intimately: run away to us, by all the gods, to laugh at these things: Drusus sits judge upon adultery, by the Scantinian law; Appius on statues and pictures[3]." But this vain and unseasonable attempt of reformation, instead of doing any

[1] Pompeius dicitur valde pro Appio laborare, ut etiam putent alterutrum de filiis ad te missurum. Ep. Fam. 8. 6.

Post hoc negotium autem et temeritatem nostri Dolabellæ deprecatorem me pro illius periculo præbeo. Ibid. 2. 13.

Tamen hac mihi affinitate nuntiata, non majore equidem studio, sed acrius, apertius, significantius dignitatem tuam defendissem—nam ut vetus nostra simultas antea stimulabat me, ut caverem ne cui suspicionem ficte reconciliatæ gratiæ darem: sic affinitas novam curam affert cavendi. Ibid. 3. 12.

[2] Dio, p. 147.

[3] Scis Appium Censorem hic ostenta facere? de signis et tabulis, de agri modo, et ære alieno acerrime agere? persuasum est ei, censuram lomentum aut nitrum esse. Errare mihi videtur. Nam sordes eluere vult, venas sibi omnes et viscera aperit. Curre

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good, served only to alienate people from Pompey's cause, with whom Appius was strictly allied: whilst his colleague, Piso, who foresaw that effect, chose to sit still, and suffer him to disgrace the knights and senators at pleasure, which he did with great freedom; and, among others, turned Sallust, the historian, out of the senate, and was hardly restrained from putting the same affront upon Curio, which added still more friends and strength to Cæsar[1].

As to the public news of the year, the grand affair, that engaged all people's thoughts, was the expectation of a breach between Cæsar and Pompey, which seemed now unavoidable, and in which all men were beginning to take part, and ranging themselves on the one side or the other. On Pompey's there was a great majority of the senate and the magistrates, with the better sort of all ranks: on Cæsar's, all the criminal and obnoxious, all who had suffered punishment, or deserved it; the greatest part of the youth, and the city mob; some of the popular tribunes, and all who were oppressed with debts; who had a leader fit for their purpose, daring, and well provided, and wanting nothing but a cause. This is Cicero's account; and Cœlius's is much the same: "I see," says he, "that Pompey will have the senate, and all who judge of things; Cæsar all who live in fear and uneasiness; but there is no comparison between their armies[2]." Cæsar had put an end to the Gallic war, and reduced the whole province to the Roman yoke; but though his commission was near expiring, he seemed to have no thoughts of giving it up, and returning to the condition of a private subject: he pretended that he could not possibly be safe, if he parted with his army, especially while Pompey held the province of Spain, prolonged to him for five years[3]. The senate, in the meanwhile, in order to make him easy, had consented to let him take the consulship, without coming to sue for it in person: but when that did not satisfy him, the consul, M. Marcellus, one of his fiercest enemies, moved them to abrogate his command directly, and appoint him a successor; and, since the war was at an end, to oblige

per Deos, et quam primum hæc risum veni. Legis Scantiniæ judicium apud Drusum fieri. Appium de tabulis et signis agere. Ep. Fam. 8. 14.

[1] Dio, l. 40. p. 150.

[2] Hoc video, cum homine audacissimo, paratissimoque negotium esse: omnes damnatos, omnes ignominia affectos, omnes damnatione ignominiaque dignos illac facere. Omnem fere juventutem, omnem illam urbanam ac perditam plebem; Tribunos valentes—omnes, qui ære alieno premantur—causam solum illa causa non habet, cæteris rebus abundat. Ad Att. 7. 3.

In hac discordia video, Cn. Pompeium Senatum, quique res judicant, secum habiturum: ad Cæsarem omnes, qui cum timore aut mala spe vivant, ad Cæsarem accessuros. Exercitum conferendum non esse. Ep. Fam. 8. 14.

[3] Cæsari autem persuasum est, se salvum esse non posse, si ab exercitu recesserit. Fert illam tamen conditionem, ut ambo exercitus tradant. Ibid.

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him to disband his troops, and to come likewise in person to sue for the consulship, nor to allow the freedom of the city to his colonies beyond the Po: this related particularly to a favourite colony, which Cæsar, when consul, had settled at Comum, at the foot of the Alps, with the freedom of the city granted to it by the Vatinian law[1]. All the other colonies on that side of the Po, had before obtained from Pompey's father the rights of Latium, that is, the freedom of Rome to those, who had borne an annual magistracy in them; but M. Marcellus, out of a singular enmity to Cæsar, would allow no such right to his colony of Comum; and, having caught a certain Comensian magistrate, who was acting the citizen at Rome, he ordered him to be seized, and publicly whipped; an indignity, from which all citizens were exempted by law; bidding the man go and shew those marks of his citizenship to Cæsar[2]. Cicero condemns this act as violent and unjust; "Marcellus," says he, "behaved shamefully in the case of the Comensian; for if the man had never been a magistrate, he was yet of a colony beyond the Po, so that Pompey will not be less shocked at it than Cæsar himself[3]."

The other consul, Serv. Sulpicius, was of a more candid and moderate temper; and, being unwilling to give such a handle for a civil war, opposed and over-ruled the motions of his colleague, by the help of some of the tribunes: nor was Pompey himself disposed to proceed so violently, or to break with Cæsar on that foot; but thought it more plausible to let his term run out, and his command expire of itself, and so throw upon him the odium of turning his arms against his country, if he should resolve to act against the senate and the laws. This counsel prevailed, after many warm contestations, in which the summer was chiefly spent, and a decree was offered, on the last of September, that the consuls elect, L. Paulus and C. Marcellus, should move the senate on the first of March, to settle the consular provinces; and, if any magistrate should interpose, to hinder the effect of their decrees, that he should be deemed an enemy to the Republic; and if any one actually interposed, that this vote and resolution should be entered into the journals, to be considered some other time by the senate, and laid also before the people. But four of the tribunes gave their joint negative to this decree, C. Cœlius, L. Vincius, P. Cornelius, and C. Vibius Pansa. In the course of these

[1] Sueton. J. Cæs. c. 28. Strabo, l. 5. 326.
[2] Appian, 2. 443.
[3] Marcellus fœde de Comensi: etsi ille Magistratum non gesserit, erat tamen transpadanus. Ita mihi videtur non minus stomachi nostro, ac Cæsari movisse. Ad Att. 5. 11.

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debates, Pompey, who affected great moderation, in whatever he said of Cæsar, was teazed and urged, on all sides, to make an explicit declaration of his sentiments. When he called it unjust to determine any thing about Cæsar's government, before the first of March, the term prescribed to it by law, being asked, what, if any one should then put a negative upon them, he said, there was no difference whether Cæsar refused to obey the decrees of the senate, or provided men to obstruct them: "What," says another, "if he should insist on being consul, and holding his province too?" "What," replied Pompey, "if my son should take a stick and cudgel me?" intimating the one to be as incredible, and as impious also as the other[1].

Cicero's friend, Cœlius, obtained the ædileship this summer from his competitor Hirrus, the same who had opposed Cicero in the augurate, and whose disappointment gave occasion to many jokes between them in their letters[2]. In his magistracy, it being customary to procure wild beasts, of all kinds, from different parts of the empire, for the entertainment of the city, Cœlius begged of Cicero to supply him with panthers from Cilicia, and to employ the Cybarites, a people of his province famed for hunting, to catch them: "for it would be a reflection upon you," says he, "when Curio had ten panthers from that country, not to let me have many more." He recommends to him, at the same time, M. Feridius, a Roman knight, who had an estate in Cilicia, charged with some services or quit-rent to the neighbouring cities, which he begs of him to get discharged, so as to make the lands free[3]: he seems also, to have desired Cicero's consent to his levying certain contributions upon the cities of his province, towards defraying the expense of his shows at Rome, a prerogative, which the ædiles always claimed, and sometimes practised; though it was denied to them by some governors, and particularly by Quintus Cicero, in Asia, upon the advice of his brother[4]; in answer to all which, Cicero replied, that he was sorry to find that his actions were so much in the dark; that it was not yet known at Rome, that not a farthing had been exacted in his province, except

[1] Cum interrogaretur, si qui tum intercederent: dixit hoc nihil interesse, utrum C. Cæsar Senatui dicto audiens futurus non esset, an pararet, qui Senatum decernere non pateretur. Quid si, inquit alius, et Consul esse et exercitum habere volet? At ille quam clementer. Quid si filius meus fustem mihi impingere volet? Ep. Fam. 8. 8.

[2] Ibid. 2. 9, 10. it. 8. 2, 3. 9.

[3] Fere litteris omnibus tibi de Pantheris scripsi. Turpe tibi erit, Patiscum Curioni decem Pantheras misisse, te non multis partibus plures, &c. Ibid. 8. 9.

M. Feridium—tibi commendo. Agros, quos fructuarios habent civitates, vult tuo beneficio, quod tibi facile et honestum factu est, immunes esse. Ibid.

[4] Ad Quint. Frat. 1. 1. § 9.

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for the payment of just debts: that it was neither fit for him to extort money, nor for Cœlius to take it, if it were designed for himself; and admonished him, who had undertaken the part of accusing others, to live himself with more caution—and, as to panthers, that it was not consistent with his character to impose the charge of hunting them upon the poor people[1]. But, though he would not break his rules for the sake of his friend, yet he took care to provide panthers for him at his own expense; and says, pleasantly, upon it, "that the beasts made a sad complaint against him, and resolved to quit the country, since no snares were laid in his province for any other creature but themselves[2]."

Curio likewise obtained the tribunate this summer, which he sought with no other design, as many imagined, than for the opportunity of mortifying Cæsar, against whom he had hitherto acted with great fierceness[3]. But Cicero, who knew, from the temper and views of them both, how easy it would be to make up matters between them, took occasion to write a congratulatory letter to him upon his advancement, in which he exhorts him, with great gravity, to consider into what a dangerous crisis his tribunate had fallen, not by chance, but his own choice; what violence of the times, what variety of dangers hung over the Republic; how uncertain the events of things were; how changeable men's minds; how much treachery and falsehood in human life—he begs of him, therefore, to beware of entering into any new councils, but to pursue and defend what he himself thought right, and not suffer himself to be drawn away by the advice of others—referring, without doubt, to M. Antony, the chief companion and corrupter of his youth. In the conclusion, he conjures him to employ his present power to hinder his provincial trouble from being prolonged by any new act of the senate——[4]. Cicero's suspicions were soon confirmed, by letters from Rome, whence Cœlius sent him word of Curio's changing sides, and declaring himself for Cæsar; in answer to which, Cicero says, "the last page of your letter, in your own hand, really touched me. What do you say? is Curio turned advocate for Cæsar? who would have thought it besides myself? for let me die, if I did not expect

[1] Rescripsi, me moleste ferre, si ego in tenebris laterem, nec audiretur Romæ, nullum in mea provincia nummum nisi in æs alienum erogari; docuique nec mihi conciliare pecuniam licere, nec illi capere: monuique eum, &c. Ad Att. 6. 1.

[2] De Pantheris, per eos, qui venari solent, agitur mandato meo diligenter: sed mira paucitas est: et eas, quæ sunt, valde aiunt queri, quod nihil cuiquam insidiarum in mea provincia nisi sibi fiat. Ep. Fam. 2. 11.

[3] Sed ut spero et volo, et ut se fert ipse Curio, bonos et Senatum malet. Totus ut nunc est, hoc scaturit. Ibid. 8. 4.

[4] Ibid. 2.

A. Urb. 702. Cic. 56. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

it. Good gods! how much do I long to be laughing with you at Rome[1]."

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THE new consuls being Cicero's particular friends, he wrote congratulatory letters to them both, upon their election, in which he begged the concurrence of their authority to the decree of his supplication; and, what he had more at heart, that they would not suffer any prolongation of his annual term; in which they readily obliged him, and received his thanks also by letter for that favour[2]. It was expected, that something decisive would now be done, in relation to the two Gauls, and the appointment of a successor to Cæsar, since both the consuls were supposed to be his enemies; but all attempts of that kind were still frustrated by the intrigues of Cæsar; for when C. Marcellus began to renew the same motion, which his kinsman had made the year before, he was obstructed by his colleague Paulus, and the tribune Curio, whom Cæsar had privately gained, by immense bribes, to suffer nothing prejudicial to his interest to pass during their magistracy[3]. He is said to have given Paulus about three hundred thousand pounds, and to Curio much more[4]. The first wanted it to defray the charges of those splendid buildings, which he had undertaken to raise at his own cost; the second, to clear himself of the load of his debts, which amounted to about half a million[5]; for he had wasted his great fortunes so effectually, in a few years, that he had no other revenue left, as Pliny says, but in the hopes of a civil war[6]. These facts are mentioned by all the Roman writers—

Momentumque fuit mutatus Curio rerum,
Gallorum captus spoliis et Cæsaris auro.—Lucan. 4. 819.

Caught by the spoils of Gaul, and Cæsar's gold,
Curio turn'd traitor, and his country sold—

and Servius applies that passage of Virgil, "vendidit hic auro patriam," to the case of Curio's selling Rome to Cæsar.

Cicero, in the mean time, was expecting, with impatience, the expiration of his annual term, but, before he could quit the province, he was obliged to see the account of all the money, which had passed through his own or his officers' hands, stated and balanced; and three fair copies provided, two to be de-

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[1] Extrema pagella pupugit me tuo chirographo. Quid ais? Cæsarem nunc defendit Curio? quis hoc putaret præter me? nam ita vivam, putavi. Ibid. 13.
[2] Ibid. 15. 7, 10, 11, 12, 13.
[3] Sueton. J. Cæs. 29.
[4] Appian. l. ii. p. 443.
[5] Sexcenties sestertium æris alieni. Val. Max. 9. 1.
[6] Qui nihil in censu habuerit, præter discordiam principum. Plin. Hist. l. 36. 15.

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posited in two of the principal cities of his jurisdiction, and a third in the treasury at Rome.

That his whole administration, therefore, might be of a piece, he was very exact and punctual in acquitting himself of his duty, and would not indulge his officers in the use of any public money beyond the legal time, or above the sum prescribed by law, as appears from his letters to some of them who desired it[1]. Out of the annual revenue, which was decreed to him for the use of the province, he remitted to the treasury all that he had not expended, to the amount of above eight hundred thousand pounds. "This," says he, "makes my whole company groan; they imagined, that it should have been divided among themselves, as if I ought to have been a better manager for the treasures of Phrygia and Cilicia, than for our own. But they did not move me; for my own honour weighed with me the most: yet, I have not been wanting, to do every thing in my power, that is honourable and generous to them all[2]."

His last concern was, to what hands he should commit the government of his province upon his leaving it, since there was no successor appointed by the senate, on account of the heats among them about the case of Cæsar, which disturbed all their debates, and interrupted all other business. He had no opinion of his quæstor, C. Cœlius, a young man of noble birth, but of no great virtue or prudence; and was afraid, after his glorious administration, that, by placing so great a trust in one of his character, he should expose himself to some censure. But he had nobody about him of superior rank, who was willing to accept it, and did not care to force it upon his brother, lest that might give a handle to suspect him of some interest or partiality in the choice[3]. He dropped the province, therefore, after some deliberation, into Cœlius's hands, and set forward immediately upon his journey towards Italy.

But before he quitted Asia, he begged of Atticus, by letter,

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[1] Laodiceæ me prædes accepturum arbitror omnis publicæ pecuniæ—nihil est, quod in isto genere cuiquam possim commodare, &c. Ep. Fam. 2. 17.

Illud quidem certe factum est, quod lex jubebat, ut apud duas civitates, Laodicensem, et Apameensem, quæ nobis maximæ videbantur—rationes confectas et consolidatas deponeremus, &c. Ibid. 5. 20.

[2] Cum enim rectum et gloriosum putarem ex annuo sumptu, qui mihi decretus esset, me C. Cœlio Quæstori relinquere annuum, referre in ærarium ad H. S. cio.; ingemuit nostra cohors, omne illud putans distribui sibi oportere; ut ego amicior invenirer Phrygum aut Cilicum ærariis, quam nostro. Sed me non moverunt; nam mea laus apud me plurimum valuit. Nec tamen quicquam honorifice in quemquam fieri potuit, quod prætermiserim. Ad Att. 7. 1.

[3] Ego de provincia decedens Quæstorem Cœlium præposui provinciæ. Puerum? inquies. At Quæstorem; at nobilem adolescentem; at omnium fere exemplo. Neque erat superiore honore usus, quem præficerem. Pontinius multo ante discesserat. A Quinto fratre impetrari non poterat: quem tamen si reliquissem, dicerent iniqui, non me plane post annum, ut Senatus voluisset, de provincia decessisse, quoniam alterum me reliquissem. Ep. Fam. 2. 15. vid. it. ad Att. 6. 5, 6.

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to send him a particular detail of all the news of the city—"There are odious reports," says he, "about Curio and Paulus; not that I see any danger, while Pompey stands, or I may say, indeed, while he sits, if he has but his health; but, in truth, I am sorry for my friends Curio and Paulus. If you are now, therefore, at Rome, or as soon as you come thither, I would have you send me a plan of the whole Republic, which may meet me on the road, that I may form myself upon it, and resolve what temper to assume on my coming to the city; for it is some advantage not to come thither a mere stranger [1]." We see what a confidence he placed in Pompey, on whom. indeed, their whole prospect, either of peace with Cæsar, or of success against him, depended: as to the intimation about his health, it is expressed more strongly in another letter: "all our hopes," says he, "hang upon the life of one man, who is attacked every year by a dangerous fit of sickness [2]." His constitution seems to have been peculiarly subject to fevers; the frequent returns of which, in the present situation of affairs, gave great apprehension to all his party: in one of those fevers, which threatened his life for many days successively, all the towns of Italy put up public prayers for his safety; an honour, which had never been paid before to any man, while Rome was free [3].

Upon taking leave of Cilicia, Cicero paid a visit to Rhodes, for the sake, he says, of the children [4]. His design was to give them a view of that flourishing isle, and a little exercise, perhaps, in that celebrated school of eloquence, where he himself had studied with so much success under Molo. Here he received the news of Hortensius's death [5], which greatly affected him, by recalling to his mind the many glorious struggles, that they had sustained together at the bar, in their competition for the prize of eloquence. Hortensius reigned absolute in the Forum, when Cicero first entered it: and, as his superior fame was the chief spur to Cicero's industry, so the shining specimen, which Cicero soon gave of himself, made Hortensius, likewise, the brighter for it, by obliging him to exert all the force of his genius, to maintain his ground against

[1] Huc odiosa afferebantur de Curione, de Paulo: non quo ullum periculum videam stante Pompeio, vel etiam sedente, valeat modo. Sed mehercule Curionis et Pauli meorum familiarium vicem doleo. Formam igitur mihi totius Reip. si jam es Romæ, aut cum eris, velim mittas, quæ mihi obviam veniat. Ex qua me fingere possum, &c. Ad Att. 6. 3.

[2] In unius hominis, quotannis periculose ægrotantis, anima, positas omnes nostras spes habemus. Ibid. 8. 2.

[3] Quo quidem tempore universa Italia vota pro salute ejus, primo omnium civium, suscepit. Vell. Pat. 2. 48. Dio, p. 155.

[4] Rhodum volo puerorum causa. Ad Att. 6. 7.

[5] Cum e Cilicia decedens Rhodum venissem, et eo mihi de Q. Hortensii morte esset allatum; opinione omnium majorem animo cepi dolorem. Brut. init.

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his young rival. They passed a great part of their lives in a kind of equal contest and emulation of each other's merit: but Hortensius, by the superiority of his years, having first passed through the usual gradation of public honours, and satisfied his ambition, by obtaining the highest, began to relax somewhat of his old contention, and gave way to the charms of ease and luxury, to which his nature strongly inclined him [1], till he was forced, at last, by the general voice of the city, to yield the post of honour to Cicero; who never lost sight of the true point of glory, nor was ever diverted by any temptation of pleasure from his steady course and laborious pursuit of virtue. Hortensius published several orations, which were extant long after his death; and, it were much to be wished, that they had remained to this day, to enable us to form a judgment of the different talents of these two great men; but they are said to have owed a great part of their credit to the advantage of his action, which yet was thought to have more of art than was necessary to an orator, so that his compositions were not admired so much by the reader, as they had been by the hearer [2]; while Cicero's more valued productions made all others of that kind less sought for, and consequently the less carefully preserved. Hortensius, however, was generally allowed, by the ancients, and by Cicero himself, to have possessed every accomplishment which could adorn an orator—elegance of style; art of composition; fertility of invention; sweetness of elocution; gracefulness of action [3]. These two rivals lived, however, always with great civility and respect towards each other, and were usually in the same way of thinking and acting in the affairs of the Republic; till Cicero, in the case of his exile, discovered the plain marks of a lurking envy and infidelity in Hortensius: yet his resentment carried him no farther, than to some free complaints of it to their common friend Atticus, who made it his business to mitigate this disgust, and hinder it from proceeding to an open breach; so that Cicero, being naturally placable, lived again with him, after his return, on the same easy terms as before, and lamented his death at this time with great tenderness, not only as the private loss of a friend, but a public misfortune to his country,

[1] Nam is post Consulatum—summum illud suum studium remisit, quo a puero fuerat incensus; atque in omnium rerum abundantia voluit beatius, ut ipse putabat, remissius certe vivere. Brut. p. 443.

[2] Motus et gestus etiam plus artis habebat, quam erat oratori satis. Brut. 425. dicebat melius quam scripsit Hortensius. Orat. p. 261.

Ejus scripta tantum intra famam sunt, qui diu princeps oratorum—existimatus est, novissime quoad vixit, secundus; ut appareat placuisse aliquid eo dicente, quod legentes non invenimus. Quint. xi. 3.

[3] Erat in verborum splendore elegans, compositione aptus, facultate copiosus:—nec prætermittebat fere quicquam, quod erat in causa—vox canora et suavis. Brut. 425.

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in being deprived of the service and authority of so experienced a statesman at so critical a conjuncture [1].

From Rhodes he passed on to Ephesus, whence he set sail, on the first of October, and after a tedious passage, landed at Athens, on the fourteenth [2]. Here he lodged again in his old quarters, at the house of his friend Aristus. His predecessor, Appius, who passed also through Athens, on his return, had ordered a new portico or vestibule to be built at his cost, to the temple of the Eleusinian Ceres; which suggested a thought, likewise, to Cicero, of adding some ornament of the same kind to the academy, as a public monument of his name, as well as of his affection for the place; for he hated, he says, those false inscriptions of other people's statues [3], with which the Greeks used to flatter their new masters, by effacing the old titles, and ascribing them anew to the great men of Rome. He acquainted Atticus with his design, and desired his opinion upon it; but, in all probability, it was never executed, since his stay at Athens was now very short, and his thoughts wholly bent on Italy: for as all his letters confirmed to him the certainty of a war, in which he must necessarily bear a part, so he was impatient to be at home, that he might have the clearer view of the state of affairs, and take his measures with greater deliberation [4]. Yet he was not still without hopes of peace, and that he should be able to make up the quarrel between the chiefs; for he was, of all men, the best qualified to effect it, on account, not only of his authority, but of his intimate friendship with them both; who severally paid great court to him at this time, and reckoned upon him as their own, and wrote to him with a confidence of his being a determined friend [5].

In his voyage from Athens towards Italy, Tiro, one of his

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[1] Nam et amico amisso, cum consuetudine jucunda, tum multorum officiorum conjunctione me privatum videbam—augebat etiam molestiam, quod magna sapientium civium bonorumque penuria, vir egregius, conjunctissimusque mecum consiliorum omnium societate, alienissimo Reipub. tempore extinctus. Brut. init.

[2] Prid. Id. Octob. Athenas venimus, cum sane adversis ventis usi essemus. Ep. Fam. 14. 5.

[3] Audio Appium προπύλαιον Eleusine facere. Num inepti fuerimus, si nos quoque Academiæ fecerimus?——equidem valde ipsas Athenas amo. Volo esse aliquod monumentum. Odi falsas inscriptiones alienarum statuarum. Sed ut tibi placebit. Ad Att. 6. 1.

[4] Cognovi ex multorum amicorum litteris—ad arma rem spectare. Ut mihi cum venero, dissimulare non liceat, quid sentiam. Sed quum subeunda fortuna est, eo citius dabimus operam ut veniamus, quo facilius de tota re deliberemus. Ep. Fam. 14. 5.

Sive enim ad concordiam res adduci potest, sive ad bonorum victoriam, utriusve rei me aut adjutorem esse velim, aut certe non expertem. Ad Att. 7. 3.

[5] Ipsum tamen Pompeium separatim ad concordiam hortabor. Ibid.

Me autem uterque numerat suum. Nisi forte simulat alter. Nam Pompeius non dubitat (vere enim judicat) ea, quæ de Repub. nunc sentiat, mihi valde probari. Utriusque autem accepi litteras ejusmodi—ut neuter quemquam omnium pluris facere quam me videretur. Ibid. 7. 1.

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slaves, whom he soon after made free, happened to fall sick, and was left behind at Patræ to the care of friends and a physician. The mention of such an accident will seem trifling to those who are not acquainted with the character and excellent qualities of Tiro, and how much we are indebted to him for preserving and transmitting to posterity the precious collection of Cicero's letters, of which a great part still remain, and one entire book of them written to Tiro himself; several of which relate to the subject of this very illness. Tiro was trained up in Cicero's family, among the rest of his young slaves, in every kind of useful and polite learning, and, being a youth of singular parts and industry, soon became an eminent scholar, and extremely serviceable to his master, in all his affairs, both civil and domestic. "As for Tiro," says he to Atticus, "I see you have a concern for him: though he is wonderfully useful to me, when he is well, in every kind both of my business and studies, yet, I wish his health, more for his own humanity and modesty, than for any service which I reap from him[1]." But his letter to Tiro himself will best shew what an affectionate master he was: for from the time of leaving him, he never failed writing to him by every messenger or ship which passed that way, though it were twice or thrice a day, and often sent one of his servants express to bring an account of his health; the first of these letters will give us a notion of the rest.

M. T. CICERO TO TIRO.

"I thought that I should have been able to bear the want of you more easily; but in truth I cannot bear it: and though it is of great importance to my expected honour to be at Rome as soon as possible, yet I seem to have committed a sin when I left you. But since you were utterly against proceeding in the voyage, till your health was confirmed, I approved your resolution; nor do I now think otherwise, if you continue in the same mind. But after you have begun to take meat again, if you think that you shall be able to overtake me, that is left to your consideration. I have sent Mario to you, with instructions, either to come with you to me as soon you can, or if you should stay longer, to return instantly without you. Assure yourself, however, of this, that, as far as it can be convenient to your health, I wish nothing more than to have you with me; but if it be necessary for the perfecting your recovery, to stay awhile longer at Patræ, that I wish nothing more than to have you well. If you sail immediately

[1] De Tirone video tibi curæ esse. Quem quidem ego, et si mirabiles utilitates mihi præbet, cum valet, in omni genere vel negotiorum vel studiorum meorum, tamen propter humanitatem et modestiam malo salvum, quam propter usum meum. Ad Att. 7. 5.

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you will overtake me at Leucas: but if you stay to establish your health, take care to have good company, good weather, and a good vessel. Observe this one thing, my Tiro, if you love me, that neither Mario's coming, nor this letter, hurry you. By doing what is most conducive to your health, you will do what is most agreeable to me: weigh all these things by your own discretion. I want you; yet so as to love you; my love makes me wish to see you well; my want of you, to see you as soon as possible: the first is the better; take care, therefore, above all things, to get well again; of all your innumerable services to me, that will be the most acceptable.—The third of November[1]."

By the honour that he mentions in the letter, he means the honour of a triumph, which his friends encouraged him to demand for his success at Amanus and Pindenissum: in writing upon it to Atticus, he says, "consider what you would advise me with regard to a triumph, to which my friends invite me: for my part, if Bibulus, who, while there was a Parthian in Syria, never set a foot out of the gates of Antioch, any more than he did upon a certain occasion out of his own house, had not solicited a triumph, I should have been quiet: but now it is a shame to sit still[2]." Again, "as to a triumph, I had no thoughts of it before Bibulus's most impudent letters, by which he obtained an honourable supplication. If he had really done all that he has written, I should rejoice at it, and wish well to his suit: but for him, who never stirred beyond the walls, while there was an enemy on this side the Euphrates, to have such an honour decreed; and for me, whose army inspired all their hopes and spirits into his, not to obtain the same, will be a disgrace to us; I say to us; joining you to myself: wherefore I am determined to push at all, and hope to obtain all[3]."

After the contemptible account which Cicero gives of Bibulus's conduct in Syria, it must appear strange to see him honoured with a supplication, and aspiring even to a triumph; but this was not for any thing that he himself had done, but for what his lieutenant Cassius had performed in his absence against the Parthians; the success of the lieutenants being ascribed always to the auspices of the general, who reaped the reward and glory of it; and as the Parthians were the most dangerous enemies of the Republic, and the more

[1] Ep. Fam. 16. 1. [2] Ad Att. 6. 8.

[3] De triumpho, nulla me cupiditas unquam tenuit ante Bibuli impudentissimas literas, quas amplissima supplicatio consecuta est. A quo si ea gesta sunt, quæ scripsit, gauderem et honori faverem. Nunc illum, qui pedem porta, quoad hostis cis Euphratem fuit, non extulerit, honore augeri, me, in cujus exercitu spem illius exercitus habuit, idem non assequi, dedecus est nostrum; nostrum, inquam, te conjungens. Itaque omnia experiar, et, ut spero, assequar. Ad Att. 7. 2.

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particularly dreaded at this time, for their late defeat of Crassus, so any advantage gained against them was sure to be well received at Rome, and repaid with all the honours that could reasonably be demanded.

Whenever any proconsul returned from his province, with pretensions to a triumph, his fasces, or ensigns of magistracy, were wreathed with laurel: with this equipage, Cicero landed at Brundisium, on the twenty-fifth of November, where his wife Terentia arrived at the same moment to meet him, so that their first salutation was in the great square of the city. From Brundisium he marched forward by slow stages towards Rome, making it his business, on the road, to confer with all his friends of both parties, who came out to salute him: and to learn their sentiments on the present state of affairs; from which he soon perceived, what of all things he most dreaded, an universal disposition to war. But as he foresaw the consequences of it more coolly and clearly than any of them, so his first resolution was to apply all his endeavours and authority to the mediation of a peace. He had not yet declared for either side; not that he was irresolute which of them to choose, for he was determined within himself to follow Pompey; but the difficulty was, how to act, in the mean time, towards Cæsar, so as to avoid taking part in the previous decrees, which were prepared against him, for abrogating his command, and obliging him to disband his forces on pain of being declared an enemy; here he wished to stand neuter awhile, that he might act the mediator with the better grace and effect[1].

In this disposition he had an interview with Pompey, on the tenth of December, of which he gives the following account: "We were together," says he, "about two hours. He seemed to be extremely pleased at my return; exhorted me to demand a triumph; promised to do his part in it; advised me not to appear in the senate before I had obtained it, lest I should disgust any of the tribunes by declaring my mind: in a word, nothing could be more obliging than his whole discourse on this subject. But, as to public affairs, he talked in such a strain, as if a war was inevitable, without giving the least hopes of an accommodation. He said, that he had long perceived Cæsar to be alienated from him, but had received a very

[1] Brundisium venimus vii Kal. Decemb.—Terentia vero, quæ quidem eodem tempore ad portam Brundisinam venit, quo ego in portum, mihique obvia in Foro fuit. Ad Att. 7. 2.

Mihi σκάφος unum erit, quod a Pompeio gubernabitur—dic M. Tulli σύντομα. Cn. Pompeio assentio. Ibid. 3.

Nunc incido in discrimen ipsum,—dabunt operam, ut eliciant sententiam meam—tu autem de nostro statu cogitabis: primum quo artificio tueamur benevolentiam Cæsaris. Ibid. 1.

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late instance of it; for that Hirtius came from Cæsar, a few days before, and did not come to see him; and when Balbus promised to bring Scipio an account of his business, the next morning, before day, Hirtius was going back again to Cæsar in the night: this he takes for a clear proof of Cæsar's resolution to break with him. In short, I have no other comfort, but in imagining, that he, to whom even his enemies have voted a second consulship, and fortune given the greatest power, will not be so mad as to put all this to hazard: yet, if he begins to rush on, I see many more things to be apprehended than I dare venture to commit to writing; at present, I propose to be at Rome on the third of January[1]."

There is one little circumstance frequently touched in Cicero's letters, which gave him a particular uneasiness in his present situation, viz. his owing a sum of money to Cæsar, which he imagined might draw some reproach upon him, since he thought it dishonourable and indecent, he says, to be a debtor to one, against whom we were acting in public affairs: yet to pay it at that time would deprive him of a part of the money which he had reserved for his triumph[2]. He desires Atticus, however, very earnestly, to see it paid, which was done, without doubt, accordingly, since we meet with no farther mention of it: it does not appear, nor is it easy to guess, for what occasion this debt was contracted, unless it was to supply the extraordinary expense of his buildings after his return from exile, when he complained of being in a particular want of money from that general dissipation of his fortunes.

Pompey, finding Cicero wholly bent on peace, contrived to have a second conference with him, before he reached the city, in hopes to allay his fears, and beat him off from that vain project of an accommodation, which might help to cool the zeal of his friends in the senate: he overtook him, therefore, at Lavernium, and came on with him to Formiæ, where they spent a whole afternoon in a close conversation. Pompey strongly discouraged all thoughts of a pacification, declaring, that there could be none but what was treacherous and dangerous; and that, if Cæsar should disband his army, and take the consulship, he would throw the Republic into confusion; but he was of opinion, that when he understood their preparations against him, he would drop the consulship, and hold fast his army: but if he was mad enough to come forward and

[1] Ibid. 7. 4.

[2] Illud tamen non desinam, dum adesse te putabo, de Cæsaris nomine rogare, ut confectum relinquas. Ibid. 5. 6.

Mihi autem molestissimum est, quod solvendi sunt nummi Cæsari, et instrumentum triumphi eo conferendum. Est enim ἄμορφον, ἀντιπδλιτευομένου χρεοφειλέτην esse. Ibid. 7. 8.

A. Urb. 703. Cic. 57. Coss.—L. Æmilius Paulus. C. Claudius Marcellus.

act offensively, he held him in utter contempt, from a confidence in his own troops, and those of the Republic. They had got with them the copy of a speech, which Antony, one of the new tribunes, made to the people, four days before; it was a perpetual invective on Pompey's conduct, from his first appearance in public, with great complaints against the violent and arbitrary condemnation of citizens, and the terror of his arms. After reading it over together, "what think you," says Pompey, "would Cæsar himself do, if in possession of the Republic, when this paltry, beggarly fellow, his quæstor, dares to talk at this rate?" On the whole, Pompey seemed not only not to desire, but even to dread a peace[1].

Cicero, however, would not still be driven from the hopes and pursuit of an accommodation; the more he observed the disposition of both parties, the more he perceived the necessity of it: the honest, as they were called, were disunited among themselves; many of them dissatisfied with Pompey; all fierce and violent; and denouncing nothing but ruin to their adversaries; he clearly foresaw, what he declared without scruple to his friends, that which side soever got the better, the war must necessarily end in a tyranny; the only difference was, that if their enemies conquered, they should be proscribed; if their friends, be slaves. Though he had an abhorrence, therefore, of Cæsar's cause, yet his advice was, to grant him his own terms, rather than try the experiment of arms, and prefer the most unjust conditions to the justest war; since, after they had been arming him against themselves, for ten years past, it was too late to think of fighting, when they had made him too strong for them[2].

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

This was the sum of his thoughts and counsels, when he arrived at Rome, on the fourth of January, where he found the two new consuls entirely devoted to Pompey's interests. On his approach towards the city, great multitudes came out to meet him, with all possible demonstrations of honour: his

[1] Ad Att. 7. 8.

[2] De Repub. quotidie magis timeo. Non enim boni, ut putant, consentiunt. Quos ego Equites Romanos, quos Senatores vidi, qui acerrime tum cætera, tum hoc iter Pompeii vituperarent. Pace opus est, ex victoria cum multa mala, tum certe Tyrannus existet. Ibid. 7. 5.

Ut, si victus eris, proscribare; si viceris tamen, servias. Ibid. 7. 7.

Ad pacem hortari non desino, quæ vel injusta utilior est, quam justissimum bellum. Ibid. 7. 14.

Mallem tantas ei vires non dedisset, quam nunc tam valenti resisteret. Ibid. 7. 3.

Nisi forte hæc illi tum armâ dedimus, ut nunc cum bene parato pugnaremus. Ibid. 7. 6.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

last stage was from Pompey's villa, near Alba, because his own, at Tusculum, lay out of the great road, and was not commodious for a public entry: on his arrival, as he says, he fell into the very flame of civil discord, and found the war in effect proclaimed [1]; for the senate, at Scipio's motion, had just voted a decree, that Cæsar should dismiss his army by a certain day, or be declared an enemy; and when M. Antony and Q. Cassius, two of the tribunes, opposed their negative to it, as they had done to every decree proposed against Cæsar, and could not be persuaded by the entreaties of their friends, to give way to the authority of the senate, they proceeded to that vote, which was the last resort in cases of extremity, that the consuls, prætors, tribunes, and all who were about the city with proconsular power, should take care that the Republic received no detriment. As this was supposed to arm the magistrates with an absolute power to treat all men as they pleased, whom they judged to be enemies, so the two tribunes, together with Curio, immediately withdrew themselves upon it, and fled in disguise to Cæsar's camp, on pretence of danger and violence to their persons, though none was yet offered or designed to them [2].

M. Antony, who now began to make a figure in the affairs of Rome, was of an ancient and noble extraction: the grandson of that celebrated statesman and orator, who lost his life in the massacres of Marius and Cinna: his father, as it is already related, had been honoured with one of the most important commissions of the Republic; but after an inglorious discharge of it, died with the character of a corrupt, oppressive, and rapacious commander. The son, trained in the discipline of such a parent, whom he lost when he was very young, launched out at once into all the excess of riot and debauchery, and wasted his whole patrimony before he had put on the manly gown; shewing himself to be the genuine son of that father, who was born, as Sallust says, to squander money, without ever employing a thought on business, till a present necessity urged him. His comely person, lively wit, insinuating address, made young Curio infinitely fond of him; so that, in spite of the commands of a severe father, who had

[1] Ego ad urbem accessi prid. non. Jan. obviam mihi sic est proditum, ut nihil possit fieri ornatius. Sed incidi in ipsam flammam civilis discordiæ vel potius belli. Ep. Fam. 16. 11.

Ego in Tusculanum nihil hoc tempore. Devium est τοῖς ἀπαντῶσι, &c. Ad Att. 7. 5.

[2] Antonius quidem noster et Q. Cassius, nulla vi expulsi, ad Cæsarem cum Curione profecti erant; postea quam Senatus Consulibus, Prætoribus, Tribunis plebis et nobis qui Proconsules sumus, negotium dederat, ut curaremus, ne quid Resp. detrimenti caperet. Ep. Fam. 16. 11.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

often turned Antony out of doors, and forbidden him his house, he could not be prevailed with to forsake his company; but supplied him with money for his frolics and amours, till he had involved himself, on his account, in a debt of fifty thousand pounds. This greatly afflicted old Curio; and Cicero was called in to heal the distress of the family, whom the son entreated, with tears in his eyes, to intercede for Antony, as well as for himself, and not suffer them to be parted: but Cicero, having prevailed with the father to make his son easy by discharging his debts, advised him to insist upon it, as a condition, and to enforce it by his paternal power, that he should have no farther commerce with Antony[1]. This laid the foundation of an early aversion in Antony to Cicero, increased still by the perpetual course of Antony's life, which fortune happened to throw among Cicero's inveterate enemies: for, by the second marriage of his mother, he became son-in-law to that Lentulus, who was put to death for conspiring with Catiline, by whom he was initiated into all the cabals of a traitorous faction, and infected with principles pernicious to the liberty of Rome. To revenge the death of his father he attached himself to Clodius, and, during his tribunate, was one of the ministers of all his violences; yet was detected, at the same time, in some criminal intrigue in his family, injurious to the honour of his patron[2]. From this education in the city, he went abroad, to learn the art of war under Gabinius, the most profligate of all generals; who gave him the command of his horse in Syria, where he signalized his courage in the restoration of King Ptolemy, and acquired the first taste of martial glory, in an expedition undertaken against the laws and religion of his country[3]. From Egypt, instead of coming home, where his debts would not suffer him to be easy, he went to Cæsar into Gaul, the sure refuge of all the needy, the desperate, and the audacious: and, after some stay in that province, being furnished with money and credit by Cæsar, he returned

[1] Tenesne memoria prætextatum te decoxisse?——nemo unquam puer emptus libidinis causa tam fuit in domini potestate, quam tu in Curionis. Quoties te pater ejus domo suo ejecit?————scisne me de rebus mihi notissimis dicere? recordare tempus illud, cum pater Curio mœrens jacebat in lecto; filius se ad pedes meos prosternens, lacrymans te mihi commendabat, orabat, ut te contra patrem suum, si H-S. sexagies peteret, defenderem: tantum enim se pro te intercessisse: ipse autem amore ardens confirmabat, quod desiderium tui discidii ferre non posset—quo ego tempore tanta mala florentissimæ familiæ sedavi vel potius sustuli: patri persuasi, ut æs alienum filii dissolveret, &c.——[Philip. 2. 18.—] M. Antonius, perdundæ pecuniæ genitus, vacuusque curis, nisi instantibus. Sallust. Hist. Fragm. l. iii.

[2] Te domi P. Lentuli educatum—[Philip. 2. 7.] Intimus erat in tribunatu Clodio—ejus omnium incendiorum fax—cujus etiam domi quiddam jam tum molitus est, &c. Ibid. 19.

[3] Inde iter Alexandriam, contra Senatus auctoritatem, contra Rempub. et religiones: sed habebat ducem Gabinium, &c. Ibid.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

to Rome, to sue for the quæstorship[1]. Cæsar recommended him, in a pressing manner, to Cicero, entreating him to accept Antony's submission, and pardon him for what was past, and to assist him in his present suit; with which Cicero readily complied, and obliged Antony so highly by it, that he declared war presently against Clodius, whom he attacked with great fierceness in the Forum, and would certainly have killed, if he had not found means to hide himself under some stairs. Antony openly gave out, that he owed all this to Cicero's generosity, to whom he could never make amends for former injuries, but by the destruction of his enemy, Clodius[2]. Being chosen quæstor, he went back immediately to Cæsar, without expecting his lot, or a decree of the senate, to appoint him his province: where, though he had all imaginable opportunities of acquiring money, yet, by squandering as fast as he got it, he came a second time empty and beggarly to Rome, to put in for the tribunate: in which office, after the example of his friend Curio, having sold himself to Cæsar, he was, as Cicero says, as much the cause of the ensuing war, as Helen was of that of Troy[3].

It is certain, at least, that Antony's flight gave the immediate pretext to it, as Cicero had foretold: "Cæsar," says he, "will betake himself to arms, either for our want of preparation, or if no regard be had to him at the election of consuls: but especially if any tribune, obstructing the deliberations of the senate, or exciting the people to sedition, should happen to be censured or overruled, or taken off, or expelled, or, pretending to be expelled, run away to him[4]." In the same letter, he gives a short but true state of the merit of his cause: "What," says he, "can be more impudent? You have held your government ten years, not granted to you by the senate, but extorted by violence and faction: the full term is expired, not of the law, but of your licentious will: but allow it to be a law; it is now decreed, that you must have a successor: you refuse, and say, have some regard to me: do you first shew

[1] Prius in ultimam Galliam ex Ægypto quam domum—venisti e Gallia ad Quæsturam petendam. Ibid. Vid. Plut. in Anton.

[2] Acceperam jam ante Cæsaris litteras, ut mihi satisfieri paterer a te—postea custoditus sum a te, tu a me observatus in petitione Quæsturæ, quo quidem tempore P. Clodium—in foro es conatus occidere—ita prædicabas, te non existimare, nisi illum interfecisses, unquam mihi pro tuis in me injuriis satis esse facturum. Ibid. 20. Cum se ille fugiens in scalarum tenebras abdidisset, &c. Pro Mil. 15.

[3] Deinde sine Senatus consulto, sine sorte, sine lege ad Cæsarem cucurristi. Id enim unum in terris, egestatis, æris alieni, nequitiæ, perditis vitæ rationibus perfugium esse ducebas—advolasti egens ad Tribunatum, ut in eo Magistratu, si posses, viri tui similis esse——ut Helena Trojanis, sic iste huic Reipub. causa belli, &c. Philip. 2. 21. 22.

[4] Aut addita causa, si forte Tribunus pleb. Senatum impediens, aut populum incitans, notatus, aut Senatus consulto circumscriptus, aut sublatus aut expulsus sit, dicensve se expulsum ad se confugerit. Ad Att. 7. 9.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

your regard to us: will you pretend to keep an army longer than the people ordered, and contrary to the will of the senate[1]?" But Cæsar's strength lay not in the goodness of his cause, but of his troops[2]: a considerable part of which he was now drawing together towards the confines of Italy, to be ready to enter into action at any warning: the flight of the tribunes gave him a plausible handle to begin, and seemed to sanctify his attempt; but "his real motive," says Plutarch, "was the same that animated Cyrus and Alexander before him to disturb the peace of mankind; the unquenchable thirst of empire, and the wild ambition of being the greatest man in the world, which was not possible, till Pompey was first destroyed[3]." Laying hold, therefore, of the occasion, he presently passed the Rubicon, which was the boundary of his province on that side of Italy, and marching forward, in an hostile manner, possessed himself, without resistance, of the next great towns in his way, Ariminum, Pisaurum, Ancona, Aretium, &c.[4]

In this confused and disordered state of the city, Cicero's friends were soliciting the decree of his triumph, to which the whole senate signified their ready consent: but the consul Lentulus, to make the favour more particularly his own, desired that it might be deferred for a while, till the public affairs were better settled, giving his word, that he would then be the mover of it himself[5]. But Cæsar's sudden march towards Rome put an end to all farther thoughts of it, and struck the senate with such a panic, that, as if he had been already at the gates, they resolved presently to quit the city, and retreat towards the southern parts of Italy. All the principal senators had particular districts assigned to their care, to be provided with troops and all materials of defence against Cæsar. Cicero had Capua, with the inspection of the sea-coast from Formiæ; he would not accept any greater charge for the sake of preserving his authority in the task of mediating a peace[6]; and

[1] Ad Att. 7. 9. it. Ep. Fam. 16. 11.

[2] Alterius ducis causa melior videbatur, alterius erat firmior. Hic omnia speciosa, illic valentia. Pompeium Senatus auctoritas, Cæsarem militum armavit fiducia. Vell. Pat. 2. 49.

[3] Plut. in Anton.

[4] An ille id faciat, quod paullo ante decretum est, ut exercitum citra Rubiconem, qui finis est Galliæ, educeret? Philip. 6. 3.

Itaque cum Cæsar amentia quadam raperetur, et—Ariminum, Pisaurum, Anconam, Aretium occupavisset, urbem reliquimus. Ep. Fam. 16. 12.

[5] Nobis tamen inter has turbas Senatus frequens flagitavit triumphum: sed LENTULUS consul, quo majus suum beneficium faceret, simul atque expedisset quæ essent necessaria de Repub. dixit se relaturum. Ibid. 11.

[6] Ego negotio præsum non turbulento: vult enim me Pompeius esse, quem tota hæc Campana et maritima ora habeat ἐπίσκοπον ad quem delectus et summa negotii referatur. Ad Att. 7. 11.

Ego ad huc oræ maritimæ præsum a Formiis. Nullum majus negotium suscipere

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

for the same reason, when he perceived his new province wholly unprovided against an enemy, and that it was impossible to hold Capua without a strong garrison, he resigned his employment, and chose not to act at all [1].

Capua had always been the common seminary or place of educating gladiators for the great men of Rome; where Cæsar had a famous school of them at this time, which he had long maintained under the best masters for the occasions of his public shows in the city; and as they were very numerous and well furnished with arms, here was reason to apprehend that they would break out, and make some attempt in favour of their master, which might have been of dangerous consequence in the present circumstances of the Republic; so that Pompey thought it necessary to take them out of their school, and distribute them among the principal inhabitants of the place, assigning two to each master of a family, by which he secured them from doing any mischief [2].

While the Pompeian party was under no small dejection on account of Pompey's quitting the city, and retreating from the approach of Cæsar, T. Labienus, one of the chief commanders on the other side, deserted Cæsar, and came over to them, which added some new life to their cause, and raised an expectation, that many more would follow his example. Labienus had eminently distinguished himself in the Gallic war, where, next to Cæsar himself, he had borne the principal part; and, by Cæsar's favour, had raised an immense fortune; so that he was much caressed, and carried about every where, by Pompey, who promised himself great service from his fame and experience, and especially from his credit in Cæsar's army, and the knowledge of all his counsels: but his account of things, like that of all deserters, was accommodated rather to please, than to serve his new friends; representing the weakness of Cæsar's troops, their aversion to his present designs, the disaffection of the two Gauls, and disposition to revolt; the contrary of all

volui, quo plus apud illum meæ litteræ cohortationesque ad pacem valerent. Ep. Fam. 16. 12.

[1] Nam certe neque tum peccavi, cum imparatam jam Capuam, non solum ignaviæ delectus, sed etiam perfidiæ suspicionem fugiens, accipere nolui. Ad Att. 8. 12.

Quod tibi ostenderam, cum a me Capuam rejiciebam: quod feci non vitandi oneris causa, sed quod videbam teneri illam urbem sine exercitu non posse. Ep. Cic. ad Pomp. Ad Att. 8. 11.

As Cicero, when proconsul of *Cilicia*, often mentions the *Dioceses* that were annexed to his government, (Ep. Fam. 13. 67.) so in this command of *Capua* he calls himself the *Episcopus* of the Campanian coast: which shews, that these names, which were appropriated afterwards in the Christian church to characters and powers ecclesiastical, carried with them, in their original use, the notion of a real authority and jurisdiction.

[2] Gladiatores Cæsaris, qui Capuæ sunt—sane commode Pompeius distribuit, binos singulis patribus familiarum. Scutorum in ludo Ioo fuerunt; eruptionem facturi fuisse dicebantur—sane multum in eo Reip. provisum est. Ad Att. 7. 14.

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which was found to be true in the experiment: and as he came to them single, without bringing with him any of those troops with which he had acquired his reputation, so his desertion had no other effect than to ruin his own fortunes, without doing any service to Pompey [1].

But what gave a much better prospect to all honest men, was the proposal of an accommodation, which came about this time from Cæsar; who, while he was pushing on the war with incredible vigour, talked of nothing but peace, and endeavoured particularly to persuade Cicero, that he had no other view than to secure himself from the insults of his enemies, and yield the first rank in the state to Pompey [2]. The conditions were, that Pompey should go to his government of Spain, that his new levies should be dismissed, and his garrisons withdrawn, and that Cæsar should deliver up his provinces, the farther Gaul to Domitius, the hither to Considius, and sue for the consulship in person, without requiring the privilege of absence. These terms were readily embraced in a grand council of the chiefs, at Capua, and young L. Cæsar, who brought them, was sent back with letters from Pompey, and the addition only of one preliminary article, that Cæsar, in the meanwhile, should recal his troops from the towns which he had seized, beyond his own jurisdiction, so that the senate might return to Rome, and settle the whole affair with honour and freedom [3]. Cicero was present at this council, of which he gave an account to Atticus: "I came to Capua," says he, "yesterday, the twenty-sixth of January, where I met the consuls, and many of our order: they all wished that Cæsar would stand to his conditions, and withdraw his troops: Favonius alone was against all conditions imposed by Cæsar, but was little regarded by the council; for Cato himself would now rather live a slave, than fight; and declares, that if Cæsar

[1] Maximam autem plagam accepit, quod is, qui summam auctoritatem in illius exercitu habebat, T. Labienus socius sceleris esse noluit: reliquit illum, et nobiscum est: multique idem facturi dicuntur. Ep. Fam. 16. 12.

Aliquantum animi videtur attulisse nobis Labienus. Ad Att. 7. 13.

Labienum secum habet (Pompeius) non dubitantem de imbecillitate Cæsaris copiarum: cujus adventu Cnæus noster multo animi plus habet. Ibid. 7. 16.

Nam in Labieno parum est dignitatis. Ibid. 8. 2.

——— *fortis in armis*
Cæsareis Labienus erat: nunc transfuga vilis. Lucan. 5. 345.

[2] Balbus major ad me scribit, nihil malle Cæsarem, quam, principe Pompeio, sine metu vivere. Tu, puto, hæc credis. Ad Att. 8. 9.

[3] Feruntur omnino conditiones ab illo, ut Pompeius eat in Hispaniam; delectus, qui sunt habiti, et præsidia nostra dimittantur: se ulteriorem Galliam Domitio, citeriorem Considio Noniano—traditurum. Ad Consulatus petitionem se venturum; neque se iam velle, absente se rationem sui haberi. Ep. Fam. 16. 12. Ad Att. 7. 14.

Accepimus conditiones; sed ita, ut removeat præsidia ex iis locis, quæ occupavit, ut sine metu de iis ipsis conditionibus Romæ Senatus haberi possit. Ibid.

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recal his garrisons, he will attend the senate, when the conditions come to be settled, and not go to Sicily, where his service is more necessary, which I am afraid will be of ill consequence:—there is a strange variety in our sentiments; the greatest part are of opinion, that Cæsar will not stand to his terms, and that these offers are made only to hinder our preparations: but I am apt to think that he will withdraw his troops: for he gets the better of us by being made consul, and with less iniquity, than in the way which he is now pursuing; and we cannot possibly come off without some loss; for we are scandalously unprovided both with soldiers and money, since all that, which was either private in the city, or public in the treasury, is left a prey to him[1]."

During the suspense of this treaty, and the expectation of Cæsar's answer, Cicero began to conceive some hopes that both sides were relenting, and disposed to make up the quarrel —Cæsar, from a reflection on his rashness, and the senate on their want of preparation: but he still suspected Cæsar, and the sending a message so important by a person so insignificant as young Lucius Cæsar, looked, he says, as if he had done it by way of contempt, or with a view to disclaim it, especially when, after offering conditions, which were likely to be accepted, he would not sit still to wait an answer, but continued his march, with the same diligence, and in the same hostile manner, as before[2]. His suspicions proved true; for by letters, which came soon after from Furnius and Curio, he perceived that they made a mere jest of the embassy[3].

It seems very evident that Cæsar had no real thoughts of peace, by his paying no regard to Pompey's answer, and the trifling reasons which he gave for slighting it[4]: but he had a double view in offering those conditions; for, by Pompey's rejecting them, as there was reason to expect, from his known aversion to any treaty, he hoped to load him with the odium of the war; or, by his embracing them, to slacken his preparations, and retard his design of leaving Italy; whilst he himself, in the mean time, by following him, with a celerity that

[1] Ibid. 7. 15.

[2] Spero in præsentia pacem nos habere. Nam et illum furoris, et hunc nostrum copiarum suppœnitet. Ibid.

Tamen vereor ut his ipsis (Cæsar) contentus sit. Nam cum ista mandata dedisset L. Cæsari, debuit esse paullo quietior, dum responsa referrentur. Ibid. 7. 17.

Cæsarem quidem, L. Cæsare cum mandatis de pace misso, tamen aiunt acerrime loca occupare. Ibid. 18.

L. Cæsarem vidi——ut id ipsum mihi ille videatur irridendi causa fecisse, qui tantis de rebus huic mandata dederit, nisi forte non dedit, et hic sermone aliquo arrepto pro mandatis abusus est. Ibid. 13.

[3] Accepi litteras tuas, Philotimi, Furnii, Curionis ad Furnium, quibus irridet L. Cæsaris legationem. Ibid. 19.

[4] Cæs. Comment. de Bell. civ. l. 1.

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amazed every body [1], might chance to come up with him before he could embark, and give a decisive blow to the war; from which he had nothing to apprehend, but its being drawn into length. "I now plainly see," says Cicero, "though later indeed than I could have wished, on account of the assurances given me by Balbus, that he aims at nothing else, nor has ever aimed at any thing from the beginning, but Pompey's life [2]."

If we consider this famous passage of the Rubicon, abstractedly from the event, it seems to have been so hazardous and desperate, that Pompey might reasonably contemn the thought of it, as of an attempt too rash for any prudent man to venture upon. If Cæsar's view, indeed, had been to possess himself only of Italy, there could have been no difficulty in it: his army was undoubtedly the best which was then in the world; flushed with victory, animated with zeal for the person of their general, and an over-match for any which could be brought against it into the field: but this single army was all that he had to trust to; he had no resource: the loss of one battle was certain ruin to him; and yet, he must necessarily run the risk of many, before he could gain his end: for the whole empire was armed against him; every province offered a fresh enemy, and a fresh field of action, where he was like to be exposed to the same danger as on the plains of Pharsalia. But, above all, his enemies were masters of the sea, so that he could not transport his forces abroad, without the hazard of their being destroyed by a superior fleet, or of being starved at land by the difficulty of conveying supplies and provisions to them: Pompey relied chiefly on this single circumstance, and was persuaded, that it must necessarily determine the war in his favour [3]; so that it seems surprising, how such a superiority of advantage, in the hands of so great a commander, could possibly fail of success; and we must admire rather the fortune than the conduct of Cæsar, for carrying him safe through all these difficulties to the possession of the empire.

Cicero seldom speaks of his attempt, but as a kind of madness [4], and seemed to retain some hopes, to the last, that he

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[1] O celeritatem incredibilem! Ad Att. 7. 22. Cicero calls him a monster of vigilance and celerity [Ibid. 8. 9.]; for, from his passage of the Rubicon, though he was forced to take in all the great towns on his road, and spent seven days before Corfinium, yet in less than two months he marched through the whole length of Italy, and came before the gates of Brundisium before Pompey could embark on the 9th of March. Ad Att. 9. 13.

[2] Intelligo serius equidem quam vellem, propter epistolas sermonesque Balbi, sed video plane nihil aliud agi, nihil actum ab initio, quam ut hunc occiderit. Ibid. 9. 5.

[3] Existimat, (Pompeius) qui mare teneat, eum necesse rerum potiri—itaque navalis apparatus ei semper antiquissima cura fuit. Ibid. 10. 8.

[4] Cum Cæsar amentia quadam raperetur. Ep. Fam. 16. 12.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

would not persist in it: the same imagination made Pompey and the senate so resolute to defy, when they were in no condition to oppose him. Cæsar, on the other hand, might probably imagine, that their stiffness proceeded from a vain conceit of their strength, which would induce them to venture a battle with him in Italy; in which case he was sure enough to beat them: so that both sides were drawn farther, perhaps, than they intended, by mistaking each other's views. Cæsar, I say, might well apprehend, that they designed to try their strength with him in Italy; for that was the constant persuasion of the whole party, who thought it the best scheme which could be pursued: Pompey humoured them in it, and always talked big to keep up their spirits; and though he saw, from the first, the necessity of quitting Italy, yet he kept the secret to himself, and wrote word, at the same time, to Cicero, that he should have a firm army in a few days, with which he would march against Cæsar into Picenum, so as to give them an opportunity of returning to the city [1]. The plan of the war, as it was commonly understood, was to possess themselves of the principal posts of Italy, and act chiefly on the defensive, in order to distress Cæsar, by their different armies, cut off his opportunities of forage, hinder his access to Rome, and hold him continually employed, till the veteran army from Spain, under Pompey's lieutenants, Afranius, Petreius, and Varro, could come up to finish his overthrow [2]. This was the notion which the senate entertained of the war; they never conceived it possible, that Pompey should submit to the disgrace of flying before Cæsar, and giving up Italy a prey to his enemy. In this confidence Domitius, with a very considerable force, and some of the principal senators, threw himself into Corfinium, a strong town at the foot of the Appennine, on the Adriatic side, where he proposed to make a stand against Cæsar, and stop the progress of his march; but he lost all his troops in the attempt, to the number of three legions, for want of knowing Pompey's secret. Pompey, indeed, when he saw what Domitius intended, pressed him earnestly, by several letters, to come away and join with him, telling him, that it

[1] Omnes nos ἀπροσφωνήτους, expertes sui tanti et tam inusitati consilii relinquebat. Ad Att. 8. 8.

Pompeius—ad me scribit, paucis diebus se firmum exercitum habiturum, spemque affert, si in Picenum agrum ipse venerit, nos Romam redituros esse. Ibid. 7. 16.

[2] Suscepto autem bello, aut tenenda sit urbs, aut ea relecta, ille commeatu et reliquis copiis intercludendus. Ibid. 7. 9.

Sin autem ille suis conditionibus stare noluerit, bellum paratum est: tantummodo ut eum intercludamus, ne ad urbem possit accedere: quod sperabamus fieri posse: delectus enim magnos habebamus—ex Hispaniaque sex legiones et magna auxilia, Afranio et Petreio ducibus, habet a tergo. Videtur, si insaniet, posse opprimi, modo ut urbe salva. Ep. Fam. 16. 12.

Summa autem spes Afranium cum magnis copiis adventare. Ad Att. 8. 3.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

was impossible to make any opposition to Cæsar, till their whole forces were united: and that, as to himself, he had with him only the two legions which were recalled from Cæsar, and were not to be trusted against him: and if Domitius should entangle himself in Corfinium, so as to be precluded by Cæsar from a retreat, that he could not come to his relief with so weak an army, and bade him, therefore, not to be surprised to hear of his retiring, if Cæsar should persist to march towards him [1]: yet Domitius, prepossessed with the opinion, that Italy was to be the seat of war, and that Pompey would never suffer so good a body of troops, and so many of his best friends to be lost, would not quit the advantageous post of Corfinium, but depended still on being relieved; and when he was actually besieged, sent Pompey word, how easily Cæsar might be intercepted between their two armies [2].

Cicero was as much disappointed as any of the rest; he had never dreamt of their being obliged to quit Italy, till, by Pompey's motions, he perceived, at last, his intentions; of which he speaks, with great severity, in several of his letters, and begs Atticus's advice upon that new face of their affairs; and to enable Atticus to give it the more clearly, he explains to him, in short, what occurred to his own mind on the one side and the other. "The great obligations," says he, "which I am under to Pompey, and my particular friendship with him, as well as the cause of the Republic itself, seem to persuade me, that I ought to join my counsels and fortunes with his. Besides, if I stay behind, and desert that band of the best and most eminent citizens, I must fall under the power of a single person, who gives me many proofs, indeed, of being my friend, and whom, as you know, I had long ago taken care to make such, from a suspicion of this very storm which now hangs over us; yet it should be well considered, both how far I may venture to trust him, and, supposing it clear that I may trust him, whether it be consistent with the character of a firm and honest citizen to continue in that city, in which he has borne the greatest honours, and performed the greatest acts, and where he is now invested with the most honourable priesthood, when it is to be attended with some danger, and perhaps with some disgrace, if Pompey should ever restore the Republic. These are the difficulties on the one side; let us see what there are.

[1] Nos disjecta manu pares adversariis esse non possumus.—
Quamobrem nolito commoveri, si audieris me regredi, si forte Cæsar ad me veniet. —etiam atque etiam te hortor, ut cum omni copia quam primum ad me venias. Vid. Epist. Pomp. ad Domit. Ad Att. 8. 12.

[2] Domitius ad Pompeium—mittit, qui petant atque orent, ut sibi subveniat: Cæsarem duobus exercitibus, et locorum angustiis intercludi posse, frumentoque prohiberi, &c. Cæs. Comment. de Bell. civ. l. i.

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on the other: nothing has hitherto been done by our Pompey, either with prudence or courage; I may add, also, nothing but what was contrary to my advice and authority: I will omit those old stories, how he first nursed, raised, and armed this man against the Republic; how he supported him in carrying his laws by violence, and without regard to the auspices; how he added the farther Gaul to his government, made himself his son-in-law, assisted as augur in the adoption of Clodius, was more zealous to restore me, than to prevent my being expelled, enlarged the term of Cæsar's command, served him in all his affairs in his absence, nay, in his third consulship, after he began to espouse the interests of the Republic, how he insisted, that the ten tribunes should jointly propose a law to dispense with his absence in suing for the consulship, which he confirmed afterwards by a law of his own, and opposed the consul Marcellus, when he moved to put an end to his government on the first of March: but to omit, I say, all this, what can be more dishonourable, or shew a greater want of conduct, than this retreat, or rather shameful flight from the city? what conditions were not preferable to the necessity of abandoning our country? the conditions, I confess, were bad; yet what can be worse than this? but Pompey, you'll say, will recover the Republic: when? or what preparation is there for it? is not all Picenum lost? is not the way left open to the city? is not all our treasure, both public and private, given up to the enemy? In a word, there is no party, no forces, no places of rendezvous for the friends of the Republic to resort to; Apulia is chosen for our retreat; the weakest and remotest part of Italy, which implies nothing but despair, and a design of flying by the opportunity of the sea," &c.[1] In another letter, "there is but one thing wanting," says he, "to complete our friend's disgrace; his failing to succour Domitius: nobody doubts but that he will come to his relief; yet I am not of that mind. Will he then desert such a citizen, and the rest, whom you know to be with him? especially when he has thirty cohorts in the town? yes, unless all things deceive me, he will desert him; he is strangely frightened: means nothing but to fly; yet you, for I perceive what your opinion is, think, that I ought to follow this man. For my part, I easily know, whom I ought to fly, not whom I ought to follow. As to that saying of mine, which you extol, and think worthy to be celebrated, that I had rather be conquered with Pompey, than conquer with Cæsar, it is true, I still, say so; but with such a Pompey as he then was, or as I took him to be: but, as for this man, who

[1] Ad Att. 8. 3.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

runs away before he knows from whom, or whither; who has betrayed us and ours, given up his country, and is now leaving Italy; if I had rather be conquered with him, the thing is over, I am conquered [1]," &c.

There was a notion, in the meanwhile, that universally prevailed through Italy, of Cæsar's cruel and revengeful temper, from which horrible effects were apprehended: Cicero himself was strongly possessed with it, as appears from many of his letters, where he seems to take it for granted, that he would be a second Phalaris, not a Pisistratus; a bloody, not a gentle tyrant. This he inferred from the violence of his past life; the nature of his present enterprise; and, above all, from the character of his friends and followers; who were, generally speaking, a needy, profligate, audacious crew; prepared for every thing that was desperate [2]. It was affirmed likewise, with great confidence, that he had openly declared, that he was now coming to revenge the deaths of Cn. Carbo, M. Brutus, and all the other Marian chiefs, whom Pompey, when acting under Sylla, had cruelly put to death for their opposition to the Syllan cause [3]. But there was no real ground for any of these suspicions: for Cæsar, who thought tyranny, as Cicero says, the greatest of goddesses, and whose sole view it had been, through life, to bring his affairs to this crisis, and to make a bold push for empire, had, from the observation of past times, and the fate of former tyrants, laid it down for a maxim, that clemency in victory was the best means of securing the stability of it [4]. Upon the surrender, therefore, of Corfinium, where he had the first opportunity of giving a public specimen of himself, he shewed a noble example of moderation, by the generous dismission of Domitius, and all the other senators who fell into his hands; among whom was Lentulus Spinther, Cicero's particular friend [5]. This made a great turn in his favour, by easing people of the terrors which they had before conceived of him, and seemed to confirm, what he affected every where to give out, that he sought

[1] Ad. Att. 8. 7.

[2] Istum cujus φαλαρισμὸν times, omnia teterrime facturum puto. Ibid. 7. 12.
Incertum est Phalarimne an Pisistratum sit imitaturus. Ibid. 20.
Nam cædem video, si vicerit——et regnum non modo Romano homini sed ne Persæ quidem tolerabile. Ibid. 10. 8.
Qui hic potest se gerere non perdite? vita, mores, ante facta, ratio suscepti negotii, socii. Ibid. 9. 2. it. 9. 19.

[3] Atque eum loqui quidam αὐθεντικῶς narrabant; Cn. Carbonis, M. Bruti se pœnas persequi, &c. Ibid. 9. 14.

[4] τὴν θεῶν μεγίστην ὥστ' ἔχειν τυραννίδα. Ad Att. 7. 11.
Tentemus hoc modo, si possumus, omnium voluntates recuperare, et diuturna victoria uti; quoniam reliqui crudelitate odium effugere non potuerunt, neque victoriam diutius tenere, præter unum L. Syllam, quem imitaturus non sum. Hæc nova sit ratio vincendi; ut misericordia et liberalitate nos muniamus. Ep. Cæs. ad Opp. Att. 9. 7.

[5] Cæs. Comment. 1. 1. Plut. in Cæs.

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nothing by the war but the security of his person and dignity.

Pompey, on the other hand, appeared every day more and more despicable, by flying before an enemy, whom his pride and perverseness was said to have driven to the necessity of taking arms.—"Tell me, I beg of you," says Cicero, "what can be more wretched, than for the one to be gathering applause from the worst of causes, the other giving offence in the best? the one to be reckoned the preserver of his enemies, the other the deserter of his friends? and, in truth, though I have all the affection which I ought to have for our friend Cnæus, yet I cannot excuse his not coming to the relief of such men: for if he was afraid to do it, what can be more paltry? or if, as some think, he thought to make his cause the more popular, by their destruction, what can be more unjust[1]?" &c. From this first experiment of Cæsar's clemency, Cicero took occasion to send him a letter of compliment, and to thank him particularly for his generous treatment of Lentulus, who, when consul, had been the chief author of his restoration: to which Cæsar returned the following answer:

"CÆSAR, EMPEROR, TO CICERO, EMPEROR.

"You judge rightly of me, for I am thoroughly known to you, that nothing is farther removed from me than cruelty; and, as I have a great pleasure from the thing itself, so I rejoice and triumph to find my act approved by you: nor does it at all move me, that those, who were dismissed by me, are said to be gone away to renew the war against me; for I desire nothing more, than that I may always act like myself; they like themselves. I wish that you would meet me at the city, that I may use your counsel and assistance, as I have hitherto done in all things. Nothing, I assure you, is dearer to me than Dolabella; I will owe this favour therefore to him: nor is it possible for him, indeed, to behave otherwise, such is his humanity, his good sense, and his affection to me. Adieu[2]."

When Pompey, after the unhappy affair of Corfinium, found himself obliged to retire to Brundisium, and to declare, what he had never before directly owned, his design of quitting Italy, and carrying the war abroad[3]; he was very desirous to draw Cicero along with him, and wrote two letters to him at

[1] Sed obsecro te quid hoc miserius, quam alterum plausus in fœdissima causa quærere; alterum offensiones in optima? alterum existimari conservatorem inimicorum, alterum desertorem amicorum? et mehercule, quamvis amemus Cnæum nostrum, ut et facimus et debemus, tamen hoc, quod talibus viris non subvenit, laudare non possum. Nam sive timuit quid ignavius? sive, ut quidam putant, meliorem suam causam illorum cæde fore putavit, quid injustius? Ad Att. 8. 9.

[2] Ibid. 9. 16.

[3] Qui amisso Corfinio denique me certiorem consilii sui fecit. Ibid. 9. 2.

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Formiæ, to press him to come away directly; but Cicero, already much out of humour with him, was disgusted still the more by his short and negligent manner of writing, upon an occasion so important[1]: the second of Pompey's letters, with Cicero's answer, will explain the present state of their affairs, and Cicero's sentiments upon them.

"CN. POMPEIUS MAGNUS, PROCONSUL, TO M. CICERO, EMPEROR.

"If you are in good health, I rejoice: I read your letter with pleasure: for I perceive in it your ancient virtue, by your concern for the common safety. The consuls are come to the army, which I had in Apulia: I earnestly exhort you, by your singular and perpetual affection to the Republic, to come also to us, that, by our joint advice, we may give help and relief to the afflicted state. I would have you make the Appian way your road, and come in all haste to Brundisium. Take care of your health."

"M. CICERO, EMPEROR, TO CN. MAGNUS, PROCONSUL.

"When I sent that letter, which was delivered to you at Canusium, I had no suspicion of your crossing the sea for the service of the Republic, and was in great hopes, that we should be able, either to bring about an accommodation, which to me seemed the most useful, or to defend the Republic with the greatest dignity in Italy. In the meantime, before my letter reached you, being informed of your resolution, by the instructions which you sent to the consuls, I did not wait till I could have a letter from you, but set out immediately towards you with my brother and our children for Apulia. When we were come to Theanum, your friend C. Messius, and many others, told us, that Cæsar was on the road to Capua, and would lodge that very night at Æsernia: I was much disturbed at it, because, if it was true, I not only took my journey to be precluded, but myself also to be certainly a prisoner. I went on, therefore, to Cales, with intent to stay there, till I could learn from Æsernia the certainty of my intelligence: at Cales there was brought to me a copy of the letter, which you wrote to the consul Lentulus, with which you sent the copy also of one that you had received from Domitius, dated the eighteenth of February, and signified that it was of great importance to the Republic, that all the troops should be drawn together, as soon as possible, to one place; yet, so as to leave a sufficient gar-

[1] Epistolarum Pompeii duarum, quas ad me misit, negligentiam, meamque in scribendo diligentiam, volui tibi notam esse: earum exempla ad te misi. Ibid. 8. 11.

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rison in Capua. Upon reading these letters, I was of the same opinion with all the rest, that you were resolved to march to Corfinium with all your forces, whither, when Cæsar lay before the town, I thought it impossible for me to come. While this affair was in the utmost expectation, we were informed, at one and the same time, both of what had happened at Corfinium, and that you were actually marching towards Brundisium: and when I and my brother resolved, without hesitation, to follow you thither, we were advertised by many, who came from Samnium and Apulia, to take care that we did not fall into Cæsar's hands, for that he was upon his march to the same places where our road lay, and would reach them sooner than we could possibly do. This being the case, it did not seem advisable to me, or my brother, or any of our friends, to run the risk of hurting, not only ourselves, but the Republic, by our rashness; especially when we could not doubt, but that, if the journey had been safe to us, we should not then be able to overtake you. In the meanwhile, I received your letter, dated from Canusium, the twenty-first of February, in which you exhort me to come in all haste to Brundisium: but as I did not receive it till the twenty-ninth, I made no question but that you were already arrived at Brundisium, and all that road seemed wholly shut up to us, and we ourselves as surely intercepted as those who were taken at Corfinium: for we did not reckon them only to be prisoners, who were actually fallen into the enemy's hands, but those too not less so, who happen to be inclosed within the quarters and garrisons of their adversaries. Since this is our case, I heartily wish, in the first place, that I had always been with you, as I then told you when I relinquished the command of Capua, which I did not do for the sake of avoiding trouble, but because I saw that the town could not be held without an army, and was unwilling that the same accident should happen to me, which, to my sorrow, has happened to some of our bravest citizens at Corfinium: but since it has not been my lot to be with you, I wish that I had been made privy to your counsels; for I could not possibly suspect, and should sooner have believed any thing, than that, for the good of the Republic, under such a leader as you, we should not be able to stand our ground in Italy: nor do I now blame your conduct, but lament the fate of the Republic; and though I cannot comprehend what it is which you have followed, yet I am not the less persuaded, that you have done nothing, but with the greatest reason. You remember, I believe, what my opinion always was; first, to preserve peace, even on bad conditions; then about leaving the city; for as to Italy, you never intimated a tittle to me

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about it: but I do not take upon myself to think that my advice ought to have been followed; I followed yours; nor that for the sake of the Republic, of which I despaired, and which is now overturned, so as not to be raised up again without a civil and most pernicious war: I sought you: desired to be with you; nor will I omit the first opportunity which offers of effecting it. I easily perceived, through all this affair, that I did not satisfy those who are fond of fighting: for I made no scruple to own, that I wished for nothing so much as peace; not but that I had the same apprehensions from it as they; but I thought them more tolerable than a civil war: then, after the war was begun, when I saw that conditions of peace were offered to you, and a full and honourable answer given to them, I began to weigh and deliberate well upon my own conduct, which, considering your kindness to me, I fancied that I should easily explain to your satisfaction: I recollected that I was the only man, who, for the greatest services to the public, had suffered a most wretched and cruel punishment: that I was the only one, who, if I offended him, to whom, at the very time when we were in arms against him, a second consulship and most splendid triumph was offered, should be involved again in all the same struggles; so that my person seemed to stand always exposed, as a public mark, to the insults of profligate citizens: nor did I suspect any of these things till I was openly threatened with them: nor was I so much afraid of them, if they were really to befal me, as I judged it prudent to decline them, if they could honestly be avoided. You see, in short, the state of my conduct while we had any hopes of peace; what has since happened deprived me of all power to do any thing: but to those whom I do not please, I can easily answer, that I never was more a friend to C. Cæsar than they, nor they any better friends to the Republic than myself: the only difference between me and them, is, that as they are excellent citizens, and I not far removed from that character, it was my advice to proceed by way of treaty, which I understood to be approved also by you; theirs by way of arms; and since this method has prevailed, it shall be my care to behave myself so, that the Republic may not want in me the spirit of a true citizen, nor you of a friend. Adieu[1]."

The disgust which Pompey's management had given him, and which he gently intimates in his letter, was the true reason why he did not join him at this time: he had a mind to deliberate a while longer, before he took a step so decisive: this he owns to Atticus, where, after recounting all the particulars

[1] Ad Att. 8. 11.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

of his own conduct, which were the most liable to exception, he adds, "I have neither done nor omitted to do any thing, which has not both a probable and prudent excuse—and, in truth, as willing to consider a little longer what was right was, for me to do[1]." The chief ground of his deliberation was, that he still thought a peace possible, in which case Pompey and Cæsar would be one again, and he had no mind to give Cæsar any cause to be an enemy to him, when he was become a friend to Pompey.

While things were in this situation, Cæsar sent young Balbus after the consul Lentulus, to endeavour to persuade him to stay in Italy, and return to the city, by the offer of every thing that could tempt him: he called upon Cicero on his way, who gives the following account of it to Atticus: "Young Balbus came to me on the twenty-fourth in the evening, running in all haste, by private roads, after Lentulus, with letters and instructions from Cæsar, and the offer of any government, if he will return to Rome; but it will have no effect, unless they happen to meet: he told me that Cæsar desired nothing so much as to overtake Pompey—which I believe; and to be friends with him again—which I do not believe; and begin to fear, that all his clemency means nothing else, at last, but to give that one cruel blow. The elder Balbus writes me word, that Cæsar wishes nothing more than to live in safety, and yield the first rank to Pompey. You take him, I suppose, to be in earnest[2]."

Cicero seems to think, that Lentulus might have been persuaded to stay, if Balbus and he had met together; for he had no opinion of the firmness of these consuls, but says of them both, on another occasion, that they were more easily moved by every wind, than a feather or a leaf. He received another letter, soon after, from Balbus, of which he sent a copy to Atticus, that he might pity him, he says, to see what a dupe they thought to make of him[3].

"BALBUS TO CICERO, EMPEROR.

"I CONJURE you, Cicero, to think of some method of making Cæsar and Pompey friends again, who, by the perfidy of certain persons, are now divided; it is a work highly worthy of your virtue: take my word for it, Cæsar will not only be in

[1] Nihil prætermissum est, quod non habeat sapientem excusationem——et plane quid rectum, et quid faciendum mihi esset, diutius cogitare malui. Ib. 8. 12.

[2] Ibid. 8. 9.

[3] Nec me Consules movent, qui ipsi pluma aut folio facilius moventur——ut vicem meam doleres, cum me derideri videres. Ibid. 8. 15.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

your power, but think himself infinitely obliged to you, if you would charge yourself with this affair. I should be glad if Pompey would do so too; but, in the present circumstances, it is what I wish rather than hope, that he may be brought to terms: but, whenever he gives over flying and fearing, I shall not despair, that your authority may have its weight with him. Cæsar takes it kindly, that you were for Lentulus staying in Italy, and it was the greatest obligation which you could confer upon me: for I love him as much as I do Cæsar himself; if he had suffered me to talk to him as freely as we used to do, and not so often shunned the opportunities which I sought of conferring with him, I should have been less unhappy than I now am: for, assure yourself, that no man can be more afflicted than I, to see one, who is dearer to me than myself, acting his part so ill in his consulship, that he seems to be any thing rather than a consul: but should he be disposed to follow your advice, and take your word for Cæsar's good intentions, and pass the rest of his consulship at Rome, I should begin to hope, that, by your authority, and at his motion, Pompey and Cæsar may be made one again, with the approbation even of the senate. Whenever this can be brought about, I shall think that I have lived long enough: you will entirely approve, I am sure, what Cæsar did at Corfinium: in an affair of that sort, nothing could fall out better, than that it should be transacted without blood. I am extremely glad, that my nephew's visit was agreeable to you: as to what he said on Cæsar's part, and what Cæsar himself wrote to you, I know Cæsar to be very sincere in it, whatever turn his affairs may take [1]."

Cæsar, at the same time, was extremely solicitous, not so much to gain Cicero, for that was not to be expected, as to prevail with him to stand neuter. He wrote to him several times to that effect, and employed all their common friends to press him with letters on that head [2]: who, by his keeping such a distance, at this time, from Pompey, imagining that they had made some impression, began to attempt a second point with him, viz. to persuade him to come back to Rome, and assist in the councils of the senate, which Cæsar designed to summon at his return from following Pompey: with this view, in the hurry of his march towards Brundisium, Cæsar sent him the following letter:

[1] Ad Att. 8. 15.

[2] Quod quæris quid Cæsar ad me scripserit. Quod sæpe: gratissimum sibi esse quod quierim: oratque ut in eo perseverem. Balbus minor hæc eadem mandata. Ibid. 8. 11.

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"CÆSAR, EMPEROR, TO CICERO, EMPEROR.

"WHEN I had but just time to see our friend Furnius, nor could conveniently speak with, or hear him, was in haste, and on my march, having sent the legions before me, yet I could not pass by without writing, and sending him to you with my thanks: though I have often paid this duty before, and seem likely to pay it oftener, you deserve it so well of me. I desire of you, in a special manner, that as I hope to be in the city shortly, I may see you there, and have the benefit of your advice, your interest, your authority, your assistance in all things. But to return to the point: you will pardon the haste and brevity of my letter, and learn the rest from Furnius." To which Cicero answered.

"CICERO, EMPEROR, TO CÆSAR, EMPEROR.

"UPON reading your letter, delivered to me by Furnius, in which you pressed me to come to the city, I did not so much wonder at what you there intimated, of your desire to use my advice and authority, but was at a loss to find out what you meant by my interest and assistance; yet I flattered myself into a persuasion, that, out of your admirable and singular wisdom, you were desirous to enter into some measures for establishing the peace and concord of the city; and, in that case, I looked upon my temper and character as fit enough to be employed in such a deliberation. If the case be so, and you have any concern for the safety of our friend Pompey, and of reconciling him to yourself, and to the Republic, you will certainly find no man more proper for such a work than I am, who, from the very first, have always been the adviser of peace, both to him and the senate; and, since this recourse to arms, have not meddled with any part of the war, but thought you to be really injured by it, while your enemies and enviers were attempting to deprive you of those honours, which the Roman people had granted you. But as, at that time, I was not only a favourer of your dignity, but an encourager also of others to assist you in it: so now the dignity of Pompey greatly affects me: for, many years ago, I made choice of you two, with whom to cultivate a particular friendship, and to be, as I now am, most strictly united. Wherefore I desire of you, or rather beg and implore, with all my prayers, that, in the hurry of your cares, you would indulge a moment to this thought, how by your generosity, I may be permitted to shew myself an honest, grateful, pious man, in remembering an act of the greatest kindness to me. If this related only to myself, I should hope still to obtain it from you: but it concerns, I

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

think, both your honour and the Republic, that, by your means, I should be allowed to continue in a situation the best adapted to promote the peace of you two, as well as the general concord of all the citizens. After I had sent my thanks to you before, on the account of Lentulus, for giving safety to him who had given it to me; yet, upon reading his letter, in which he expresses the most grateful sense of your liberality, I took myself to have received the same grace from you, which he had done: towards whom, if by this you perceive me to be grateful, let it be your care, I beseech you, that I may be so too towards Pompey [1]."

Cicero was censured for some passages of this letter, which Cæsar took care to make public, viz. the compliment on Cæsar's admirable wisdom; and, above all, the acknowledgment of his being injured by his adversaries in the present war: in excuse of which, he says, that he was not sorry for the publication of it, for he himself had given several copies of it; and, considering what had since happened, was pleased to have known to the world how much he had always been inclined to peace; and that, in urging Cæsar to save his country, he thought it his business to use such expressions as were the most likely to gain authority with him, without fearing to be thought guilty of flattery, in urging him to an act for which he would gladly have thrown himself even at his feet [2].

He received another letter on the same subject, and about the same time, written jointly by Balbus and Oppius, two of Cæsar's chief confidents.

"BALBUS AND OPPIUS TO M. CICERO.

"THE advice, not only of little men, such as we are, but even of the greatest, is generally weighed, not by the intention of the giver, but the event; yet, relying on your humanity, we will give you what we take to be the best, in the case about which you wrote to us; which, though it should not be found prudent, yet certainly flows from the utmost fidelity and affection to you. If we did not know from Cæsar himself, that, as soon as he comes to Rome, he will do what in our judgment we think he ought to do, treat about a reconciliation between him and Pompey, we should give over exhorting you to come and

[1] Ad Att. 9. 6. 11.

[2] Epistolam meam quod pervulgatam scribis esse non fero moleste. Quin etiam ipse multis dedi describendam. Ea enim et acciderunt jam et impendent, ut testatum esse velim de pace quid senserim. Cum autem eum hortarer, eum præsertim hominem, non videbar ullo modo facilius moturus, quam si id, quod eum hortarer, convenire ejus sapientiæ dicerem. Eam si admirabilem dixi, cum eum ad salutem patriæ hortarer, non eum veritus, ne viderer assentiri, cui tali in re lubenter me ad pedes abjecissem, &c. Ibid. 8. 9.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

take part in those deliberations; that, by your help, who have a strict friendship with them both, the whole affair may be settled with ease and dignity: or if, on the contrary, we believed that Cæsar would not do it, and knew that he was resolved upon a war with Pompey, we should never try to persuade you to take arms against a man to whom you have the greatest obligations, in the same manner as we have always entreated you not to fight against Cæsar. But since, at present, we can only guess rather than know what Cæsar will do, we have nothing to offer but this, that it does not seem agreeable to your dignity, or your fidelity, so well known to all, when you are intimate with them both, to take arms against either: and this we do not doubt but Cæsar, according to his humanity, will highly approve; yet if you judge proper, we will write to him, to let us know what he will really do about it; and if he returns us an answer, will presently send you notice, what we think of it, and give you our word, that we will advise only what we take to be most suitable to your honour, not to Cæsar's views; and are persuaded, that Cæsar, out of his indulgence to his friends, will be pleased with it[1]." This joint letter was followed by a separate one from Balbus.

"BALBUS TO CICERO, EMPEROR.

"IMMEDIATELY after I had sent the common letter from Oppius and myself, I received one from Cæsar, of which I have sent you a copy; whence you will perceive how desirous he is of peace, and to be reconciled with Pompey, and how far removed from all thoughts of cruelty. It gives me an extreme joy, as it certainly ought to do, to see him in these sentiments. As to yourself, your fidelity and your piety, I am entirely of the same mind, my dear Cicero, with you, that you cannot, consistently with your character and duty, bear arms against a man to whom you declare yourself so greatly obliged: that Cæsar will approve this resolution, I certainly know, from his singular humanity; and that you will perfectly satisfy him, by taking no part in the war against him, nor joining yourself to his adversaries: this he will think sufficient, not only from you, a person of such dignity and splendour, but has allowed it even to me, not to be found in that camp, which is likely to be formed against Lentulus and Pompey, from whom I have received the greatest obligations: 'It was enough,' he said, 'if I performed my part to him in the city and the gown, which I might perform also to them if I thought fit:' wherefore, I now manage all Lentulus's affairs at Rome, and dis-

[1] Ibid. 9. 6.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

charge my duty, my fidelity, my piety, to them both: yet, in truth, I do not take the hopes of an accommodation, though now so low, to be quite desperate, since Cæsar is in that mind in which we ought to wish him: one thing would please me, if you think it proper, that you would write to him, and desire a guard from him, as you did from Pompey, at the time of Milo's trial, with my approbation; I will undertake for him, if I rightly know Cæsar, that he will sooner pay a regard to your dignity, than to his own interest. How prudently I write these things, I know not; but this I certainly know, that whatever I write, I write out of a singular love and affection to you: for let me die (so as Cæsar may but live) if I have not so great an esteem for you that few are equally dear to me. When you have taken any resolution in this affair, I wish that you would let me know it, for I am exceedingly solicitous that you should discharge your duty to them both, which, in truth, I am confident you will discharge. Take care of your health [1]."

The offer of a guard was artfully insinuated; for while it carried an appearance of honour and respect to Cicero's person, it must necessarily have made him Cæsar's prisoner, and deprived him of the liberty of retiring, when he found it proper, out of Italy: but he was too wise to be caught by it, or to be moved in any manner by the letters themselves, to entertain the least thought of going to Rome, since, to assist in the senate, when Pompey and the consuls were driven out of it, was, in reality, to take part against them. What gave him a more immediate uneasiness, was the daily expectation of an interview with Cæsar himself, who was now returning from Brundisium by the road of Formiæ, where he then resided; for though he would gladly have avoided him, if he could have contrived to do it decently, yet, to leave the place just when Cæsar was coming to it, could not fail of being interpreted as a particular affront: he resolved, therefore, to wait for him, and to act on the occasion with a firmness and gravity, which became his rank and character.

They met, as he expected, and he sent Atticus the following account of what passed between them: "My discourse with him," says he, "was such, as would rather make him think well of me than thank me. I stood firm in refusing to go to Rome, but was deceived in expecting to find him easy; for I never saw any one less so: he was condemned, he said, by my judgment; and, if I did not come, others would be the more backward: I told him that their case was very different from

[1] Ad Att. 9. 8.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

mine. After many things said, on both sides, he bade me come, however, and try to make peace: 'Shall I do it,' says I, 'in my own way?' 'Do you imagine,' replied he, 'that I will prescribe to you?' 'I will move the senate then,' says I, 'for a decree against your going to Spain, or transporting your troops into Greece, and say a great deal besides, in bewailing the case of Pompey:' 'I will not allow,' replied he, 'such things to be said:' 'So I thought,' says I, 'and for that reason will not come; because I must either say them, and many more, which I cannot help saying, if I am there, or not come at all.' The result was, that, to shift off the discourse, he wished me to consider of it; which I could not refuse to do, and so we parted. I am persuaded, that he is not pleased with me; but I am pleased with myself: which I have not been before of a long time. As for the rest, good gods, what a crew he has with him! what a hellish band! as you call them: what a deplorable affair! what desperate troops! what a lamentable thing, to see Servius's son, and Titinius's, with many more of their rank, in that camp, which besieged Pompey! He has six legions; wakes at all hours; fears nothing: I see no end of this calamity. His declaration at the last, which I had almost forgot, was odious; that if he was not permitted to use my advice, he would use such as he could get from others, and pursue all measures which were for his service[1]." From this conference, Cicero went directly to Arpinum, and there invested his son, at the age of sixteen, with the manly gown: he resolved to carry him along with him to Pompey's camp, and thought it proper to give him an air of manhood before he enlisted him into the war; and since he could not perform that ceremony at Rome, chose to oblige his countrymen, by celebrating this festival in his native city[2].

While Cæsar was on the road towards Rome, young Quintus Cicero, the nephew, a fiery, giddy youth, privately wrote to him to offer his service, with a promise of some information concerning his uncle; upon which being sent for, and admitted to an audience, he assured Cæsar, that his uncle was utterly disaffected to all his measures, and determined to leave Italy and go to Pompey. The boy was tempted to this rashness by the hopes of a considerable present, and gave much uneasiness by it, both to the father and the uncle, who had reason to fear some ill consequence from it[3]: but Cæsar, desiring still to divert Cicero from declaring against him, and to quiet the

[1] Ibid. 9. 18.

[2] Ego meo Ciceroni, quoniam Roma caremus, Arpini potissimum togam puram dedi, idque municipibus nostris fuit gratum. Ibid. 19.

[3] Litteras ejus ad Cæsarem missas ita graviter tulimus, ut te quidem celaremus—

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

apprehensions which he might entertain for what was past, took occasion to signify to him, in a kind letter from Rome, that he retained no resentment of his refusal to come to the city, though Tullus and Servius complained, that he had not shewn the same indulgence to them:—Ridiculous men, says Cicero, who, after sending their sons to besiege Pompey, at Brundisium, pretend to be scrupulous about going to the senate [1].

Cicero's behaviour, however, and residence in those villas of his, which were nearest to the sea, gave rise to a general report, that he was waiting only for a wind to carry him over to Pompey; upon which, Cæsar sent him another pressing letter, to try, if possible, to dissuade him from that step.

"CÆSAR, EMPEROR, TO CICERO, EMPEROR.

"THOUGH I never imagined that you would do any thing rashly, or imprudently, yet, moved by the common report, I thought proper to write to you, and beg of you, by our mutual affection, that you would not run to a declining cause, whither you did not think fit to go while it stood firm. For you will do the greatest injury to your friendship, and consult but ill for yourself, if you do not follow where fortune calls; for all things seem to have succeeded most prosperously for us, most unfortunately for them: nor will you be thought to have followed the cause, (since that was the same, when you chose to withdraw yourself from their counsels) but to have condemned some act of mine; than which you can do nothing that could affect me more sensibly, and what I beg, by the rights of our friendship, that you would not do. Lastly, what is more agreeable to the character of an honest, quiet man, and good citizen, than to retire from civil broils? from which some, who would gladly have done it, have been deterred by an apprehension of danger: but you, after a full testimony of my life, and trial of my friendship, will find nothing more safe or more reputable, than to keep yourself clear from all this contention. —The 16th of April, on the road [2]."

Antony, also, whom Cæsar left to guard Italy, in his absence, wrote to him to the same purpose, and on the same day.

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tantum scito post Hirtium conventum, arcessitum ab Cæsare; cum eo de meo animo ab suis consiliis alienissimo, et consilio relinquendi Italiam. Ad Att. 10. 4, 5, &c.

Quintum puerum accepi vehementer. Avaritiam video fuisse, et spem magni congiarii. Magnum hoc malum est. Ibid. 10. 7.

[1] Cæsar mihi ignoscit per litteras, quod non Romam venerim, seseque in optimam partem id accipere dicit. Facile patior, quod scribit, secum Tullum et Servium questos esse, qui cum filios misissent ad Cn. Pompeium circumsidendum, ipsi in Senatum venire dubitarent. Ibid. 10. 3.

[2] Ibid. 10. 8.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

"ANTONIUS, TRIBUNE OF THE PEOPLE, AND PROPRÆTOR, TO CICERO, EMPEROR.

"IF I had not a great esteem for you, and much greater indeed than you imagine, I should not be concerned at the report, which is spread of you, especially when I take it to be false. But, out of the excess of my affection, I cannot dissemble, that even a report, though false, makes some impression on me. I cannot believe that you are preparing to cross the sea, when you have such a value for Dolabella, and your daughter Tullia, that excellent woman, and are so much valued by us all, to whom, in truth, your dignity and honour are almost dearer than to yourself; yet, I did not think it the part of a friend, not to be moved by the discourse even of ill-designing men, and wrote this with the greater inclination, as I take my part to be the more difficult on the account of our late coldness, occasioned rather by my jealousy, than any injury from you. For I desire you to assure yourself, that nobody is dearer to me than you, excepting my Cæsar, and that I know, also, that Cæsar reckons M. Cicero in the first class of his friends. Wherefore I beg of you, my Cicero, that you will keep yourself free and undetermined, and despise the fidelity of that man who first did you an injury, that he might afterwards do you a kindness; nor fly from him, who, though he should not love you, which is impossible, yet will always desire to see you in safety and splendour. I have sent Calpurnius to you with this, the most intimate of my friends, that you might perceive the great concern which I have for your life and dignity [1]."

Cœlius also wrote to him, on the same subject; but finding, by some hints in Cicero's answer, that he was actually preparing to run away to Pompey, he sent him a second letter, in a most pathetic, or, as Cicero calls it, lamentable strain [2], in hopes, to work upon him, by alarming all his fears.

"CŒLIUS TO CICERO.

"BEING in a consternation at your letter, by which you shew that you are meditating nothing but what is dismal, yet neither tell me directly what it is, nor wholly hide it from me, I presently wrote this to you. By all your fortunes, Cicero, by your children, I beg and beseech you, not to take any step injurious to your safety: for I call the gods and men, and our friendship, to witness, that what I have told, and forewarned you of, was not any vain conceit of my own, but after I had

[1] Ibid. 10. 8. [2] M. Cœli epistolam scriptam miserabiliter. Ibid. 10. 9.

A. Urb. 704. Cic. 58. Cos.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

talked with Cæsar, and understood from him, how he resolved to act after his victory, I informed you of what I had learnt. If you imagine that his conduct will always be the same, in dismissing his enemies, and offering conditions, you are mistaken; he thinks, and even talks, of nothing but what is fierce and severe, and is gone away much out of humour with the senate, and thoroughly provoked by the opposition which he has met with, nor will there be any room for mercy. Wherefore, if you yourself, your only son, your house, your remaining hopes, be dear to you: if I, if the worthy man, your son-in-law, have any weight with you, you should not desire to overturn our fortunes, and force us to hate or to relinquish that cause in which our safety consists, or to entertain an impious wish against your's. Lastly, reflect on this, that you have already given all the offence which you can give, by staying so long behind; and now to declare against a conqueror, whom you would not offend, while his cause was doubtful, and to fly after those who run away, with whom you would not join, while they were in condition to resist, is the utmost folly. Take care, that while you are ashamed not to approve yourself one of the best citizens, you be not too hasty in determining what is the best. But if I cannot wholly prevail with you, yet wait, at least, till you know how we succeed in Spain, which I now tell you will be our's, as soon as Cæsar comes thither. What hopes they may have when Spain is lost, I know not; and what your view can be in acceding to a desperate cause, by my faith I cannot find out. As to the thing, which you discover to me by your silence about it, Cæsar has been informed of it; and, after the first salutation, told me, presently, what he had heard of you; I denied that I knew any thing of the matter, but begged of him to write to you in a manner the most effectual to make you stay. He carries me with him into Spain: if he did not, I would run away to you wherever you are, before I came to Rome, to dispute this point with you in person, and hold you fast even by force. Consider, Cicero, again and again, that you do not utterly ruin both you and your's: that you do not knowingly and willingly throw yourself into difficulties, whence you see no way to extricate yourself. But if either the reproaches of the better sort touch you, or you cannot bear the insolence and haughtiness of a certain set of men, I would advise you to choose some place remote from the war, till these contests be over, which will soon be decided: if you do this, I shall think that you have done wisely, and you will not offend Cæsar [1].".

[1] Ep. Fam. 8. 16.

A. Urb. 705. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

Cœlius's advice, as well as his practice, was grounded upon a maxim, which he had before advanced, in a letter to Cicero, "that in a public dissension, as long as it was carried on by civil methods, one ought to take the honester side; but when it came to arms, the stronger; and to judge that the best which was the safest[1]." Cicero was not of his opinion, but governed himself in this, as he generally did, in all other cases, by a contrary rule; that where our duty and our safety interfere, we should adhere always to what is right, whatever danger we incur by it.

Curio paid Cicero a friendly visit of two days, about this time, on his way towards Sicily, the command of which Cæsar had committed to him. Their conversation turned on the unhappy condition of the times, and the impending miseries of the war, in which Curio was open, and without any reserve, in talking of Cæsar's views: he exhorted Cicero to choose some neutral place for his retreat; assured him, that Cæsar would be pleased with it; offered him all kind of accommodation and safe passage through Sicily: made not the least doubt, but that Cæsar would soon be master of Spain, and then follow Pompey with his whole force; and that Pompey's death would be the end of the war: but confessed withal, that he saw no prospect or glimmering of hope for the Republic; said, that Cæsar was so provoked by the tribune Metellus, at Rome, that he had a mind to have killed him, as many of his friends advised; that if he had done it, a great slaughter would have ensued; that his clemency flowed, not from his natural disposition, but because he thought it popular: and if he once lost the affections of the people, he would be cruel: that he was disturbed to see the people so disgusted by his seizing the public treasure; and though he had resolved to speak to them before he left Rome, yet he durst not venture upon it, for fear of some affront; and went away, at last, much discomposed[2].

The leaving the public treasure at Rome a prey to Cæsar, is censured, more than once, by Cicero, as one of the blunders of his friends[3]: but it is a common case, in civil dissensions, for the honester side, through the fear of discrediting their cause, by any irregular act, to ruin it by an unseasonable moderation. The public money was kept in the temple of Saturn; and the consuls contented themselves with carrying away the keys, fancying, that the sanctity of the place would secure it from violence; especially when the greatest part of

[1] Illud te non arbitror fugere; quin homines in dissentione domestica debeant, quamdiu civiliter sine armis cernetur, honestiorem sequi partem: ubi ad bellum et castra ventum sit, firmiorem; et id melius statuere, quod tutius sit. Ibid. 8. 14.

[2] Ad Att. 10. 4.

[3] Ibid. 7. 12, 15.

A. Urb. 704. Cic. 58. Cos.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

it was a fund of a sacred kind, set apart by the laws for occasions only of the last exigency, or the terror of a Gallic invasion [1]. Pompey was sensible of the mistake, when it was too late, and sent instructions to the consuls to go back and fetch away this sacred treasure: but Cæsar was then so far advanced, that they durst not venture upon it; and Lentulus coldly sent him word, that he himself should first march against Cæsar into Picenum, that they might be able to do it with safety [2]. Cæsar had none of these scruples; but, as soon as he came to Rome, ordered the doors of the temple to be broken open, and the money to be seized for his own use; and had like to have killed the tribune Metellus, who, trusting to the authority of his office, was silly enough to attempt to hinder him. He found there an immense treasure, both in coin and wedges of solid gold, reserved from the spoils of conquered nations, from the time even of the Punic war: "for the Republic," as Pliny says, "had never been richer than it was at this day [3]."

Cicero was now impatient to be gone, and the more so, on account of the inconvenient pomp of his laurel, and lictors, and style of emperor; which in a time of that jealousy and distraction, exposed him too much to the eyes of the public, as well as to the taunts and raillery of his enemies [4]. He resolved to cross the sea to Pompey; yet knowing all his motions to be narrowly watched, took pains to conceal his intention, especially from Antony, who resided, at this time, in his neighbourhood, and kept a strict eye upon him. He sent him word, therefore, by letter, that he had no design against Cæsar: that he remembered his friendship, and his son-in-law Dolabella; that if he had other thoughts, he could easily have been with Pompey; that his chief reason for retiring, was to avoid the uneasiness of appearing in public with the formality of his lictors [5]. But Antony wrote him a surly answer; which Cicero calls a laconic mandate, and sent a copy of it to Atticus, to let him see, he says, how tyrannically it was drawn.

"How sincere is your way of acting? for he, who has a mind to stand neuter, stays at home; he, who goes abroad, seems to pass a judgment on the one side or the other. But it does not belong to me to determine, whether a man may go

[1] Dio, p. 161.

[2] C. Cassius—attulit mandata ad Consules, ut Romam venirent, pecuniam de sanctiore ærario auferrent.—Consul rescripsit, ut prius ipse in Picenum. Ad Att. 7. 21.

[3] Nec fuit aliis temporibus Respub. locupletior. Plin. Hist. 33. 3.

[4] Accedit etiam molesta hæc pompa lictorum meorum, nomenque imperii quo appellor. Sed incurrit hæc nostra laurus non solum in oculos, sed jam etiam in voculas malevolorum. Ep. Fam. 2. 16.

[5] Cum ego sæpissime scripsissem, nihil me contra Cæsaris rationes cogitare; meminisse me generi mei, meminisse amicitiæ; potuisse, si aliter sentirem, esse cum Pompeio; me autem, quia cum lictoribus invitus cursarem, abesse velle. Ad Att. 10 .10.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

abroad or not. Cæsar has imposed this task upon me, not to suffer any man to go out of Italy. Wherefore, it signifies nothing for me to approve your resolution, if I have no power to indulge you in it. I would have you write to Cæsar, and ask that favour of him: I do not doubt but you will obtain it, especially since you promise to retain a regard for our friendship [1]."

After this letter, Antony never came to see him, but sent an excuse, that he was ashamed to do it, because he took him to be angry with him, giving him to understand, at the same time, by Trebatius, that he had special orders to observe his motions [2].

These letters give us the most sensible proof of the high esteem and credit in which Cicero flourished, at this time, in Rome: when in a contest for empire, which force alone was to decide, we see the chiefs on both sides so solicitous to gain a man to their party, who had no peculiar skill in arms or talents for war: but his name and authority was the acquisition which they sought; since, whatever was the fate of their arms, the world, they knew, would judge better of the cause which Cicero espoused. The same letters will confute, likewise, in a great measure, the common opinion of his want of resolution in all cases of difficulty, since no man could shew a greater than he did on the present occasion, when against the importunities of his friends, and all the invitations of a successful power, he chose to follow that cause which he thought the best, though he knew it to be the weakest.

During Cæsar's absence in Spain, Antony, who had nobody to control him at home, gave a free course to his natural disposition, and indulged himself, without reserve, in all the excess of lewdness and luxury. Cicero, describing his usual equipage in travelling about Italy, says, "he carries with him, in an open chaise, the famed actress, Cytheris; his wife follows in a second, with seven other close litters, full of his whores and boys. See by what base hands we fall; and doubt, if you can, whether Cæsar, let him come vanquished or victorious, will not make cruel work amongst us at his return. For my part, if I cannot get a ship, I will take a boat, to transport myself out of their reach; but I shall tell you more after I have had a conference with Antony [3]." Among Antony's

[1] Ibid.

[2] Nominatim de me sibi imperatum dicit Antonius, nec me tamen ipse adhuc viderat, sed hoc Trebatio narravit. Ibid. 12.

Antonius—ad me misit, se pudore deterritum ad me non venisse, quod me sibi succensere putaret. Ibid. 15.

[3] Hic tamen Cytheridem secum lectica aperta portat, altera uxorem: septem præterea conjunctæ lecticæ sunt amicarum, an amicorum? vide quam turpi leto pereamus: et

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

other extravagances, he had the insolence to appear sometimes in public, with his mistress, Cytheris, in a chariot drawn by lions. Cicero, alluding to this, in a letter to Atticus, tells him jocosely, that he need not be afraid of Antony's lions[1]; for though the beasts were so fierce, the master himself was very tame.

Pliny speaks of this fact, as a designed insult on the Roman people; as if, by the emblem of the lions, Antony intended to give them to understand, that the fiercest spirits of them would be forced to submit to the yoke[2]. Plutarch also mentions it; but both of them place it after the battle of Pharsalia, though it is evident, from this hint of it, given by Cicero, that it happened long before.

Whilst Cicero continued at Formiæ, deliberating on the measures of his conduct, he formed several political theses, adapted to the circumstances of the times, for the amusement of his solitary hours: Whether a man ought to stay in his country, when it was possessed by a tyrant? whether one ought not by all means, to attempt the dissolution of the tyranny, though his city, on that account, was exposed to the utmost hazard? whether there was not cause to be afraid of the man who should dissolve it, lest he should advance himself into the other's place? whether we should not help our country by the methods of peace, rather than war? whether it be the part of a citizen to sit still in a neutral place, while his country is oppressed, or to run all hazards for the sake of the common liberty? whether one ought to bring a war upon his city, and besiege it, when in the hands of a tyrant? whether a man, not approving the dissolution of a tyranny by war, ought not to join himself, however, to the best citizens? whether one ought to act with his benefactors and friends, though they do not, in his opinion, take right measures for the public interest? whether a man, who has done great services to his country, and, for that reason, has been envied and cruelly treated, is still bound to expose himself to fresh dangers for it, or may not be permitted, at last, to take care of himself and his family, and give up all political matters to the men of power?—"By exercising myself," says he, "in these questions, and examining them on the one side and the other, I relieve my mind

dubita, si potes, quin ille, seu victus seu victor redierit, cædem facturus sit. Ego vero vel lintriculo, si navis non erit, eripiam me ex istorum parricidio. Sed plura scribam cum illum convenero. Ad Att. 10. 10.

[1] Tu Antonii leones pertimescas, cave. Nihil est illo homine jucundius. Ibid.

[2] Jugo subdidit eos, primusque Romæ ad currum junxit Antonius; et quidem civili bello cum dimicatum esset in Pharsalicis campis; non sine ostento quodam temporum, generosos spiritus jugum subire illo prodigio significante: nam quod ita vectus est cum mima Cytheride, supra monstra etiam illarum calamitatum fuit. Plin. Hist. 8. 16.

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from its present anxiety, and draw out something which may be of use to me[1]."

From the time of his leaving the city, together with Pompey and the senate, there passed not a single day in which he did not write one or more letters to Atticus[2], the only friend whom he trusted with the secret of his thoughts. From these letters it appears that the sum of Atticus's advice to him agreed entirely with his own sentiments, that, if Pompey remained in Italy, he ought to join with him; if not, should stay behind, and expect what fresh accidents might produce[3]. This was what Cicero had hitherto followed: and as to his future conduct, though he seems sometimes to be a little wavering and irresolute, yet the result of his deliberations constantly turned in favour of Pompey. His personal affection for the man, preference of his cause, the reproaches of the better sort, who began to censure his tardiness, and, above all, his gratitude for favours received, which had ever the greatest weight with him, made him resolve, at all adventures to run after him; and, though he was displeased with his management of the war, and without any hopes of his success[4]; though he knew him before to be no politician, and now perceived him, he says, to be no general; yet, with all his faults, he could not endure the thought of deserting him, nor hardly forgive himself for staying so long behind him: "For, as in love," says he, "any thing dirty and indecent in a mistress will stifle it for the present, so the deformity of Pompey's conduct put me out of humour with him; but now that he is gone, my love revives, and I cannot bear his absence[5]," &c.

What held him still a while longer, was the tears of his family, and the remonstrances of his daughter Tullia, who intreated him to wait only the issue of the Spanish war, and

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[1] In his ego me consultationibus exercens, disserens in utramque partem, tum Græce tum Latine, abduco parumper animum a molestiis et τῶν προὔργου τι delibero. Ad Att. 9. 4.

[2] Hujus autem epistolæ non solum ea causa est, ut ne quis a me dies intermittatur, quin dem ad te litteras, sed ——. Ibid. 8. 12.

Alteram tibi eodem die hanc epistolam dictavi, et pridie dederam mea manu longiorem. Ibid. 10. 3.

[3] Ego quidem tibi non sim auctor, si Pompeius Italiam relinquit, te quoque profugere; summo enim periculo facies, nec Reipub. proderis; cui quidem posterius poteris prodesse, si manseris, &c. Ibid. 9. 10.

[4] Ingrati animi crimen horreo. Ibid. 9. 2, 5, 7.

Nec mehercule hoc facio Reipub. causa, quam funditus deletam puto, sed nequis me putet ingratum in eum, qui me levavit iis incommodis, quibus ipse affecerat. Ibid. 9. 19.

Fortunæ sunt committenda omnia. Sine spe conamur ulla. Si melius quid acciderit, mirabimur. Ibid. x. 2.

[5] Sicut ἐν τοῖς ἐρωτικοῖς, alienant immundæ, insulsæ, indecoræ; sic me illius fugæ, negligentiæque deformitas avertit ab amore—nunc emergit amor, nunc desiderium ferre non possum. Ibid. 9. 10.

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urged it as the advice of Atticus [1]. He was passionately fond of this daughter, and with great reason; for she was a woman of singular accomplishments, with the utmost affection and piety to him. Speaking of her to Atticus, "How admirable," says he, "is her virtue? how does she bear the public calamity? how her domestic disgusts? what a greatness of mind did she shew at my parting from them? in spite of the tenderness of her love, she wishes me to do nothing but what is right, and for my honour [2]." But as to the affair of Spain, he answered, that whatever was the fate of it, it could not alter the case with regard to himself; for if Cæsar should be driven out of it, his journey to Pompey would be less welcome and reputable, since Curio himself would run over to him; or if the war was drawn into length, there would be no end of waiting; or, lastly, if Pompey's army should be beaten, instead of sitting still as they advised, he thought just the contrary, and should choose the rather to run away from the violence of such a victory. He resolved, therefore, he says, to act nothing craftily; but, whatever became of Spain, to find out Pompey as soon as he could, in conformity to Solon's law, who made it capital for a citizen not to take part in a civil dissension [3].

Before his going off, Servius Sulpicius sent him word, from Rome, that he had a great desire to have a conference with him, to consult in common what measures they ought to take. Cicero consented to it, in hopes to find Servius in the same mind with himself, and to have his company to Pompey's camp: for, in answer to his message, he intimated his own intention of leaving Italy; and, if Servius was not in the same resolution, advised him to save himself the trouble of the journey, though, if he had any thing of moment to communicate, he would wait for his coming [4]. But, at their meeting,

[1] Sed cum ad me mea Tullia scribat, orans ut quid in Hispania geratur expectem, et semper adscribat idem videri tibi. Ad Att. 10. 8.

Lacrymæ meorum me interdum molliunt, precantium, ut de Hispaniis expectemus. Ibid. 9.

[2] Cujus quidem virtus mirifica. Quomodo illa fert publicam cladem? quomodo domesticas tricas? quantus autem animus in discessu nostro? sit στοργὴ, sit summa σύντηξις; tamen nos recte favere et bene audire vult. Ibid. 8.

[3] Si pelletur, quam gratus aut quam honestus tam erit ad Pompeium noster adventus, cum ipsum Curionem ad ipsum transiturum putem? si trahitur bellum, quid expectem, aut quam diu? relinquitur, ut si vincimur in Hispania, quiescamus. Id ego contra puto: istum enim victorem relinquendum magis puto, quam victum. Ibid.

Astute nihil sum acturus; fiat in Hispania quidlibet. Ibid. 6.

Ego vero Solonis—legem negligam, qui capite sanxit, si qui in seditione non alterius utrius partis fuisset. Ibid 1.

[4] Sin autem tibi homini prudentissimo videtur utile esse, nos colloqui, quanquam longius etiam cogitabam ab urbe discedere, cujus jam etiam nomen invitus audio, tamen propius accedam. Ep. Fam. 4. 1.

Restat ut discedendum putem; in quo reliqua videtur esse deliberatio, quod consilium in discessu, quæ loca sequamur—si habes jam statutum, quid tibi agendum putes, in quo non sit conjunctum consilium tuum cum meo, supersedeas hoc labore itineris. Ibid. 4. 2.

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he found him so timorous and desponding, and so full of scruples upon every thing which was proposed, that, instead of pressing him to the same conduct with himself, he found it necessary to conceal his own design from him. "Of all the men," says he, "whom I have met with, he is alone a greater coward than C. Marcellus, who laments his having been consul, and urges Antony to hinder my going, that he himself may stay with a better grace [1]."

Cato, whom Pompey had sent to possess himself of Sicily, thought fit to quit that post, and yield up the island to Curio, who came likewise to seize it, on Cæsar's part, with a superior force. Cicero was much scandalized at Cato's conduct, being persuaded that he might have held his possession without difficulty, and that all honest men would have flocked to him, especially when Pompey's fleet was so near to support him: for if that had but once appeared on the coast, and begun to act, Curio himself, as he confessed, would have run away the first. "I wish," says Cicero, "that Cotta may hold out Sardinia, as it is said he will: for, if so, how base will Cato's act appear [2]."

In these circumstances, while he was preparing all things for his voyage, and waiting only for a fair wind, he removed from his Cuman to his Pompeian villa, beyond Naples, which not being so commodious for an embarkment, would help to lessen the suspicion of his intended flight [3]. Here he received a private message from the officers of three cohorts, which were in garrison at Pompeii, to beg leave to wait upon him the day following, in order to deliver up their troops and the town into his hands; but, instead of listening to the overture, he slipped away the next morning, before day, to avoid seeing them; since such a force, or a greater, could be of no service there; and he was apprehensive that it was designed only as a trap for him [4].

Thus, pursuing at last the result of all his deliberations, and preferring the consideration of duty to that of his safety, he embarked to follow Pompey: and though, from the nature

[1] Servii consilio nihil expeditur. Omnes captiones in omni sententia occurrunt. Unum C. Marcello cognovi timidiorem, quem Consulem fuisse pœnitet—qui etiam Antonium confirmasse dicitur, ut me impediret, quo ipse, credo, honestius. Ad Att. 10. 15.

[2] Curio mecum vixit—Siciliæ diffidens, si Pompeius navigare cœpisset. Ibid. 7.
Curio—Pompeii classem timebat: quæ si esset, se de Sicilia abiturum. Ibid. 4.
Cato qui Siciliam tenere nullo negotio potuit, et si tenuisset, omnes boni ad eum se contulissent, Syracusis profectus est a. d. 8. Kal. Maii—utinam, quod aiunt, Cotta Sardiniam teneat. Est enim rumor. O, si id fuerit, turpem Catonem! Ibid. 16.

[3] Ego ut minuerem suspicionem profectionis,—profectus sum in Pompeianum a. d. IIII Id. Ut ibi essem, dum quæ ad navigandum opus essent, pararentur. Ibid.

[4] Cum ad villam venissem, ventum est ad me, Centuriones trium cohortium, quæ Pompeiis sunt, me velle postridie; hæc mecum Ninnius noster, velle eos mihi se et oppidum tradere. At ego tibi postridie a villa ante lucem, ut me omnino illi non viderent. Quid enim erat in tribus cohortibus? quid si plures? quo apparatu?—et simul fieri poterat, ut tentaremur. Omnem igitur suspicionem sustuli. Ibid.

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of the war, he plainly saw, and declared, that it was a contention only for rule; yet he thought Pompey the modester, honester, and juster king of the two; and if he did not conquer, that the very name of the Roman people would be extinguished: or if he did, that it would still be after the manner and pattern of Sylla, with much cruelty and blood[1]. With these melancholy reflections, he set sail on the eleventh of June[2], rushing, as he tells us, knowingly and willingly into voluntary destruction, and doing just what cattle do when driven by any force, running after those of his own kind; "For, as the ox," says he, "follows the herd, so I follow the honest, or those at least who are called so, though it be to certain ruin[3]." As to his brother Quintus, he was so far from desiring his company in this flight, that he pressed him to stay in Italy, on account of his personal obligations to Cæsar, and the relation that he had borne to him: yet Quintus would not be left behind; but declared that he would follow his brother whithersoever he should lead, and think that party right which he should choose for him[4].

What gave Cicero a more particular abhorrence of the war, into which he was entering, was, to see Pompey, on all occasions, affecting to imitate Sylla, and to hear him often say, with a superior air, "could Sylla do such a thing, and cannot I do it?" as if determined to make Sylla's victory the pattern of his own. He was now in much the same circumstances in which that conqueror had once been; sustaining the cause of the senate by his arms, and treated as an enemy by those who possessed Italy; and, as he flattered himself with the same good fortune, so he was meditating the same kind of return,

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[1] Dominatio quæsita ab utroque est. Ad Att. 8. 11.
Regnandi contentio est; in qua pulsus est modestior Rex et probrior et integrior; et is, qui nisi vincit, nomen populi Romani deleatur necesse est: sin autem vincit, Syllano more exemploque vincet. Ibid. 10. 7.

[2] a. d. III. Id. Jun. Ep. Fam. 14. 7. It is remarkable, that, among the reasons which detained Cicero in Italy longer than he intended, he mentions the empestuous weather of the Equinox, and the calms that succeeded it; yet this was about the end of May [ad Att. 10. 17, 18.] which shews what a strange confusion there was at this time in the Roman Calendar; and what necessity for that reformation of it, which Cæsar soon after effected, in order to reduce the computation of their months to the regular course of the seasons, from which they had so widely varied. Some of the commentators, for want of attending to this cause, are strangely puzzled to account for the difficulty; and one of them ridiculously imagines, that, by the Equinox, Cicero covertly means Antony, who used to make his days and nights equal, by sleeping as much as he waked.

[3] Ego prudens ac sciens ad pestem ante oculos positam sum profectus. Ep. Fam. 6. 6.
Prudens et sciens tanquam ad interitum ruerem voluntarium. [pro M. Marcel. 5.] quid ergo acturus est? idem, quod pecudes, quæ dispulsæ sui generis sequuntur greges. Ut bos armenta, sic ego bonos viros, aut eos, quicunque dicentur boni, sequar, etiam si ruent. Ad Att. 7. 7.

[4] Fratrem—socium hujus fortunæ esse non erat æquum: cui magis etiam Cæsar irascetur. Sed impetrare non possum, ut maneat. [Ibid. 9. 1.] frater, quicquid mihi placeret, id rectum se putare aiebat. Ibid. 9. 6.

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and threatening ruin and proscription to all his enemies. This frequently shocked Cicero, as we find from many of his letters, to consider with what cruelty and effusion of civil blood the success, even of his own friends, would certainly be attended [1].

We have no account of the manner and circumstances of his voyage, or by what course he steered towards Dyrrachium: for, after his leaving Italy, all his correspondence with it was in great measure cut off; so that from June, in which he sailed, we find an intermission of about nine months in the series of his letters, and not more than four of them written to Atticus during the continuance of the war [2]. He arrived, however, safely in Pompey's camp with his son, his brother, and nephew, committing the fortunes of the whole family to the issue of that cause: and that he might make some amends for coming so late, and gain the greater authority with his party, he furnished Pompey, who was in great want of money, with a large sum, out of his own stock, for the public service [3].

But, as he entered into the war with reluctance, so he found nothing in it but what increased his disgust: he disliked every thing which they had done, or designed to do; saw nothing good amongst them but their cause; and that their own counsels would ruin them: for all the chiefs of the party, trusting to the superior fame and authority of Pompey, and dazzled with the splendour of the troops, which the princes of the east had sent to their assistance, assured themselves of victory; and, without reflecting on the different character of the two armies, would hear of nothing but fighting. It was Cicero's business, therefore, to discourage this wild spirit, and to represent the hazard of the war, the force of Cæsar, and the probability of his beating them, if ever they ventured a battle with him: but all his remonstrances were slighted, and he himself reproached as timorous and cowardly by the other leaders: though nothing afterwards happened to them, but what he had often foretold [4]. This soon made him repent of embarking in

[1] Quam crebro illud, Sylla potuit, ego non potero?—
Ita *Syllaturit* animus ejus, et *proscripturit* diu. [Att. 9. 10.] Cnæus noster Syllani regni similitudinem concupivit. εἰδώς σοι λέγω. [Ibid. 7.] ut non nominatim sed generatim proscriptio esset informata. Ibid. 11. 6.

[2] Vid. Ibid. 11. 1, 2, 3, 4.

[3] Etsi egeo rebus omnibus, quod is quoque in angustiis est, quicum sumus, cui magnam dedimus pecuniam mutuam, opinantes nobis, constitutis rebus, eam rem etiam honori fore. [Ibid. 11. 3.] si quas habuimus facultates, eas Pompeio tum, cum id videbamur sapienter facere, detulimus. Ibid. 13.

[4] Quippe mihi nec quæ accidunt, nec quæ aguntur, ullo modo probantur. [Ibid. 11. 4.] nihil boni præter causam. [Ep. Fam. 7. 3.] itaque ego, quem tum fortes illi viri, Domitii et Lentuli, timidum esse dicebant, &c. [Ibid. 6. 21.] quo quidem in bello, nihil adversi accidit non prædicente me. Ibid. 6.

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a cause so imprudently conducted; and it added to his discontent, to find himself even blamed by Cato for coming to them at all, and deserting that neutral post, which might have given him the better opportunity of bringing about an accommodation [1].

In this disagreeable situation he declined all employment, and finding his counsels wholly slighted, resumed his usual way of raillery, and what he could not dissuade by his authority, endeavoured to make ridiculous by his jests. This gave occasion, afterwards, to Antony, in a speech to the senate, to censure the levity of his behaviour in the calamity of a civil war, and to reflect not only upon his fears, but the unseasonableness also of his jokes: to which Cicero answered, that though their camp, indeed, was full of care and anxiety, yet, in circumstances the most turbulent, there were certain moments of relaxation, which all men, who had any humanity in them, were glad to lay hold on: but while Antony reproached him, both with dejection and joking at the same time, it was a sure proof that he had observed a proper temper and moderation in them both [2].

Young Brutus was also in Pompey's camp, where he distinguished himself by a peculiar zeal: which Cicero mentions as the more remarkable, because he had always professed an irreconcileable hatred to Pompey, as to the murderer of his father [3]. But he followed the cause, not the man: sacrificing all his resentments to the service of his country, and looking now upon Pompey as the general of the Republic, and the defender of their common liberty.

During the course of this war, Cicero never speaks of Pompey's conduct, but as a perpetual succession of blunders. His first step of leaving Italy was condemned, indeed, by all, but particularly by Atticus; yet to us, at this distance, it seems

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[1] Cujus me mei facti pœnituit, non tam propter periculum meum, quam propter vitia multa, quæ ibi offendi, quo veneram. Ep. Fam. 7. 3.—Plut. in Cic.

[2] Ipse fugi adhuc omne munus, eo magis, quod ita nihil poterat agi, ut mihi et meis rebus aptum esset. [Att. 11. 4.] Quod autem idem mœstitiam meam reprehendit, idem jocum; magno argumento est, me in utroque fuisse moderatum. Phil. 2. 16.

Some of Cicero's sayings on this occasion, are preserved by different writers. When Pompey put him in mind of his coming so late to them: "How can I come late," said he, "when I find nothing in readiness among you?"—and, upon Pompey's asking him, sarcastically, where his son-in-law Dolabella was; "He is with your father-in-law," replied he. To a person newly arrived from Italy, and informing them of a strong report, at Rome, that Pompey was blocked up by Cæsar; "And you sailed hither, therefore," said he, "that you might see it with your own eyes." And even after their defeat, when Nonnius was exhorting them to courage, because there were seven eagles still left in Pompey's camp: "You encourage well," said he, "if we were to fight with jackdaws." By the frequency of these splenetic jokes, he is said to have provoked Pompey, so far as to tell him, "I wish that you would go over to the other side, that you may begin to fear us." Vid. Macrob. Saturn. 2. 3. Plut. in Cic.

[3] Brutus amicus in causa versatur acriter. Ad Att. 11. 4.
Vid. Plut. in Brut. et Pomp.

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not only to have been prudent, but necessary [1]. What shocked people so much at it, was the discovery that it made of his weakness and want of preparation; and after the security, which he had all along affected, and the defiance so oft declared against his adversary, it made him appear contemptible to run away at last on the first approach of Cæsar: "Did you ever see," says Cœlius, "a more silly creature than this Pompey of your's: who, after raising all this bustle, is found to be such a trifler? or did you ever read or hear of a man more vigorous in action, more temperate in victory, than our Cæsar [2]?"

Pompey had left Italy about a year before Cæsar found it convenient to go after him; during which time he had gathered a vast fleet from all the maritime states and cities dependant on the empire, without making any use of it to distress an enemy who had no fleet at all: he suffered Sicily and Sardinia to fall into Cæsar's hands without a blow; and the important town of Marseilles, after having endured a long siege for its affection to his cause: but his capital error was the giving up Spain, and neglecting to put himself at the head of the best army that he had, in a country devoted to his interests, and commodious for the operations of his naval force: when Cicero first heard of this resolution, he thought it monstrous [3] and, in truth, the committing that war to his lieutenants against the superior genius and ascendant of Cæsar, was the ruin of his best troops and hopes at once.

Some have been apt to wonder, why Cæsar, after forcing Pompey out of Italy, instead of crossing the sea after him, when he was in no condition to resist, should leave him for the space of a year to gather armies and fleets at his leisure, and strengthen himself with all the forces of the east. But Cæsar had good reasons for what he did: he knew, that all the troops, which could be drawn together from those countries, were no match for his; that if he had pursued him directly to Greece, and driven him out of it, as he had done out of Italy, he should have driven him probably into Spain, where, of all places, he desired the least to meet him; and where, in all

[1] Quorum dux quam ἀστρατήγητος, tu quoque animadvertis, cui ne Picena quidem nota sunt: quam autem sine consilio, res testis. Ad Att. 7. 13.
Si iste Italiam relinquet, faciet omnino male, et ut ego existimo ἀλογίστως, &c. Ibid. 9, 10.

[2] Ecquando tu hominem ineptiorem quam tuum Cn. Pompeium vidisti? qui tantas turbas, qui tam nugax esset, commorit? ecquem autem Cæsare nostro acriorem in rebus agendis, eodem in victoria temperatiorem, aut legisti aut audisti? Ep. Fam. 8. 15.

[3] Omnis hæc classis Alexandria, Colchis, Tyro, Sidone, Cypro, Pamphylia, Lycia, Rhodo, &c. ad intercludendos Italiæ commeatus—comparatur. Ad Att. 9. 9.
Nunciant Ægyptum—cogitare; Hispaniam abjecisse. Monstra narrant. Ibid. 9. 11.

A. Urb. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

events, Pompey had a sure resource, as long as it was possessed by a firm and veteran army: which it was Cæsar's business, therefore, to destroy, in the first place, or he could expect no success from the war; and there was no opportunity of destroying it so favourable, as when Pompey himself was at such a distance from it. This was the reason of his marching back with so much expedition, to find, as he said, an army without a general, and return to a general without an army [1]. The event shewed, that he judged right; for within forty days from the first sight of his enemy in Spain, he made himself master of the whole province [2].

A. Urb. 705. Cic. 59. Coss.—C. Julius Cæsar II. P. Servilius Vatia Isauricus.

After the reduction of Spain, he was created dictator by M. Lepidus, then prætor at Rome, and by his dictatorial power declared himself consul, with P. Servilius Isauricus; but he was no sooner invested with this office, than he marched to Brundisium, and embarked on the fourth of January, in order to find out Pompey. The carrying about in his person the supreme dignity of the empire added no small authority to his cause, by making the cities and states abroad the more cautious of acting against him, or giving them a better pretence, at least, for opening their gates to the consul of Rome——[3]. Cicero, all this while despairing of any good from the war, had been using all his endeavours to dispose his friends to peace, till Pompey forbade any farther mention of it in council, declaring that he valued neither life nor country, for which he must be indebted to Cæsar, as the world must take the case to be, should he accept any conditions in his present circumstances [4]. He was sensible that he had hitherto been acting a contemptible part, and done nothing equal to the great name which he had acquired in the world; and was determined, therefore, to retrieve his honour before he laid down his arms, by the destruction of his adversary, or to perish in the attempt.

During the blockade of Dyrrachium, it was a current notion, in Cæsar's army, that Pompey would draw off his troops into

[1] Ire se ad exercitum sine duce, et inde reversurum ad ducem sine exercitu. Sueton. J. Cæs. 34.

[2] Cæs. Comm. 1. 2.

[3] Illi se daturos negare, neque portas Consuli præclusuros. Cæs. Comm. 1. 3. 590.

[4] Desperans victoriam, primum cœpi suadere pacem, cujus fueram semper auctor; deinde cum ab ea sententia Pompeius valde abhorreret. Ep. Fam. 7. 3.

Vibullius—de Cæsaris mandatis agere instituit; eum ingressum in sermonem Pompeius interpellavit, et loqui plura prohibuit. Quid mihi, inquit, aut vita aut civitate opus est, quam beneficio Cæsaris habere videbor? Cæs. Comm. 3. 596.

A. Urb. 705. Cic. 59. Coss.—C. Julius Cæsar II. P. Servilius Vatia Isauricus.

his ships, and remove the war into some distant place. Upon this Dolabella, who was with Cæsar, sent a letter to Cicero, into Pompey's camp, exhorting him, that if Pompey should be driven from these quarters, to seek some other country, he would sit down quietly at Athens, or any city remote from the war: that it was time to think of his own safety, and be a friend to himself, rather than to others: that he had now fully satisfied his duty, his friendship, and his engagements to that party, which he had espoused in the Republic: that there was nothing left, but to be where the Republic itself now was, rather than by following that ancient one to be in none at all—and that Cæsar would readily approve this conduct[1]: but the war took a quite different turn; and, instead of Pompey's running away from Dyrrachium, Cæsar, by an unexpected defeat before it, was forced to retire the first, and leave to Pompey the credit of pursuing him, as in a kind of flight, towards Macedonia.

While the two armies were thus employed, Cœlius, now prætor at Rome, trusting to his power, and the success of his party, began to publish several violent and odious laws, especially one for the cancelling of all debts[2]. This raised a great flame in the city, till he was over-ruled and deposed from his magistracy by the consul Servilius and the senate: but, being made desperate by this affront, he recalled Milo, from his exile at Marseilles, whom Cæsar had refused to restore: and, in concert with him, resolved to raise some public commotion in favour of Pompey. In this disposition he wrote his last letter to Cicero; in which, after an account of his conversation, and the service which he was projecting, "you are asleep," says he, "and do not know how open and weak we are here: what are you doing? are you waiting for a battle, which is sure to be against you? I am not acquainted with your troops; but our's have been long used to fight hard, and to bear cold and hunger with ease[3]." But this disturbance, which began to alarm all Italy, was soon ended, by the death of the authors of it, Milo and Cœlius, who perished in their rash attempt, being destroyed by the soldiers, whom they were endeavouring to debauch. They had both attached themselves very early to the interests and the authority of Cicero, and were qualified by

[1] Illud autem a te peto, ut, si jam ille evitaverit hoc periculum, et se abdiderit in classem, tu tuis rebus consulas: et aliquando tibi potius quam cuivis sis amicus. Satisfactum est jam a te vel officio, vel familiaritati; satisfactum etiam partibus, et ei Reipub. quam tu probabas. Reliquum est, ubi nunc est Respub. ibi simus potius, quam dum veterem illam sequamur, simus in nulla. Ep. Fam. 9. 9.

[2] Cæs. Comm. 3. 600.

[3] Vos dormitis, nec hæc adhuc mihi videmini intelligere, quam nos pateamus, et quam simus imbecilli——quid istic facitis? prælium expectatis, quod firmissimum est? vestras copias non novi. Nostri valde depugnare, et facile algere et esurire consueverint. Ep. Fam. 8. 17.

A. Urb. 705. Cic. 59. Cos.—C. Julius Cæsar II. P. Servilius Vatia Isauricus.

their parts and fortunes, to have made a principal figure in the Republic, if they had continued in those sentiments, and adhered to his advice; but their passions, pleasures, and ambition got the ascendant; and, through a factious and turbulent life, hurried them on to this wretched fate.

All thoughts of peace being now laid aside, Cicero's next advice to Pompey was to draw the war into length, nor ever to give Cæsar the opportunity of a battle. Pompey approved this counsel, and pursued it for some time, till he gained the advantage above mentioned before Dyrrachium; which gave him such a confidence in his own troops, and such a contempt of Cæsar's, that "from this moment," says Cicero, "this great man ceased to be a general; opposed a raw, new-raised army to the most robust and veteran legions; was shamefully beaten; and, with the loss of his camp, forced to fly away alone [1]."

Had Cicero's advice been followed, Cæsar must inevitably have been ruined; for Pompey's fleet would have cut off all supplies from him by sea; and it was not possible for him to subsist long at land, while an enemy, superior in number of troops, was perpetually harassing him, and wasting the country: and the report every where spread, of his flying from Dyrrachium, before a victorious army, which was pursuing him, made his march every way the more difficult, and the people of the country more shy of assisting him; till the despicable figure that he seemed to make, raised such an impatience for fighting, and assurance of victory, in the Pompeian chiefs, as drew them to the fatal resolution of giving him battle at Pharsalia. There was another motive, likewise, suggested to us by Cicero, which seems to have had no small influence in determining Pompey to this unhappy step; his superstitious regard to omens, and the admonitions of diviners; to which his nature was strongly addicted. The Haruspices were all on his side, and flattered him with every thing that was prosperous; and, besides those in his own camp, the whole fraternity of them at Rome were sending him perpetual accounts of the fortunate and auspicious significations which they had observed in the entrails of their victims [2].

But after all, it must needs be owned, that Pompey had a very difficult part to act, and much less liberty of executing what

[1] Cum ab ea sententia Pompeius valde abhorreret, suadere institui, ut bellum duceret: hoc interdum probabat et in ea sententia videbatur fore, et fuisset fortasse, nisi quadam ex pugna cepisset militibus suis confidere. Ex eo tempore vir ille summus nullus Imperator fuit: victus turpissime, amissis etiam castris, solus fugit. Ep. Fam. 7. 3.

[2] Hoc civili bello, Dii immortales!——quæ nobis in Græciam Roma responsa Haruspicum missa sunt? quæ dicta Pompeio?——etenim ille admodum extis et ostentis movebatur. De Divin. 2. 24.

A. Urb. 705. Cic. 59. Coss.—C. Julius Cæsar II. P. Servilius Vatia Isauricus.

he himself approved, than in all the other wars in which he had been engaged. In his wars against foreign enemies, his power was absolute, and all his motions depended on his own will; but in this, besides several kings and princes of the east, who attended him in person, he had with him, in his camp, almost all the chief magistrates and senators of Rome; men of equal dignity with himself, who had commanded armies, and obtained triumphs, and expected a share in all his counsels, and that in their common danger, no step should be taken, but by their common advice: and, as they were under no engagement to his cause, but what was voluntary, so they were necessarily to be humoured, lest through disgust, they should desert it. Now these were all uneasy in their present situation, and longed to be at home, in the enjoyment of their estates and honours; and, having a confidence of victory, from the number of their troops, and the reputation of their leader, were perpetually teasing Pompey to the resolution of a battle; charging him with a design to protract the war for the sake of perpetuating his authority, and calling him another Agamemnon, who was proud of holding so many kings and generals under his command[1]; till, being unable to withstand their reproaches any longer, he was driven, by a kind of shame, and against his judgment, to the experiment of a decisive action.

Cæsar was sensible of Pompey's difficulty, and persuaded that he could not support the indignity of shewing himself afraid of fighting; and from that assurance, exposed himself often more rashly than prudence would otherwise justify: for his besieging Pompey at Dyrrachium, who was master of the sea, which supplied every thing to him that was wanted, while his own army was starving at land; and the attempt to block up entrenchments so widely extended, with much smaller numbers than were employed to defend them, must needs be thought rash and extravagant, were it not for the expectation of drawing Pompey by it to a general engagement: for when he could not gain that end, his perseverance in the siege had like to have ruined him, and would inevitably have done so, if he had not quitted it, as he himself afterwards owned[2].

[1] Καὶ ἐπὶ τῷδε αὐτὸν βασιλέα καὶ Ἀγαμέμνονα καλούντων, ὅτι κἀκεῖνος βασιλέων διὰ τὸν πόλεμον ἦρχεν· ἐξέστη τῶν οἰκείων λογισμῶν καὶ ἐνέδωκεν αὐτοῖς. App. p. 470.

Milites otium, socii moram, principes ambitum ducis increpabant. Flor. l. 4. 2. Dio, p. 185. Plut. in Pomp.

[2] Cæsar pro natura ferox, et conficiendæ rei cupidus, ostentare aciem, provocare, lacessere; nunc obsidione castrorum, quæ sedecim millium vallo obduxerat; (sed quid his obesset obsidio, qui patente mari omnibus copiis abundarent?) nunc expugnatione Dyrrachii irrita, &c. Flor. l. 4. c. 2.

Ὁμολόγει τε μεταγινώσκειν πρὸς Δυῤῥαχίῳ στρατοπεδεύσας, &c. App. p. 468.

A. Urb. 705. Cic. 59. Coss.—C. Julius Cæsar II. P. Servilius Vatia Isauricus.

It must be observed, likewise, that, while Pompey had any walls or entrenchments between him and Cæsar, not all Cæsar's vigour, nor the courage of his veterans, could gain the least advantage against him; but, on the contrary, that Cæsar was baffled and disappointed in every attempt. Thus, at Brundisium, he could make no impression upon the town, till Pompey at full leisure, had secured his retreat, and embarked his troops: and at Dyrrachium, the only considerable action which happened between them, was not only disadvantageous, but almost fatal to him. Thus far, Pompey certainly shewed himself the greater captain, in not suffering a force, which he could not resist in the field, to do him any hurt, or carry any point against him, since that depended on the skill of the general. By the help of entrenchments, he knew how to make his new raised soldiers a match for Cæsar's veterans: but when he was drawn to encounter him on the open plain, he fought against insuperable odds, by deserting "his proper arms," as Cicero says, "of caution, counsel, and authority, in which he was superior, and committing his fate to swords and spears, and bodily strength, in which his enemies far excelled him[1]."

Cicero was not present at the battle of Pharsalia, but was left behind at Dyrrachium, much out of humour, as well as out of order. His discontent to see all things going wrong on that side, and contrary to his advice, had brought upon him an ill habit of body, and weak state of health, which made him decline all public command; but he promised Pompey to follow, and continue with him, as soon as his health permitted[2]; and as a pledge of his sincerity, sent his son, in the meanwhile, along with him, who, though very young, behaved himself gallantly, and acquired great applause by his dexterity of riding and throwing the javelin, and performing every other part of military discipline, at the head of one of the wings of horse, of which Pompey had given him the command[3]. Cato staid behind, also, in the camp at Dyrrachium, which he commanded with fifteen cohorts, when Labienus brought them the news of Pompey's defeat; upon which Cato offered the command to Cicero, as the superior in dignity; and, upon his refusal of it, as Plutarch tells us, young Pompey was so enraged, that he drew

[1] Non iis rebus pugnabamus, quibus valere poteramus, consilio, auctoritate, causa, quæ erant in nobis superiora; sed lacertis et viribus, quibus pares non fuimus. Ep. Fam. 4. 7.

Dolebamque pilis et gladiis, non consiliis neque auctoritatibus nostris de jure publico disceptari. Ibid. 6. 1.

[2] Ipse fugi adhuc omne munus, eo magis, quod nihil ita poterat agi, ut mihi et meis rebus aptum esset—me conficit sollicitudo, ex qua etiam summa infirmitas corporis; qua levata, ero cum eo, qui negotium gerit, estque in magna spe. Ad Att. 11. 4.

[3] Quo tamen in bello cum te Pompeius alæ alteri præfecisset, magnam laudem et summo viro et ab exercitu consequebare, equitando, jaculando, omni militari labore tolerando: atque ea quidem tua laus pariter cum Repub. cecidit. De Offic. 2. 13.

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his sword, and would have killed him upon the spot, if Cato had not prevented it. This fact is not mentioned by Cicero, yet seems to be referred to in his speech for Marcellus, where he says, that in the very war he had been a perpetual assertor of peace, to the hazard even of his life [1]. But the wretched news from Pharsalia threw them all into such a consternation, that they presently took shipping, and dispersed themselves severally, as their hopes or inclinations led them, into the different provinces of the empire [2]. The greatest part, who were determined to renew the war, went directly into Afric, the general rendezvous of their scattered forces: whilst others, who were disposed to expect the farther issue of things, and take such measures as fortune offered, retired to Achaia: but Cicero was resolved to make this the end of the war to himself, and recommended the same conduct to his friends, declaring, that as they had been no match for Cæsar when entire, they could not hope to beat him, when shattered and broken [3]: and so, after a miserable campaign, of about eighteen months, he committed himself, without hesitation, to the mercy of the conqueror, and landed again at Brundisium about the end of October.

A. Urb. 706. Cic. 60. Coss.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Equit.

SECTION VIII.

Cicero no sooner returned to Italy, than he began to reflect, that he had been too hasty in coming home, before the war was determined, and without any invitation from the conqueror; and in a time of the general licence, had reason to apprehend some insult from the soldiers, if he ventured to appear in public with his fasces and laurel; and yet to drop them, would be a diminution of that honour, which he had received from the Roman people, and the acknowledgment of a power superior to the laws: he condemned himself, therefore, for not continuing abroad, in some convenient place of retirement, till he had been sent for, or things were better settled [4].

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[1] Multa de pace dixi, et in ipso bello, eadem etiam cum capitis mei periculo sensi. Pro Marcell. 5.

[2] Paucis sane post diebus ex Pharsalica fuga venisse Labienum: qui cum interitum exercitus nunciavisset—naves subito perterriti conscendistis. De Divin. I. 32.

[3] Hunc ego belli mihi finem feci: nec putavi, cum integri pares non fuissemus, fractos superiores fore. Ep. Fam. 7. 3.

[4] Ego vero et incaute, ut scribis, celerius quam oportuit, feci, &c. Ad Att. 11. 9. Quare voluntatis me meæ nunquam pœnitebit, consilii pœnitet. In oppido aliquo mallem residisse, quoad arcesserer. Minus sermonis subiissem: minus accepissem doloris: ipsum hoc non me angeret. Brundisii jacere in omnes partes est molestum. Propius accedere, ut suades, quomodo sine lictoribus, quos populus dedit, possum? qui mihi incolumi adimi non possunt. Ibid. 6.

A. Urb. 706. Cic. 60. Coss.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Equit.

What gave him the greater reason to repent of this step, was a message which he received from Antony, who governed all in Cæsar's absence, and with the same churlish spirit with which he would have held him before in Italy against his will, seemed now disposed to drive him out of it: for he sent him the copy of a letter from Cæsar, in which Cæsar signified, that he had heard that Cato and Metellus were at Rome, and appeared openly there, which might occasion some disturbance: wherefore he strictly enjoined, that none should be suffered to come to Italy without a special licence from himself. Antony, therefore, desired Cicero to excuse him, since he could not help obeying Cæsar's commands; but Cicero sent L. Lamia to assure him that Cæsar had ordered Dolabella to write to him to come to Italy as soon as he pleased; and that he came upon the authority of Dolabella's letter: so that Antony, in the edict, which he published to exclude the Pompeians from Italy, excepted Cicero by name; which added still to his mortification, since all his desire was to be connived at only, or tacitly permitted, without being personally distinguished from the rest of his party [1].

But he had several other grievances of a domestic kind, which concurred also to make him unhappy: his brother Quintus, with his son, after their escape from Pharsalia, followed Cæsar into Asia, to obtain their pardon from him in person. Quintus had particular reason to be afraid of his resentment, on account of the relation which he had borne to him, as one of his lieutenants in Gaul, where he had been treated by him with great generosity; so that Cicero himself would have dissuaded him from going over to Pompey, but could not prevail: yet in this common calamity, Quintus, in order to make his own peace the more easily, resolved to throw all the blame upon his brother, and, for that purpose, made it the subject of all his letters and speeches to Cæsar's friends, to rail at him in a manner the most inhuman.

Cicero was informed of this from all quarters, and that young Quintus, who was sent before towards Cæsar, had read an oration to his friends, which he had prepared to speak to him against his uncle. Nothing, as Cicero says, ever happened more shocking to him; and, though he had no small diffidence of Cæsar's inclination, and many enemies labouring to do him ill offices, yet his greatest concern was, lest his

[1] Sed quid ego de lictoribus, qui pæne ex Italia decedere sim jussus? nam ad me misit Antonius exemplum Cæsaris ad se literarum; in quibus erat, se audisse, Catonem et L. Metellum in Italiam venisse, Romæ ut essent palam, &c. Tum ille edixit ita, ut me exciperet et Lælium nominatim. Quod sane nollem. Poterat enim sine nomine, re ipsa excipi. O multas graves offensiones! Ad Att. 11. 7.

A. Urb. 706. Cic. 60. Coss.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Equit.

brother and nephew should hurt themselves rather than him, by their perfidy [1]: for, under all the sense of this provocation, his behaviour was just the reverse of their's; and having been informed that Cæsar, in a certain conversation, had charged his brother with being the author of their going away to Pompey, he took occasion to write to him in the following terms:

"As for my brother, I am not less solicitous for his safety, than my own; but, in my present situation, dare not venture to recommend him to you: all that I can pretend to, is, to beg that you will not believe him to have ever done any thing towards obstructing my good offices, and affection to you: but rather, that he was always the adviser of our union, and the companion, not the leader, of my voyage: wherefore, in all other respects, I leave it to you to treat him, as your own humanity, and his friendship with you, require; but I intreat you, in the most pressing manner, that I may not be the cause of hurting him with you, on any account whatsoever [2]."

He found himself, likewise, at this time, in some distress for want of money, which, in that season of public distraction, it was very difficult to procure, either by borrowing or selling; the sum which he advanced to Pompey had drained him; and his wife, by her indulgence to stewards, and favourite servants, had made great waste of what was left at home; and, instead of saving any thing from their rents, had plunged him deeply into debt; so that Atticus's purse was the chief fund which he had to trust to for his present support [3].

The conduct of Dolabella was a further mortification to him; who, by the fiction of an adoption into a plebeian family, had obtained the tribunate this year, and was raising great tumults and disorders in Rome, by a law, which he published, to expunge all debts. Laws of that kind had often been attempted by desperate or ambitious magistrates; but were always detested by the better sort, and particularly by Cicero, who treats them as pernicious to the peace and prosperity of states, and sapping the very foundations of civil society, by destroying all

[1] Quintus misit filium non solum sui deprecatorem, sed etiam accusatorem mei—neque vero desistit, ubicunque est, omnia in me maledicta conferre. Nihil mihi unquam tam incredibile accidit, nihil in his malis tam acerbum. Ibid. 11. 8.

Epistolas mihi legerunt plenas omnium in me probrorum—ipsi enim illi putavi perniciosum fore, si ejus hoc tantum scelus percrebuisset. Ibid. 9.

Quintum filium—volumen sibi ostendisse orationis, quam apud Cæsarem contra me esset habiturus—multa postea Patris consimili scelere Patrem esse locutum. Ibid. 10.

[2] Cum mihi litteræ a Balbo minore missæ essent, Cæsarem existimare, Quintum fratrem lituum meæ profectionis fuisse, sic enim scripsit. Ibid. 12.

[3] Velim consideres ut sit, unde nobis suppeditentur sumtus necessarii. Si quas habuimus facultates, eas Pompeio, tum, cum id videbamur sapienter facere, detulimus. Ibid. 13.

A. Urb. 706. Cic. 60. Coss.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Equit.

faith and credit among men [1]. No wonder, therefore, that we find him taking this affair so much to heart, and complaining so heavily in many of his letters to Atticus, of the famed acts of his son-in-law, as an additional source of affliction and disgrace to him [2]. Dolabella was greatly embarrassed in his fortunes, and, while he was with Cæsar abroad, seems to have left his wife destitute of necessaries at home, and forced to recur to her father for subsistence. Cicero, likewise, either through the difficulty of the times, or for want of a sufficient settlement on Dolabella's part, had not yet paid all her fortune; which it was usual to do at three different payments, within a time limited by law: he had discharged the two first, and was now preparing to make the third payment, which he frequently and pressingly recommends to the care of Atticus [3]. But Dolabella's whole life and character were so entirely contrary to the manners and temper both of Cicero and Tullia, that a divorce ensued between them not long after, though the account of it is delivered so darkly, that it is hard to say at what time or from what side it first arose.

In these circumstances, Tullia paid her father a visit at Brundisium, on the thirteenth of June: but his great love for her made their meeting only the more afflicting to him in that abject state of their fortunes: "I was so far," says he, "from taking that pleasure which I ought to have done from the virtue, humanity, and piety of an excellent daughter, that I was exceedingly grieved to see so deserving a creature in such an unhappy condition, not by her own, but wholly by my fault: I saw no reason, therefore, for keeping her longer here, in this our common affliction; but was willing to send her back to her mother, as soon as she would consent to it [4]."

At Brundisium he received the news of Pompey's death, which did not surprise him, as we find from the short reflection that he makes upon it.—"As to Pompey's end," says he, "I never had any doubt about it: for the lost and desperate state of his affairs had so possessed the minds of all the kings and states abroad, that whithersoever he went, I took it for granted

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[1] Nec enim ulla res vehementius Rempub. continet, quam fides; quæ esse nulla potest, nisi erit necessaria solutio rerum creditarum, &c. de Offic. 2. 24.

[2] Quod me audis fractiorem esse animo; quid putas, cum videas accessisse ad superiores ægritudines præclaras generi actiones? Ad Att. 11. 12.

Etsi omnium conspectum horreo, præsertim hoc genero. Ibid. 14, 15, &c.

[3] De dote, quod scribis, per omnes Deos te obtestor, ut totam rem suscipias, et illam miseram mea culpa——tueare meis opibus, si quæ sunt; tuis, quibus tibi non molestum erit facultatibus. Ibid. 2.

De pensione altera, oro te, omni cura considera quid faciendum sit. Ibid. 4.

[4] Tullia mea ad me venit prid. Id. Jun. Ego autem ex ipsius virtute, humanitate, pietate non modo eam voluptatem non cepi, quam capere ex singulari filia debui, sed etiam incredibili sum dolore affectus, tale ingenium in tam misera fortuna versari. Ibid. 17. Ep. Fam. 14. 11.

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that this would be his fate: I cannot, however, help grieving at it; for I knew him to be an honest, grave, and worthy man[1]."

This was the short and true character of the man, from one who perfectly knew him; not heightened, as we sometimes find it, by the shining colours of his eloquence; nor depressed by the darker strokes of his resentment. Pompey had early acquired the surname of the GREAT, by that sort of merit, which, from the constitution of the Republic, necessarily made him great; a fame and success in war, superior to what Rome had ever known in the most celebrated of her generals. He had triumphed at three several times over the three different parts of the known world, Europe, Asia, Africa; and, by his victories, had almost doubled the extent, as well as the revenues, of the Roman dominion; for, as he declared to the people on his return from the Mithridatic war, he had found the lesser Asia the boundary, but left it the middle of their empire. He was about six years older than Cæsar; and while Cæsar, immersed in pleasures, oppressed with debts, and suspected by all honest men, was hardly able to shew his head, Pompey was flourishing in the height of power and glory, and, by the consent of all parties, placed at the head of the Republic. This was the post that his ambition seemed to aim at, to be the first man in Rome; the leader, not the tyrant, of his country; for he more than once had it in his power to have made himself the master of it, without any risk, if his virtue, or his phlegm at least, had not restrained him: but he lived in a perpetual expectation of receiving, from the gift of the people, what he did not care to seize by force; and, by fomenting the disorders of the city, hoped to drive them to the necessity of creating him dictator. It is an observation of all the historians, that while Cæsar made no difference of power, whether it was conferred or usurped; whether over those who loved, or those who feared him; Pompey seemed to value none but what was offered; nor to have any desire to govern, but with the good will of the governed. What leisure he found from his wars, he employed in the study of polite letters, and especially of eloquence, in which he would have acquired great fame, if his genius had not drawn him to the more dazzling glory of arms: yet he pleaded several causes with applause, in the defence of his friends and clients; and some of them in conjunction with Cicero. His language was copious and elevated; his senti-

[1] De Pompeii exitu mihi dubium nunquam fuit: tanta enim desperatio rerum ejus omnium Regum et populorum animos occuparat, ut quocunque venisset, hoc putarem futurum. Non possum ejus casum non dolere: hominem enim integrum et castum et gravem cognovi. Ad Att. 11. 6.

ments just; his voice sweet; his action noble and full of dignity. But his talents were better formed for arms than the gown: for though in both he observed the same discipline, a perpetual modesty, temperance, and gravity of outward behaviour; yet in the licence of camps, the example was more rare and striking. His person was extremely graceful, and imprinting respect; yet, with an air of reserve and haughtiness, which became the general better than the citizen. His parts were plausible, rather than great; specious rather than penetrating; and his view of politics but narrow: for his chief instrument of governing was dissimulation; yet he had not always the art to conceal his real sentiments. As he was a better soldier than a statesman, so what he gained in the camp, he usually lost in the city; and though adored when abroad, was often affronted and mortified at home; till the imprudent opposition of the senate drove him to that alliance with Crassus and Cæsar, which proved fatal both to himself and the Republic. He took in these two, not as the partners, but the ministers rather of his power; that, by giving them some share with him, he might make his own authority uncontrollable: he had no reason to apprehend that they could ever prove his rivals; since neither of them had any credit or character of that kind, which alone could raise them above the laws; a superior fame and experience in war, with the militia of the empire at their devotion. All this was purely his own, till by cherishing Cæsar, and throwing into his hands the only thing which he wanted, arms and military command, he made him at last too strong for himself, and never began to fear him till it was too late. Cicero warmly dissuaded both his union and his breach with Cæsar; and, after the rupture, as warmly still, the thought of giving him battle: if any of these counsels had been followed, Pompey had preserved his life and honour, and the Republic its liberty. But he was urged to his fate by a natural superstition, and attention to those vain auguries, with which he was flattered by all the Haruspices. He had seen the same temper in Marius and Sylla, and observed the happy effects of it: but they assumed it only out of policy, he out of principle. They used it to animate their soldiers, when they had found a probable opportunity of fighting; but he, against all prudence and probability, was encouraged by it to fight to his own ruin. He saw all his mistakes at last, when it was out of his power to correct them; and, in his wretched flight from Pharsalia, was forced to confess, that he had trusted too much to his hopes, and that Cicero had judged better, and seen farther into things than he. The resolution of seeking refuge in Egypt, finished the sad catastrophe of this great

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man: the father of the reigning prince had been highly obliged to him for his protection at Rome, and restoration to his kingdom; and the son had sent a considerable fleet to his assistance, in the present war: but, in this ruin of his fortunes, what gratitude was there to be expected from a court governed by eunuchs and mercenary Greeks? all whose politics turned, not on the honour of the king, but the establishment of their own power; which was likely to be eclipsed by the admission of Pompey. How happy had it been for him to have died in that sickness, when all Italy was putting up vows and prayers for his safety; or if he had fallen by the chance of war, on the plains of Pharsalia, in the defence of his country's liberty, he had died still glorious, though unfortunate: but, as if he had been reserved for an example of the instability of human greatness, he, who a few days before commanded kings and consuls, and all the noblest of Rome, was sentenced to die by a council of slaves; murdered by a base deserter; cast out naked and headless on the Egyptian strand; and, "when the whole earth," as Velleius says, "had scarce been sufficient for his victories, could not find a spot upon it at last for a grave." His body was burnt on the shore by one of his freedmen, with the planks of an old fishing boat: and his ashes being conveyed to Rome, were deposited, privately, by his wife Cornelia, in a vault of his Alban villa. The Egyptians, however, raised a monument to him on the place, and adorned it with figures of brass, which being defaced afterwards by time, and buried almost in sand and rubbish, was sought out and restored by the Emperor Hadrian [1].

[1] Hujus viri fastigium tantis auctibus fortuna extulit, ut primum ex Africa, iterum ex Europa, tertio ex Asia triumpharet; et quot partes terrarum Orbis sunt, totidem faceret monumenta victoriæ [Vell. Pat. 2. 40.] Ut ipse in concione dixit. Asiam ultimam provinciarum accepisse, mediam patriæ reddidisse. [Plin. Hist. 7. 26. Flor. 3. 5.] Potentiæ quæ honoris causa ad eum deferretur, non ut ab eo occuparetur, cupidissimus. [Vell. Pat. 2. 29. Dio, p. 178.] Meus autem æqualis Cn. Pompeius, vir ad omnia summa natus, majorem dicendi gloriam habuisset, nisi eum majoris gloriæ cupiditas ad bellicas laudes abstraxisset. Erat oratione satis amplus: rem prudenter videbat: actio vero ejus habebat et in voce magnum splendorem, et in motu summam dignitatem. [Brut. 354, vid. it. pro Balb. 1, 2.] Forma excellens, non ea, qua flos commendatur ætatis, sed ex dignitate constanti. [Vell. Pat. 2. 29.] Illud os probum, ipsumque honorem eximiæ frontis. [Plin. Hist. 7. 12.] Solet enim aliud sentire et loqui, neque tantum valere ingenio, ut non appareat quid cupiat. [Ep. Fam. 8. 1.] Ille aluit, auxit, armavit—ille Galliæ ulterioris adjunctor—ille provinciæ propagator; ille absentis in omnibus adjutor. [Ad Att. 8. 3.] Aluerat Cæsarem, eundem repente timere cœperat. [Ibid. 8.] Ego nihil prætermisi, quantum facere, nitique potui, quin Pompeium a Cæsaris conjunctione avocarem—idem ego, cum jam omnes opes et suas et populi Romani Pompeius ad Cæsarem detulisset, seroque ea sentire cœpisset, quæ ego ante multo provideram—pacis, concordiæ, compositionis auctor esse non destiti; meaque illa vox est nota multis, Utinam, Pompei, cum Cæsare societatem aut nunquam coisses, aut nunquam diremisses!—hæc mea, Antoni, et de Pompeio et de Repub. consilia fuerunt: quæ si valuissent, Respub. staret. [Phil. 2. 10.] Multi testes, me et initio ne conjungeret se cum Cæsare, monuisse Pompeium, et postea, ne sejungeret, &c. [Ep. Fam. 6. 6.] Quid vero singularis ille vir ac pæne divinus de me senserit, sciunt, qui eum de Pharsalica fuga Paphum pro-

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On the news of Pompey's death, Cæsar was declared dictator the second time in his absence, and M. Antony his master of the horse, who, by virtue of that post, governed all things absolutely in Italy. Cicero continued all the while at Brundisium, in a situation wholly disagreeable, and worse to him, he says, than any punishment: for the air of the place began to affect his health, and, to the uneasiness of mind, added an ill state of body[1]; yet, to move nearer towards Rome, without leave from his new masters, was not thought advisable; nor did Antony encourage it; being pleased rather, we may believe, to see him well mortified: so that he had no hopes of any ease or comfort, but in the expectation of Cæsar's return, which made his stay in that place the more necessary, for the opportunity of paying his early compliments to him at landing.

But what gave him the greatest uneasiness was, to be held still in suspense, in what touched him the most nearly, the case of his own safety, and of Cæsar's disposition towards him: for, though all Cæsar's friends assured him not only of pardon, but of all kind of favour, yet he had received no intimation of kindness from Cæsar himself, who was so embarrassed in Egypt, that he had no leisure to think of Italy, and did not so much as write a letter thither from December to June; for as he had rashly, and out of gaiety, as it were, involved himself there in a most desperate war, to the hazard of all his fortunes, he was ashamed, as Cicero says[2], to write any thing about it, till he had extricated himself out of that difficulty.

His enemies, in the mean time, had greatly strengthened themselves in Afric, where P. Varus, who first seized it on the part of the Republic, was supported by all the force of King Juba, Pompey's fast friend, and had reduced the whole pro-

secuti sunt: nunquam ab eo mentio de me nisi honorifica—cum me vidisse plus fateretur, se speravisse meliora. [Ep. Fam. 6. 15.] Qui si mortem tum obisset, in amplissimis fortunis occidisset; is propagatione vitæ quot, quantas, quam incredibiles hausit calamitates? [Tusc. Disp. 1. 35.] In Pelusiaco littore, imperio vilissimi Regis, consiliis spadonum, et ne quid malis desit, Septimii desertoris sui gladio trucidatus. [Flor. 4. 2. 52.] Ægyptum petere proposuit, memor beneficiorum quæ in Patrem ejus Ptolemæi—qui tum regnabat, contulerat—Princeps Romani nominis, imperio, arbitrioque Ægyptii mancipii jugulatus est—in tantum in illo viro a se discordante fortuna, ut cui modo ad victoriam terra defuerat, deesset ad sepulturam. Vell. Pat. 2. 54. vid. Dio, p. 186. it. Appian. 2. 481.

Provida Pompeio dederat Campania febres
Optandas. Sed multæ urbes, et publica vota
Vicerunt. Igitur fortuna ipsius et Urbis
Servatum victo caput abstulit. Juv. x. 283.

[1] Quodvis enim supplicium levius est hac permansione. Ad Att. xi. 18.
Jam enim corpore vix sustineo gravitatem hujus cœli, qui mihi laborem affert, in dolore. Ibid. 22.

[2] Ille enim ita videtur Alexandriam tenere, ut eum scribere etiam pudeat de illis rebus. Ibid. 15.
Nec post Idus Decemb. ab illo datas ullas litteras. Ibid. 17.

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vince to his obedience: for Curio after he had driven Cato out of Sicily, being ambitious to drive Varus also out of Afric, and having transported thither the best part of four legions, which Cæsar had committed to him, was, after some little success upon his landing, entirely defeated and destroyed, with his whole army, in an engagement with Sabura, King Juba's general.

Curio was a young nobleman of shining parts, admirably formed by nature to adorn that character, in which his father and grandfather had flourished before him, of one of the principal orators of Rome. Upon his entrance into the Forum, he was committed to the care of Cicero; but a natural propension to pleasure, stimulated by the example and counsels of his perpetual companion Antony, hurried him into all the extravagance of expense and debauchery: for Antony, who always wanted money, with which Curio abounded, was ever obsequious to his will, and ministering to his lusts, for the opportunity of gratifying his own; so that no boy, purchased for the use of lewdness, was more in a master's power, than Antony in Curio's. He was equally prodigal of his money, and his modesty; and not only of his own, but of other people's: so that Cicero, alluding to the infamous effeminacy of his life, calls him, in one of his letters, Miss Curio. But when the father, by Cicero's advice, had obliged him, by his paternal authority, to quit the familiarity of Antony, he reformed his conduct, and, adhering to the instructions and maxims of Cicero, became the favourite of the city, the leader of the young nobility, and a warm assertor of the authority of the senate, against the power of the triumvirate. After his father's death, upon his first taste of public honours, and admission into the senate, his ambition and thirst of popularity engaged him in so immense a prodigality, that to supply the magnificence of his shows and plays, with which he entertained the city, he was soon driven to the necessity of selling himself to Cæsar, having no revenue left, as Pliny says, but from the discord of his citizens. For this, he is considered commonly, by the old writers, as the chief instrument, and the trumpet, as it were, of the civil war, in which he justly fell the first victim; yet, after all his luxury and debauch, fought and died with a courage truly Roman, which would have merited a better fate, if it had been employed in a better cause; for, upon the loss of the battle, and his best troops, being admonished by his friends to save himself by flight, he answered, "That, after losing an army, which had been committed to him by Cæsar, he could never shew his face to him

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again;" and so continued fighting till he was killed among the last of his soldiers [1].

Curio's death happened before the battle of Pharsalia, while Cæsar was engaged in Spain [2], by which means Africa fell entirely into the hands of the Pompeians, and became the general rendezvous of all that party: hither Scipio, Cato, and Labienus conveyed the remains of their scattered troops from Greece, as Afranius and Petreius likewise did from Spain; till, on the whole, they had brought together again a more numerous army than Cæsar's, and were in such high spirits, as to talk of coming over with it into Italy, before Cæsar could return from Alexandria [3]. This was confidently given out, and expected at Rome; and, in that case, Cicero was sure to be treated as a deserter; for, while Cæsar looked upon all men as friends, who did not act against him, and pardoned even enemies, who submitted to his power; it was a declared law, on the other side, to consider all as enemies who were not actually in their camp [4]: so that Cicero had nothing now to wish, either for himself, or the Republic, but, in the first place, a peace, of which he had still some hopes [5]; or else, that Cæsar might conquer; whose victory was like to prove the more temperate of the two: which makes him often lament the unhappy situation to which he was reduced, where nothing could be of any service to him, but what he had always abhorred [6].

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[1] *Haud alium tanta civem tulit indole Roma.* Lucan. 4. 814.

Una familia Curionum, in qua tres continua serie oratores extiterunt. Plin. Hist. 7. 41.

Naturam habuit admirabilem ad dicendum. Brut. 406.

Nemo unquam puer, emptus libidinis causa, tam fuit in domini potestate, quam tu in Curionis. [Philip. 2. 18.] duce filiola Curionis. [Ad Att. 1. 14.]

Vir nobilis, eloquens, audax, suæ alienæque et fortunæ et pudicitiæ prodigus—cujus animo, voluptatibus vel libidinibus, neque opes ullæ neque cupiditates sufficere possent. [Vell. Pat. 248.]

Nisi meis puer olim fidelissimis atque amantissimis consiliis paruisses. [Ep. Fam. 2. 1.]

Bello autem civili—non alius majorem quam C. Curio subjecit facem. [Vell. Pat. 2. 48.]

Quid nunc rostra tibi prosunt turbata, forumque
Unde tribunitia plebeius signifer arce
Arma dabas populis, &c. Lucan. 4. 300.

At Curio, nunquam amisso exercitu, quem a Cæsare fidei suæ commissum acceperat, se in ejus conspectum reversurum, confirmat; atque ita prælians interficitur. Cæs. Comm. de Bell. Civ. 2.

[2] *——Ante jaces, quam dira duces Pharsalia confert,*
Spectandumque tibi bellum civile negatum est. Lucan. ibid.

[3] Ii autem ex Africa jam affuturi videntur. Ad Att. 11. 15.

[4] Te enim dicere audiebamus, nos omnes adversarios putare, nisi qui nobiscum essent: te omnes, qui contra te non essent, tuos. Pro Ligar. xi. it. ad Att. 11. 6.

[5] Est autem, unum, quod mihi sit optandum, si quid agi de pace possit: quod nulla equidem habeo in spe: sed quia tu leviter interdum significas, cogis me sperare quod optandum vix est. Ad Att. 11. 19. it. 12.

[6] Mihi cum omnia sunt intolerabilia ad dolorem, tum maxime, quod in eam

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Under this anxiety of mind, it was an additional exaction to him to hear that his reputation was attacked at Rome, for submitting so hastily to the conqueror, or putting himself rather at all into his power. Some condemned him for not following Pompey; some more severely for not going to Afric, as the greatest part had done; others, for not retiring with many of his party to Achaia; till they could see the farther progress of the war. As he was always extremely sensible of what was said of him by honest men, so he begs of Atticus to be his advocate; and gives him some hints, which might be urged in his defence. As to the first charge, for not following Pompey, he says, that Pompey's fate would extenuate the omission of that step; of the second, that though he knew many brave men to be in Afric, yet it was his opinion, that the Republic neither could, nor ought to be defended by the help of so barbarous and treacherous a nation: as to the third, he wishes indeed that he had joined himself to those in Achaia, and owns them to be in a better condition than himself, because there were many of them together; and whenever they returned to Italy, would be restored to their own at once; whereas he was confined like a prisoner of war to Brundisium, without the liberty of stirring from it till Cæsar arrived [1].

While he continued in this uneasy state, some of his friends, at Rome, contrived to send him a letter in Cæsar's name, dated the ninth of February, from Alexandria, encouraging him to lay aside all gloomy apprehensions, and expect every thing that was kind and friendly from him: but it was drawn in terms so light and general, that instead of giving him any satisfaction, it made him only suspect, what he perceived afterwards to be true, that it was forged by Balbus or Oppius, on purpose to raise his spirits, and administer some little comfort to him [2]. All his accounts, however, confirmed to him the report of Cæsar's clemency and moderation, and his granting pardon, without exception, to all who asked it; and with regard to himself, Cæsar sent Quintus's virulent letters to Balbus,

causam venisse me videō, ut ea sola utilia mihi esse videantur, quæ semper nolui. Ibid. 1. 13.

[1] Dicebar debuisse cum Pompeio proficisci. Exitus illius minuit ejus officii prætermissi reprehensionem. Sed ex omnibus nihil magis desideratur, quam quod in Africam non ierim. Judicio hoc sum usus, non esse barbaris auxiliis fallacissimæ gentis Rempub. defendendam—extremum est eorum, qui in Achaia sunt. Ii tamen ipsi se hoc melius habent, quam nos, quod et multi sunt uno in loco, et cum in Italiam venerint, domum statim venerint. Hæc tu perge, ut facis, mitigare et probare quam plurimis. Ibid. 11. 7.

[2] Ut me ista epistola nihil consoletur: nam et exigue scripta est et magnas suspiciones habet, non esse ab illo. Ibid. 16.

Ex quo intelligis, illud de litteris a. d. v. Id. Feb. datis (quod inane esset, etiam si verum esset) non verum esse. Ibid. 17.

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with orders to shew them to him, as a proof of his kindness and dislike of Quintus's perfidy. But Cicero's present despondency, which interpreted every thing by his fears, made him suspect Cæsar the more, for refusing grace to none; as if such a clemency must needs be affected, and his revenge deferred only to a season more convenient: and as to his brother's letters, he fancied that Cæsar did not send them to Italy because he condemned them, but to make his present misery and abject condition the more notorious and despicable to every body [1].

But, after a long series of perpetual mortifications, he was refreshed at last by a very obliging letter from Cæsar, who confirmed to him the full enjoyment of his former state and dignity, and bade him resume his fasces and style of emperor as before [2]. Cæsar's mind was too great to listen to the tales of the brother and nephew; and, instead of approving their treachery, seems to have granted them their pardon on Cicero's account, rather than their own; so that Quintus, upon the trial of Cæsar's inclination, began presently to change his note, and to congratulate with his brother on Cæsar's affection and esteem for him [3].

Cicero was now preparing to send his son to wait upon Cæsar, who was supposed to be upon his journey towards home; but the uncertain accounts of his coming diverted him a while from that thought [4]; till Cæsar himself prevented it, and relieved him, very agreeably, from his tedious residence at Brundisium, by his sudden and unexpected arrival in Italy; where he landed, at Tarentum, in the month of September; and, on the first notice of his coming forward towards Rome, Cicero set out on foot to meet him.

We may easily imagine, what we find, indeed, from his letters, that he was not a little discomposed at the thoughts of this interview, and the indignity of offering himself to a conqueror, against whom he had been in arms, in the midst of a licentious and insolent rabble: for though he had reason to expect a kind reception from Cæsar, yet he hardly thought

[1] Omnino dicitur nemini negare: quod ipsum est suspectum, notionem ejus differri. Ad Att. 11. 20.

Diligenter mihi fasciculum reddidit Balbi tabellarius—quod ne Cæsar quidem ad istos videtur misisse, quasi quo illius improbitate offenderetur, sed credo, uti notiora nostra mala essent. Ibid. 22.

[2] Redditæ mihi tandem sunt a Cæsare litteræ satis liberales. Ep. Fam. 14. 23.

Qui ad me ex Ægypto litteras misit, ut essem idem, qui fuissem: qui cum ipse Imperator in toto imperio populi Romani unus esset, esse me alterum passus est: a quo—concessos fasces laureatos tenui, quoad tenendos putavi. Pro Ligar. 3.

[3] Sed mihi valde Quintus gratulatur. Ad Att. 11. 23.

[4] Ego cum Sallustio Ciceronem ad Cæsarem mittere cogitabam. Ibid. 17.

De illius Alexandria discessu nihil adhuc rumoris: contraque opinio—itaque nec mitto, ut constitueram, Ciceronem. Ibid. 18.

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his life, he says, worth begging; since what was given by a master, might always be taken away again at pleasure[1]. But, at their meeting, he had no occasion to say or do any thing that was below his dignity; for Cæsar no sooner saw him, than he alighted and ran to embrace him; and walked with him alone, conversing very familiarly for several furlongs[2].

From this interview, Cicero followed Cæsar towards Rome: he proposed to be at Tusculum on the seventh or eighth of October; and wrote to his wife to provide for his reception there, with a large company of friends, who designed to make some stay with him[3]. From Tusculum he came afterwards to the city, with a resolution to spend his time in study and retreat, till the Republic should be restored to some tolerable state; having made his peace again, as he writes to Varro, with his old friends, his books, who had been out of humour with him for not obeying their precepts; but, instead of living quietly with them, as Varro had done, committing himself to the turbulent counsels and hazards of war, with faithless companions[4].

On Cæsar's return to Rome he appointed P. Vatinius and Q. Fufius Calenus, consuls for the three last months of the year: this was a very unpopular use of his new power, which he continued, however, to practise through the rest of his reign; creating these first magistrates of the state, without any regard to the ancient forms, or recourse to the people, and at any time of the year; which gave a sensible disgust to the city, and an early specimen of the arbitrary manner in which he designed to govern them.

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About the end of the year, Cæsar embarked for Afric, to pursue the war against Scipio, and the other Pompeian generals, who, assisted by king Juba, held the possession of that province with a vast army. As he was sacrificing for the success of this voyage, the victim happened to break loose, and run away from the altar; which being looked upon as an un-

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[1] Sed non adducor, quemquam bonum ullam salutem mihi tanti fuisse putare, ut eam peterem ab illo. Ibid. 16.
Sed—ab hoc ipso quæ dantur, ut a Domino, rursus in ejusdem sunt potestate. Ibid. 20.

[2] Plut. in Cic.

[3] Ep. Fam. 14. 20.

[4] Scito enim me posteaquam in urbem venerim, rediisse cum veteribus amicis, id est, cum libris nostris in gratiam—ignoscunt mihi, revocant in consuetudinem pristinam, teque, quod in ea permanseris, sapientiorem, quam me dicunt fuisse, &c. Ibid. 9. 1.

A. Urb. 707. Cic. 61. Cos.—C. Julius Cæsar III. M. Æmilius Lepidus.

lucky omen, the aruspex admonished him not to sail before the winter solstice: but he took ship directly, in contempt of the admonition; and, by that means, as Cicero says, came upon his enemies unprepared, and before they had drawn together all their forces [1]. Upon his leaving the city, he declared himself consul, together with M. Lepidus, for the year ensuing; and gave the government of the Hither Gaul to M. Brutus; of Greece, to Servius Sulpicius; the first of whom had been in arms against him at Pharsalia; and the second was a favourer, likewise of the Pompeian cause, and a great friend of Cicero, yet seems to have taken no part in the war [2].

The African war now held the whole empire in suspense; Scipio's name was thought ominous and invincible on that ground: but while the general attention was employed on the expectation of some decisive blow, Cicero, despairing of any good from either side, chose to live retired, and out of sight; and, whether in the city or the country, shut himself up with his books; which, as he often says, had hitherto been the diversion only, but were now become the support of his life [3]. In this humour of study, he entered into a close friendship and correspondence of letters with M. Terentius Varro; a friendship equally valued on both sides, and, at Varro's desire, immortalized by the mutual dedication of their learned works to each other; of Cicero's Academic Questions to Varro; of Varro's Treatise on the Latin Tongue to Cicero. Varro was a senator of the first distinction, both for birth and merit; esteemed the most learned man of Rome; and though now above fourscore years old, yet continued still writing and publishing books to his eighty-eighth year [4]. He was Pompey's lieutenant in Spain, in the beginning of the war: but after the

[1] Quid? ipse Cæsar, cum a summo haruspice moneretur, ne in Africam ante brumam transmitteret, nonne transmisit? quod ni fecisset, uno in loco omnes adversariorum copiæ convenissent. De Divin. 2. 24.

Cum immolanti aufugisset hostia profectionem adversus Scipionem et Jubam non distulit. Sueton. J. Cæs. 59.

Hirtius, in his account of this war, says, that Cæsar embarked at Lilybæum for Afric on the 6th of the kalends of Jan. [De Bell. Afric. init.] that is, on the 27th of our December: whereas Cicero, in the passage just cited, declares him to to have passed over before the solstice on the shortest day. But this seeming contradiction is entirely owing to a cause already intimated, the great confusion that was introduced, at this time, into the Roman kalendar, by which the months were all transposed from their stated seasons; so that the 27th of December, on which, according to their computation, Cæsar embarked, was in reality coincident, or the same with our 8th of October, and consequently above two months before the solstice, or shortest day. All which is clearly and accurately explained in a learned dissertation, published by a person of eminent merit in the University of Cambridge, who chooses to conceal his name. See Bibliothec. Literar. No. viii. Lond. 1724. 4to.

[2] Brutum Galliæ præfecit; Sulpicium Græciæ. Ep. Fam. 6. 6.

[3] A quibus antea delectationem modo petebamus, nunc vero etiam salutem. Ibid. 9. 2.

[4] Nisi M. Varronem scirem octogesimo octavo vitæ anno prodidisse, &c. Plin. His. 29. 4.

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defeat of Afranius and Petreius, quitted his arms, and retired to his studies; so that his present circumstances were not very different from those of Cicero; who, in all his letters to him, bewails, with great freedom, the utter ruin of the state; and proposes that they should live together in a strict communication of studies, and avoid, at least, the sight, if not the tongues of men; yet so, that, if their new masters should call for their help towards settling the Republic, they should run with pleasure, and assist, not only as architects, but even as masons, to build it up again: or, if nobody would employ them, should write and read the best forms of government, and as the learned ancients had done before them, serve their country, if not in the senate and Forum, yet by their books and studies, and by composing treatises of morals and laws[1].

In this retreat, he wrote his book of Oratorial Partitions, or the art of ordering and distributing the parts of an oration, so as to adapt them in the best manner to their proper end, of moving and persuading an audience. It was written for the instruction of his son, now about eighteen years old, but seems to have been the rude draught only of what he intended, or not to have been finished, at least to his satisfaction; since we find no mention of it in any of his letters, as of all his other pieces which were prepared for the public.

Another fruit of this leisure was his dialogue on famous orators, called Brutus, in which he gives a short character of all who had ever flourished, either in Greece or Rome, with any reputation of eloquence down to his own times; and as he generally touches the principal points of each man's life, so an attentive reader may find in it an epitome, as it were, of the Roman history. The conference is supposed to be held with Brutus and Atticus, in Cicero's garden at Rome, under the statue of Plato[2], whom he always admired, and usually imitated in the manner of his dialogues; and in this seems to have copied from him the very form of his double title; Brutus, or of Famous Orators; taken from the speaker and the subject, as in Plato's piece, called Phædon, or of the Soul. This work was intended as a supplement, or a fourth book to the three which he had before published on the complete orator. But though it was prepared and finished at this

[1] Non deesse si quis adhibere volet, non modo ut Architectos, verum etiam ut fabros, ad ædificandam Rempub. et potius libenter accurrere; si nemo utetur opera, tamen et scribere et legere πολιτείας; et si minus in curia atque in foro, at in litteris et libris, ut doctissimi veteres fecerunt, navare Rempub. et de moribus et legibus quærere. Mihi hæc videntur. Ep. Fam. 9. 2.

[2] Cum idem placuisset illis, tum in pratulo, propter Platonis Statuam consedimus. Brut. 28.

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time, while Cato was living, as it is intimated in some parts of it, yet, as it appears from the preface, it was not made public till the year following, after the death of his daughter Tullia.

As, at the opening of the war, we found Cicero in debt to Cæsar, so now we meet with several hints, in his letters, of Cæsar's being indebted to him. It arose, probably, from a mortgage that Cicero had upon the confiscated estate of some Pompeian, which Cæsar had seized; but of what kind soever it was, Cicero was in pain for his money; he saw but three ways, he says, of getting it; by purchasing the estate at Cæsar's auction, or taking an assignment on the purchase, or compounding for half with the brokers or money-jobbers of those times, who would advance the money on those terms. The first he declares to be base, and that he would rather lose his debt, than touch any thing confiscated: the second he thought hazardous, and that nobody would pay any thing in such uncertain times: the third he liked the best, but desires Atticus's advice upon it [1].

He now at last parted with his wife Terentia, whose humour and conduct had long been uneasy to him: this drew upon him some censure, for putting away a wife, who had lived with him above thirty years, the faithful partner of his bed and fortunes, and the mother of two children, extremely dear to him. But she was a woman of an imperious and turbulent spirit, expensive and negligent in her private affairs, busy and intriguing in the public, and, in the height of her husband's power, seems to have had the chief hand in the distribution of all his favours. He had easily borne her perverseness, in the vigour of health, and the flourishing state of his fortunes; but, in a declining life, soured by a continual succession of mortifications from abroad, the want of ease and quiet at home was no longer tolerable to him; the divorce, however, was not likely to cure the difficulties in which her management had involved him: for she had brought him a great fortune, which was all to be restored to her at parting: this made a second marriage necessary, in order to repair the ill state of his affairs; and his friends, of both sexes, were busy in providing a fit match for him. Several parties were proposed to him, and, among others, a daughter of Pompey the Great, for whom he seems to have had an inclination: but a prudential regard to the times, and the envy and ruin under which that family then lay, induced

[1] Nomen illud, quod a Cæsare, tres habet conditiones; aut emtionem ab hasta; (perdere malo:—) aut delegationem a mancipe, annua die: (quis erit, cui credam?—) aut Vecteni conditionem, semisse. σκέψαι igitur. Ad Att. 12. 3.

A. Urb. [illegible]. Cic. 61. Coss.—C. Julius Cæsar III. M. Æmilius Lepidus.

him, probably, to drop it[1]. What gave his enemies the greater handle to rally him was, his marrying a handsome young woman, named Publia, of an age disproportioned to his own, to whom he was guardian; but she was well allied and rich: circumstances very convenient to him at this time, as he intimates in a letter to a friend, who congratulated with him on his marriage.

"As to your giving me joy," says he, "for what I have done, I know you wish it: but I should not have taken any new step in such wretched times, if at my return, I had not found my private affairs in no better condition than those of the Republic. For when, through the wickedness of those, who, for my infinite kindness to them, ought to have had the greatest concern for my welfare, I found no safety or ease from their intrigues and perfidy within my own walls, I thought it necessary to secure myself by the fidelity of new alliances against the treachery of the old[2]."

Cæsar returned victorious from Afric, about the end of July, by the way of Sardinia, where he spent some days: upon which Cicero says, pleasantly, in a letter to Varro, he had never seen that farm of his before, which, though one of the worst that he has, he does not yet despise[3]. The uncertain event of the African war had kept the senate under some reserve; but they now began to push their flattery beyond all the bounds of decency, and decreed more extravagant honours to Cæsar, than were ever given before to man, which Cicero oft rallies with great spirit: and, being determined to bear no part in that servile adulation, was treating about the purchase of a house at Naples, for a pretence of retiring still farther and oftener from Rome. But his friends, who knew his impatience under their present subjection, and the free way of speaking which he was apt to indulge, were in some pain lest he should forfeit the good graces of Cæsar and his favourites, and provoke them

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[1] De Pompeii magni filia tibi rescripsi, nihil me hoc tempore cogitare. Alteram vero illam, quam tu scribis, puto nosti. Nihil vidi fœdius. Ibid. 12. 11.

[2] Ep. Fam. 4. 14.

In cases of divorce, where there were children, it was the custom for each party to make a settlement, by will, on their common offspring, proportionable to their several estates: which is the meaning of Cicero's pressing Atticus so often, in his letters, to put Terentia in mind of making her will, and depositing it in safe hands. Ibid. 11. 21, 22. 24: 12. 18.

Terentia is said to have lived to the age of an hundred and three years; [Val. Max. 8. 13. Plin. Hist. 7. 48.] and took, as St. Jerome says, for her second husband, Cicero's enemy, Sallust; and Messala for her third. Dio Cassius gives her a fourth, Vibius Rufus; who was consul in the reign of Tiberius, and valued himself for the possession of two things, which had belonged to the two greatest men of the age before him, Cicero's wife, and Cæsar's chair, in which he was killed. Dio, p. 612. Hieron. Op. To. 4. par. 2. p. 190.

[3] Illud enim adhuc prædium suum non inspexit: nec ullum habet deterius, sed tamen non contemnit. Ep. Fam. 9. 7.

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too far by the keenness of his raillery [1]. They pressed him to accommodate himself to the times, and to use more caution in his discourse, and to reside more at Rome, especially when Cæsar was there, who would interpret the distance and retreat which he affected, as a proof of his aversion to him.

But his answers, on this occasion, will shew the real state of his sentiments and conduct towards Cæsar, as well as of Cæsar's towards him. Writing on this subject to Papirius Pætus, he says, "You are of opinion, I perceive, that it will not be allowed to me, as I thought it might be, to quit these affairs of the city; you tell me of Catulus, and those times; but what similitude have they to these? I myself was unwilling, at that time, to stir from the guard of the state; for I then sat at the helm, and held the rudder, but am now scarce thought worthy to work at the pump: would the senate, think you, pass fewer decrees, if I should live at Naples? While I am still at Rome, and attend the Forum, their decrees are all drawn at our friend's house; and, whenever it comes into his head, my name is set down, as if present at drawing them; so that I hear from Armenia and Syria of decrees, said to be made at my motion, of which I had never heard a syllable at home. Do not take me to be in jest; for I assure you that I have received letters from kings, from the remotest parts of the earth, to thank me for giving them the title of king; when, so far from knowing that any such title had been decreed to them, I knew not even that there were any such men in being. What is then to be done? why, as long as our master of manners continues here, I will follow your advice; but as soon as he is gone, I will run away to your mushrooms [2]," &c.

In another letter, "since you express," says he, "such a concern for me in your last, be assured, my dear Pætus, that whatever can be done by art, (for it is not enough to act with prudence, some artifice also must now be employed,) yet, what-

[1] Some of his jests on Cæsar's administration are still preserved: which shew, that his friends had reason enough to admonish him to be more upon his guard. Cæsar had advanced Liberius, a celebrated mimic actor, to the order of knights; but when he stepped from the stage into the theatre, to take his place on the equestrian benches, none of the knights would admit him to a seat among them. As he was marching off, therefore, with disgrace, happening to pass near Cicero, "I would make room for you here," says Cicero, "on our bench, if we were not already too much crowded;" alluding to Cæsar's filling up the senate also with the scum of his creatures, and even with strangers and barbarians. At another time, being desired by a friend, in a public company, to procure for his son the rank of a senator, in one of the corporate towns of Italy, "He shall have it," says he, "if you please, at Rome, but it will be difficult at Pompeii." An acquaintance, likewise, from Laodicea, coming to pay his respects to him, and being asked what business had brought him to Rome, said, that he was sent upon an embassy to Cæsar, to intercede with him for the liberty of his country; upon which Cicero replied, "If you succeed, you shall be an ambassador also for us." Macrob. Saturn. 2, 3. Sueton. c. 76.

[2] Ep. Fam. 9. 15. Præfectus morum, or master of the public manners, was one of the new titles which the senate had decreed to Cæsar.

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ever, I say, can be done by art, towards acquiring their good graces, I have already done it with the greatest care; nor, as I believe, without success: for I am so much courted by all, who are in any degree of favour with Cæsar, that I begin to fancy that they love me: and though real love is not easily distinguished from false, except in the case of danger, by which the sincerity of it may be tried, as of gold by fire; for all other marks are common to both; yet I have one argument to persuade me that they really love me; because both my condition and theirs is such, as puts them under no temptation to dissemble; and as for him, who has all power, I see no reason to fear any thing, unless that all things become of course uncertain, when justice and right are once deserted; nor can we be sure of any thing that depends on the will, not to say the passion of another. Yet I have not, in any instance, particularly offended him, but behaved myself all along with the greatest moderation: for, as once I took it to be my duty to speak my mind freely in that city, which owed its freedom to me; so now, since that is lost, to speak nothing that may offend him, or his principal friends: but if I would avoid all offence, of things said facetiously, or by way of raillery, I must give up all reputation of wit; which I would not refuse to do, if I could. But as to Cæsar himself, he has a very piercing judgment; and as your brother Servius, whom I take to have been an excellent critic, would readily say, 'this verse is not Plautus's, that verse is;' having formed his ears, by great use, to distinguish the peculiar style and manner of different poets, so Cæsar, I hear, who has already collected some volumes of apophthegms, if any thing be brought to him for mine, which is not so, presently rejects it; which he now does the more easily, because his friends live almost continually with me; and in the variety of discourse, when any thing drops from me, which they take to have some humour or spirit in it, they carry it always to him, with the other news of the town, for such are his orders: so that if he hears any thing besides of mine, from other persons, he does not regard it. I have no occasion, therefore, for your example of Ænomaus, though aptly applied from Accius: for what is the envy which you speak of? or what is there in me to be envied now? but suppose there was every thing: it has been the constant opinion of philosophers, the only men, in my judgment, who have a right notion of virtue, that a wise man has nothing more to answer for, than to keep himself free from guilt; of which I take myself to be clear, on a double account; because I both pursued those measures which were the justest, and when I saw that I had not strength enough to carry them, did not think it my business to contend by force with those

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who were too strong for me. It is certain, therefore, that I cannot be blamed, in what concerns the part of a good citizen: all that is now left, is not to say or do any thing foolishly and rashly against the men in power; which I take also to be the part of a wise man. As for the rest, what people may report to be said by me, or how he may take it, or with what sincerity those live with me, who now so assiduously court me, it is not in my power to answer. I comfort myself, therefore, with the consciousness of my former conduct, and the moderation of my present: and shall apply your similitude from Accius, not only to the case of envy, but of fortune, which I consider as light and weak, and what ought to be repelled by a firm and great mind, as waves by a rock. For since the Greek history is full of examples, how the wisest men have endured tyrannies at Athens or Syracuse; and, when their cities were enslaved, have lived themselves in some measure free, why may not I think it possible to maintain my rank so, as neither to offend the mind of any, or hurt my own dignity [1]?" &c.

Pætus having heard, that Cæsar was going to divide some lands in his neighbourhood to the soldiers, began to be afraid for his own estate, and writes to Cicero, to know how far that distribution would extend: to which Cicero answers, "Are not you a pleasant fellow, who, when Balbus has just been with you, ask me what will become of those towns and their lands? as if either I knew any thing that Balbus does not; or if at any time, I chance to know any thing, I do not know it from him: nay, it is your part, rather, if you love me, to let me know what will become of me: for you had it in your power to have learnt it from him, either sober, or at least when drunk. But as for me, my dear Pætus, I have done inquiring about those things: first, because we have already lived near four years by clear gain, as it were; if that can be called gain, or this life, to outlive the Republic: secondly, because I myself seem to know what will happen; for it will be whatever pleases the strongest; which must always be decided by arms: it is our part, therefore, to be content with what is allowed to us: he who cannot submit to this, ought to have chosen death. They are now measuring the fields of Veiæ and Capenæ: this is not far from Tusculum: yet I fear nothing: I enjoy it whilst I may; wish that I always may; but if it should happen otherwise, yet, since, with all my courage and philosophy, I have thought it best to live, I cannot but have an affection for him by whose benefit I hold that life: who, if he has an inclination to restore

[1] Ep. Fam. 9. 16.

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the Republic, as he himself, perhaps, may desire, and we all ought to wish, yet he has linked himself so with others, that he has not the power to do what he would. But I proceed too far; for I am writing to you: be assured, however of this, that not only I, who have no part in their counsels, but even the chief himself, does not know what will happen. We are slaves to him, he to the times: so neither can he know what the times will require, nor we what he may intend[1]," &c.

The chiefs of the Cæsarian party, who courted Cicero so much at this time, were Balbus, Oppius, Matius, Pansa, Hirtius, Dolabella: they were all in the first confidence with Cæsar, yet professed the utmost affection for Cicero; were every morning at his levee, and perpetually engaged him to sup with them; and the two last employed themselves in a daily exercise of declaiming at his house, for the benefit of his instruction; of which he gives the following account in his familiar way, to Pætus:—"Hirtius and Dolabella are my scholars in speaking; my masters in eating: for you have heard, I guess, how they declaim with me, I sup with them." In another letter he tells him, that as king Dionysius, when driven out of Syracuse, turned schoolmaster at Corinth, so he, having lost his kingdom of the Forum, had now opened a school —to which he merrily invites Pætus, with the offer of a seat and cushion next to himself, as his usher[2]. But to Varro, more seriously, "I acquainted you," says he "before, that I am intimate with them all, and assist at their counsels: I see no reason why I should not—for it is not the same thing to bear what must be borne, and to approve what ought not to be approved." And, again: "I do not forbear to sup with those who now rule: what can I do? we must comply with the times[3]."

The only use which he made of all this favour was, to screen himself from any particular calamity in the general misery of the times, and to serve those unhappy men, who were driven from their country and their families, for their adherence to that cause, which he himself had espoused. Cæsar was desirous, indeed, to engage him in his measures, and attach him

[1] Ibid. 17.

[2] Hirtium ego et Dolabellam dicendi discipulos habeo, cœnandi magistros: puto enim te audisse—illos apud me declamitare, me apud eos cœnitare. Ibid. 16.

Ut Dionysius Tyrannus, cum Syracusis pulsus esset, Corinthi dicitur ludum aperuisse, sic ego—amisso regno forensi, ludum quasi habere cœperim—sella tibi erit in ludo, tanquam hypodidasculo, proxima: eam pulvinus sequetur. Ibid. 18.

[3] Ostentavi tibi, me istis esse familiarem, et consiliis eorum interesse. Quod ego cur nolim nihil video. Non enim est idem, ferre si quid ferendum est, et probare, si quid probandum non est. Ibid. 6.

Non desino apud istos, qui nunc dominantur, cœnitare. Quid faciam? tempori serviendum est. Ibid. 7.

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insensibly to his interests: but he would bear no part in an administration, established on the ruins of his country; nor ever cared to be acquainted with their affairs, or to inquire what they were doing: so that, whenever he entered into their counsels, as he signifies above to Varro, it was only when the case of some exiled friend required it, for whose service he scrupled no means of soliciting, and attending even Cæsar himself; though he was sometimes shocked, as he complains, by the difficulty of access, and the indignity of waiting in an antechamber; not, indeed, through Cæsar's fault, who was always ready to give him audience, but from the multiplicity of his affairs, by whose hands all the favours of the empire were dispensed [1]. Thus, in a letter to Ampius, whose pardon he had procured, "I have solicited your cause," says he, "more eagerly than my present situation would well justify: for my desire to see you, and my constant love for you, most assiduously cultivated on your part, overruled all regard to the present weak condition of my power and interest. Every thing that relates to your return and safety is promised, confirmed, fixed, and ratified: I saw, knew, was present at every step: for, by good luck, I have all Cæsar's friends engaged to me by an old acquaintance and friendship: so that, next to him, they pay the first regard to me. Pansa, Hirtius, Balbus, Oppius, Matius, Postumius, take all occasions to give me proof of their singular affection. If this had been sought and procured by me, I should have no reason, as things now stand, to repent of my pains: but I have done nothing with the view of serving the times; I had an intimacy of long standing with them all; and never gave over soliciting them on your behalf: I found Pansa, however, the readiest of them all to serve you, and oblige me; who has not only an interest, but authority with Cæsar [2]," &c.

But while he was thus caressed by Cæsar's friends, he was not less followed, we may imagine, by the friends of the Republic: these had always looked upon him as the chief patron of their liberty, whose counsels, if they had been followed, would have preserved it, and whose authority gave them the only hopes that were left, of recovering it: so that his house was as much frequented, and his levee as much crowded, as ever; since people now flocked, he says, to see a good citizen, as a sort of rarity [3]. In another letter, giving a short account

[1] Quod si tardius fit quam volumus, magnis occupationibus ejus, a quo omnia petuntur, aditus ad eum difficiliores fuerunt. Ep. Fam. 6. 13.

[2] Ibid. 12.

[3] Cum salutationi nos dedimus amicorum: quæ fit hoc etiam frequentius, quam solebat, quod quasi avem albam, videntur bene sentientem civem videre: abdo me in Bibliothecam. Ibid. 7. 28.

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of his way of life, he says, "Early in the morning, I receive the compliments of many honest men, but melancholy ones, as well as of these gay conquerors; who shew indeed a very officious and affectionate regard to me. When these visits are over, I shut myself up in my library, either to write or read: here some, also, come to hear me, as a man of learning, because I am somewhat more learned than they: the rest of my time I give to the care of my body; for I have now bewailed my country longer, and more heavily, than any mother ever bewailed her only son [1]."

It is certain, that there was not a man in the Republic so particularly engaged, both by principle and interest, to wish well to its liberty, or who had so much to lose by the subversion of it as he: for, as long as it was governed by civil methods, and stood upon the foundation of its laws, he was, undoubtedly, the first citizen in it; had the chief influence in the senate; the chief authority with the people: and, as all his hopes and fortunes were grounded on the peace of his country, so all his labours and studies were perpetually applied to the promotion of it: it is no wonder, therefore, in the present situation of the city, oppressed by arms, and a tyrannical power, to find him so particularly impatient under the common misery, and expressing so keen a sense of the diminution of his dignity, and the disgrace of serving, where he had been used to govern.

Cæsar, on the other hand, though he knew his temper and principles to be irreconcileable to his usurped dominion, yet, out of friendship to the man, and a reverence for his character, was determined to treat him with the greatest humanity; and, by all the marks of public favour, to make his life not only tolerable, but easy to him: yet, all that he could do, had no other effect on Cicero, than to make him think and speak sometimes favourably of the natural clemency of their master: and to entertain some hopes from it, that he would one day be persuaded to restore the public liberty: but, exclusive of that hope, he never mentions his government, but as a real tyranny; or his person, in any other style, than as the oppressor of his country.

But he gave a remarkable proof, at this time, of his being no temporiser, by writing a book in praise of Cato; which he published within a few months after Cato's death. He seems

[1] Hæc igitur est nunc vita nostra. Mane salutamus domi et bonos viros multos, sed tristes, et hos lætos victores; qui me quidem perofficiose et peramanter observant. Ubi salutatio defluxit, litteris me involvo, aut scribo aut lego. Veniunt etiam qui me audiant, quasi doctum hominem, quia paullo sum, quam ipsi, doctior. Inde corpori omne tempus datur. Patriam eluxi jam gravius et diutius quam ulla mater unicum filium. Ibid. 9. 20.

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to have been left a guardian to Cato's son; as he was also to young Lucullus, Cato's nephew[1]: and this testimony of Cato's friendship and judgment of him, might induce him the more readily to pay this honour to his memory. It was a matter, however, of no small deliberation, in what manner he ought to treat the subject; his friends advised him not to be too explicit and particular, in the detail of Cato's praises; but to content himself with a general encomium, for fear of irritating Cæsar, by pushing the argument too far. In a letter to Atticus, he calls this "an Archimedean problem; but I cannot hit upon any thing," says he, "that those friends of your's will read with pleasure, or even with patience; besides, if I should drop the account of Cato's votes and speeches in the senate, and of his political conduct in the state, and give a slight commendation only of his constancy and gravity, even this may be more than they will care to hear: but the man cannot be praised, as he deserves, unless it be particularly explained, how he foretold all that has happened to us; how he took arms to prevent its happening; and parted with life rather than see it happen[2]." These were the topics which he resolved to display with all his force; and from the accounts given of the work by antiquity, it appears, that he had spared no pains to adorn it, but extolled Cato's virtue and character to the skies[3].

The book was soon spread into all hands; and Cæsar, instead of expressing any resentment, affected to be much pleased with it; yet declared, that he would answer it: and Hirtius, in the meanwhile, drew up a little piece in the form of a letter to Cicero, filled with objections to Cato's character, but with high compliments to Cicero himself, which Cicero took care to make public, and calls it a specimen of what Cæsar's work was like to be[4]. Brutus also composed and published a piece on the same subject; as well as another friend of Cicero, Fabius Gallus[5]: but these were but little considered in comparison of Cicero's: and Brutus had made

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[1] Ad Att. 13. 6. De Fin. 3. 2.

[2] Sed de Catone *πρόβλημα ἀρχιμήδειον* est. Non assequor, ut scribam, quod tui convivæ non modo libenter, sed etiam æquo animo legere possint. Quin etiam si a sententiis ejus dictis, si ab omni voluntate, consiliisque quæ de Repub. habuit, recedam; *ψιλῶς*que velim gravitatem constantiamque ejus laudare, hoc ipsum *ἄκουσμα* sit. Sed vere laudari ille vir non potest, nisi hæc ornata sint, quod ille ea, quæ nunc sunt, et futura viderit, et ne fierent contenderit, et facta ne videret, vitam reliquerit. Ad Att. 12. 4.

[3] M. Ciceronis libro, quo Catonem cœlo æquavit, &c. Tacit. Ann. 4. 34.

[4] Qualis futura sit Cæsaris vituperatio contra laudationem meam, perspexi ex eo libro, quem Hirtius ad me misit, in quo colligit vitia Catonis, sed cum maximis laudibus meis. Itaque misi librum ad Muscam, ut tuis librariis daret. Volo eum divulgari, &c. Ad Att. 12. 40. it. 41.

[5] Catonem tuum mihi mitte. Cupio enim legere. Ep. Fam. 7. 24.

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some mistakes in his account of the transactions, in which Cato had been concerned, especially in the debates on Catiline's plot; in which he had given him the first part and merit, in derogation even of Cicero himself [1].

Cæsar's answer was not published till the next year, upon his return from Spain, after the defeat of Pompey's sons. It was a laboured invective; answering Cicero's book, paragraph by paragraph, and accusing Cato with all the art and force of his rhetoric, as if in a public trial before judges [2]: yet with expressions of great respect towards Cicero; whom, for his virtues and abilities, he compared to Pericles and Theramenes of Athens [3]: and in a letter upon it to Balbus, which was shewn, by his order, to Cicero, he said, that by the frequent reading of Cicero's Cato, he was grown more copious; but, after he had read Brutus's, thought himself even eloquent [4].

These two rival pieces were much celebrated in Rome; and had their several admirers, as different parties and interests disposed men to favour the subject of the author of each: and it is certain, that they were the principal cause of establishing and propagating that veneration which posterity has since paid to the memory of Cato. For his name being thrown into controversy, in that critical period of the fate of Rome, by the patron of liberty on the one side, and the oppressor of it on the other, became, of course, a kind of political test to all succeeding ages, and a perpetual argument of dispute between the friends of liberty and the flatterers of power. But if we consider his character without prejudice, he was certainly a great and worthy man: a friend to truth, virtue, liberty; yet falsely measuring all duty by the absurd rigour of the stoical rule, he was generally disappointed of the end, which he sought by it, the happiness both of his private and public life. In his private conduct, he was severe, morose, inexorable; banishing all the softer affections, as natural enemies to justice, and as suggesting false motives of acting, from favour, clemency, and compassion; in public affairs he was the same; had but one rule of policy, to adhere to what was right: without regard to times or circumstances, or even to a force that could control

[1] Catonem primum sententiam putat de animadversione dixisse; quam omnes ante dixerant præter Cæsarem, &c. Ad Att. 12. 21.

From this and other particulars, which are mentioned in the same letter, we may observe, that Sallust had probably taken his account of the debates upon Catiline's Accomplices, from Brutus's Life of Cato, and chosen to copy even his mistakes, rather than do justice to Cicero on that occasion.

[2] Ciceronis libro—quid aliud Dictator Cæsar, quam rescripta oratione, velut apud judices respondit? Tacit. Ann. 4. 34. it. Quintil. 3. 7.

[3] Plut. in Cic.

[4] Legi epistolam: multa de meo Catone, quo sæpissime legendo se dicit copiosiorem factum; Bruti Catone lecto, se sibi visum disertum. Ad Att. 13. 46.

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him: for instead of managing the power of the great, so as to mitigate the ill, or extract any good from it, he was urging it always to acts of violence by a perpetual defiance; so that, with the best intentions in the world, he often did great harm to the Republic. This was his general behaviour: yet, from some particular facts explained above, it appears, that his strength of mind was not always impregnable, but had its weak places of pride, ambition, and party zeal; which when managed and flattered to a certain point, would betray him sometimes into measures, contrary to his ordinary rule of right and truth. The last act of his life was agreeable to his nature and philosophy: when he could no longer be what he had been, or when the ills of life overbalanced the good, which by the principles of his sect was a just cause for dying [1], he put an end to his life, with a spirit and resolution which would make one imagine that he was glad to have found an occasion of dying in his proper character. On the whole, his life was rather admirable than amiable; fit to be praised rather than imitated [2].

As soon as Cicero had published his Cato, he wrote his piece called the Orator, at the request of Brutus; containing the plan or delineation of what he himself esteemed the most perfect eloquence or manner of speaking. He calls it the fifth part or book, designed to complete the argument of his Brutus, and the other three, on the same subject. It was received with great approbation; and, in a letter to Lepta, who had complimented him upon it, he declares, that whatever judgment he had in speaking, he had thrown it all into that work, and was content to risk his reputation on the merit of it [3].

He now likewise spoke that famous speech of thanks to Cæsar, for the pardon of M. Marcellus; which was granted upon the intercession of the senate. Cicero had a particular friendship with all the family of the Marcelli, but especially with this Marcus; who, from the defeat of Pompey at Pharsalia, retired to Mitylene in Lesbos, where he lived with so much ease and satisfaction to himself in a philosophical retreat,

[1] In quo enim plura sunt, quæ secundum naturam sunt, hujus officium est in vita manere: in quo autem aut sunt plura contraria, aut fore videntur, hujus officium est e vita excedere. De Fin. 3. 18.

Vetus est enim; ubi non sis, qui fueris, non esse cur velis vivere. Ep. Fam. 7. 3.

[2] Cato sic abiit e vita, ut causam moriundi nactum se esse gauderet—cum vero causam justam Deus ipse dederit, ut tunc Socrati, nunc Catoni, &c. Tusc. Quæst. 1. 30.

Catoni—moriundum potius, quam Tyranni vultus adspiciendus fuit. De Offic. 1. 31.

Non immaturus decessit: vixit enim, quantum debuit vivere. Senec. Consol. ad Marc. 10.

[3] Ita tres erunt de Oratore: quartus Brutus; quintus, Orator. De Div. 2. 1.

Oratorem meum tantopere a te probari, vehementer gaudeo: mihi quidem sic persuadeo, me quicquid habuerim judicii in dicendo, in illum librum contulisse. Ep. Fam. 6. 18.

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that Cicero, as it appears from his letters, was forced to use all his art and authority to persuade him to return, and take the benefit of that grace, which they had been labouring to attain for him[1]. But how the affair was transacted, we may learn from Cicero's account of it to Serv. Sulpicius, who was then proconsul of Greece—"Your condition," says he, "is better than our's, in this particular, that you dare venture to write your grievances, we cannot even do that with safety: not through any fault of the conqueror, than whom nothing can be more moderate, but of victory itself, which, in civil wars, is always insolent: we have had the advantage of you, however, in one thing; in being acquainted, a little sooner than you, with the pardon of your colleague Marcellus: or rather indeed, in seeing how the whole affair passed; for I would have you believe, that, from the beginning of these miseries, or ever since the public right has been decided by arms, there has nothing been done, besides this, with any dignity. For Cæsar himself, after having complained of the moroseness of Marcellus, for so he called it, and praised, in the strongest terms, the equity and prudence of your conduct, presently declared, beyond all our hopes, that whatever offence he had received from the man, he could refuse nothing to the intercession of the senate. What the senate did was this: upon the mention of Marcellus, by Piso, his brother Caius having thrown himself at Cæsar's feet, they all rose up, and went forward, in a supplicating manner, towards Cæsar: in short, this day's work appeared to me so decent, that I could not help fancying that I saw the image of the old Republic reviving: when all, therefore, who were asked their opinions before me, had returned thanks to Cæsar, excepting Volcatius, (for he declared, that he would not have done it, though he had been in Marcellus's place,) I, as soon as I was called upon, changed my mind; for I had resolved with myself to observe an eternal silence, not through any laziness, but the loss of my former dignity; but Cæsar's greatness of mind, and the laudable zeal of the senate, got the better of my resolution. I gave thanks, therefore, to Cæsar, in a long speech, and have deprived myself by it, I fear, on other occasions, of that honest quiet, which was my only comfort in these unhappy times: but since I have hitherto avoided giving him offence, and if I had always continued silent, he would have interpreted it, perhaps, as a proof of my taking the Republic to be ruined, I shall speak for the future not often, or rather, very seldom; so as to

[1] Ibid. 4. 7, 8, 9.

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manage, at the same time, both his favour, and my own leisure for study[1]."

Cæsar, though he saw the senate unanimous in their petition for Marcellus, yet took the pains to call for the particular opinion of every senator upon it: a method never practised, except in cases of debate, and where the house was divided: but he wanted the usual tribute of flattery upon this act of grace, and had a mind, probably, to make an experiment of Cicero's temper, and to draw from him especially some incense on the occasion; nor was he disappointed of his aim; for Cicero, touched by his generosity, and greatly pleased with the act itself, on the account of his friend, returned thanks to him in a speech, which, though made upon the spot, yet, for elegance of diction, vivacity of sentiment, and politeness of compliment, is superior to any thing extant of the kind in all antiquity. The many fine things which are said in it of Cæsar have given some handle, indeed, for a charge of insincerity against Cicero; but it must be remembered, that he was delivering a speech of thanks, not only for himself, but in the name and at the desire of the senate, where his subject naturally required the embellishments of oratory; and that all his compliments are grounded on a supposition, that Cæsar intended to restore the Republic: of which he entertained no small hopes at this time, as he signifies in a letter to one of Cæsar's principal friends[2]. This, therefore, he recommends, enforces, and requires from him in his speech, with the spirit of an old Roman; and no reasonable man will think it strange, that so free an address to a conqueror, in the height of all his power, should want to be tempered with some few strokes of flattery. But the following passage from the oration itself will justify the truth of what I am saying.

"If this," says he, "Cæsar, was to be the end of your immortal acts, that, after conquering all your enemies, you should leave the Republic in the condition in which it now is; consider, I beseech you, whether your divine virtue would not excite rather an admiration of you, than any real glory; for glory is the illustrious fame of many and great services, either to our friends, our country, or to the whole race of mankind. This part, therefore, still remains: there is one act more to be performed by you; to establish the Republic again, that you may reap the benefit of it yourself in peace and prosperity. When you have paid this debt to your country, and fulfilled

[1] Ep. Fam. 4. 4.

[2] Sperare tamen videor, Cæsari, collegæ nostro, fore curæ et esse, ut habeamus aliquam Rempublicam. Ibid. 13. 68.

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the ends of your nature by a satiety of living, you may then tell us, if you please, that you have lived long enough: yet what is it, after all, that we can really call long, of which there is an end? For when that end is once come, all past pleasure is to be reckoned as nothing, since no more of it is to be expected. Though your mind, I know, was never content with these narrow bounds of life, which nature has assigned to us, but inflamed always with an ardent love of immortality: nor is this, indeed, to be considered as your life, which is comprised in this body and breath; but that—that, I say, is your life, which is to flourish in the memory of all ages: which posterity will cherish, and eternity itself propagate. It is to this that you must attend; to this that you must form yourself; which has many things already to admire, yet wants something still, that it may praise in you. Posterity will be amazed to hear and read of your commands, provinces; the Rhine, the ocean, the Nile; your innumerable battles, incredible victories, infinite monuments, splendid triumphs; but, unless this city be established again by your wisdom and counsels, your name indeed will wander far and wide; yet will have no certain seat or place at last where to fix itself. There will be also amongst those, who are yet unborn, the same controversy that has been amongst us; when some will extol your actions to the skies, others, perhaps, will find something defective in them; and, that one thing above all, if you should not extinguish this flame of civil war, by restoring liberty to your country: for the one may be looked upon as the effect of fate, but the other is the certain act of wisdom. Pay a reverence, therefore, to those judges, who will pass judgment upon you in ages to come, and with less partiality, perhaps, than we; since they will neither be biassed by affection or party, nor prejudiced by hatred or envy to you: and though this, as some falsely imagine, should then have no relation to you, yet it concerns you certainly, at the present, to act in such a manner, that no oblivion may ever obscure the lustre of your praises. Various were the inclinations of the citizens, and their opinions wholly divided; nor did we differ only in sentiments and wishes, but in arms also and camps; the merits of the cause were dubious, and the contention between two celebrated leaders: many doubted what was the best; many what was convenient; many what was decent; some also what was lawful[1]," &c.

But though Cæsar took no step towards restoring the Republic, he employed himself this summer in another work of general benefit to mankind, the reformation of the kalendar;

[1] Pro M. Marcell. 8, 9, 10.

A. Urb. 707. Cic. 61. Coss.—C. Julius Cæsar III. M. Æmilius Lepidus.

by accommodating the course of the year to the exact course of the sun; from which it had varied so widely, as to occasion a strange confusion in all their accounts of time.

The Roman year, from the old institution of Numa, was lunar; borrowed from the Greeks; amongst whom it consisted of three hundred and fifty-four days: Numa added one more to them, to make the whole number odd, which was thought the more fortunate: and to fill up the deficiency of his year, to the measure of the solar course, inserted likewise, or intercalated, after the manner of the Greeks, an extraordinary month of twenty-two days every second year, and twenty-three every fourth, between the twenty-third and twenty-fourth days of February [1]: he committed the care of intercalating this month, and the supernumerary day, to the college of priests; who, in process of time, partly by a negligent, partly a superstitious, but chiefly by an arbitrary abuse of their trust, used either to drop or insert them, as it was found most convenient to themselves or their friends, to make the current year longer or shorter [2]. Thus Cicero, when harassed by a perpetual course of pleading, prayed that there might be no intercalation to lengthen his fatigue; and when proconsul of Cilicia, pressed Atticus to exert all his interest to prevent any intercalation within the year; that it might not protract his government, and retard his return to Rome [3]. Curio, on the contrary, when he could not persuade the priests to prolong the year of his tribunate by an intercalation, made that a pretence for abandoning the senate, and going over to Cæsar [4].

This licence of intercalating introduced the confusion abovementioned, in the computation of their time; so that the order of all their months was transposed from their stated seasons; the winter months carried back into autumn, the autumnal into summer: till Cæsar resolved to put an end to this disorder, by abolishing the source of it, the use of intercalations; and instead of the lunar, to establish the solar year, adjusted to the exact measure of the sun's revolution in the zodiac, or to that period of time in which it returns to the point from which it set out; and as this, according to the astronomers of that age,

[1] This was usually called Intercalaris, though Plutarch gives it the name of Mercedonius, which none of the Roman writers mention, except that Festus speaks of some days under the title of Mercedoniæ, because the merces or wages of workmen were commonly paid upon them.

[2] Quod institutum perite a Numa posteriorum Pontificum negligentia dissolutum est. De Leg. 2. 12. vid. Censorin. de die Nat. c. 20. Macrob. Saturn. 1. 14.

[3] Nos hic in multitudine et celebritate judiciorum—ita distinemur, ut quotidie vota faciamus ne intercaletur. Ep. Fam. 7. 2.

Per fortunas primum illud præfulci atque præmuni quæso, ut simus annui; ne intercaletur quidem. Ad Att. 5. 13. it. 9.

[4] Levissime enim, quia de intercalando non obtinuerat, transfugit ad populum et pro Cæsare loqui cœpit. Ep. Fam. 8. 6. Dio, p. 148.

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was supposed to be three hundred and sixty-five days and six hours, so he divided the days into twelve artificial months, and to supply the deficiency of the six hours, by which they fell short of the sun's complete course, he ordered a day to be intercalated after every four years, between the twenty-third and twenty-fourth of February [1].

But to make this new year begin, and proceed regularly, he was forced to insert into the current year, two extraordinary months, between November and December; the one of thirty-three, the other of thirty-four days; besides the ordinary intercalary month of twenty-three days, which fell into it of course; which were all necessary to fill up the number of days that were lost to the old year, by the omission of intercalations, and to replace the months in their proper seasons [2]. All this was effected by the care and skill of Sosigenes, a celebrated astronomer of Alexandria, whom Cæsar had brought to Rome for that purpose [3]; and a new kalendar was formed upon it by Flavius, a scribe, digested according to the order of the Roman festivals, and the old manner of computing their days by Kalends, Ides, and Nones; which was published and authorized by the dictator's edict, not long after his return from Afric. This year, therefore, was the longest that Rome had ever known, consisting of fifteen months, or four hundred and forty-five days, and is called the last of the confusion [4], because it introduced the Julian, or solar year, with the commencement of the ensuing January, which continues in use to this day in all Christian countries, without any other variation than that of the old and new style [5].

Soon after the affair of Marcellus, Cicero had another occasion of trying both his eloquence and interest with Cæsar in the cause of Ligarius, who was now in exile on the account of

[1] This day was called Bissextus, from its being a repetition or duplicate of the Sixth of the Kalends of March, which fell always on the 24th; and hence our Intercalary or Leap-year is still called Bissextile.

[2] Quo autem magis in posterum ex Kalendis Januariis nobis temporum ratio congrueret inter Novembrem et Decembrem mensem adjecit duos alios: fuitque is annus —xv. mensium cum Intercalario, qui ex consuetudine eum annum inciderat. Sueton. J. Cæs. 40.

[3] Plin. Hist. N. 18. 25.

[4] Adnitente sibi M. Flavio scriba, qui scriptos dies singulos ita ad Dictatorem detulit; ut et ordo eorum inveniri facillime posset, et invento certus status perseveraret —eaque re factum est, ut annus confusionis ultimus in quadringentos quadraginta tres dies tenderetur. Macrob. Saturn. l. 14. Dio, 227.

Macrobius makes this year to consist of 443 days, but he should have said 445, since, according to all accounts, ninety days were added to the old year of 355.

[5] This difference of the old and new style was occasioned by a regulation made by Pope Gregory, A. D. 1582; for it having been observed, that the computation of the Vernal Equinox was fallen back ten days from the time of the council of Nice, when it was found to be on the 21st of March; according to which all the festivals of the church were then solemnly settled; Pope Gregory, by the advice of astronomers, caused ten days to be entirely sunk and thrown out of the current year, between the 4th and 15th of October.

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his having been in arms against Cæsar, in the African war, in which he had borne a considerable command. His two brothers, however, had always been on Cæsar's side; and being recommended by Pansa, and warmly supported by Cicero, had almost prevailed for his pardon, of which Cicero gives the following account in a letter to Ligarius himself.

"CICERO TO LIGARIUS.

"I WOULD have you to be assured that I employ my whole pains, labour, care, study, in procuring your restoration; for as I have ever had the greatest affection for you, so the singular piety and love of your brothers, for whom, as well as yourself, I have always professed the utmost esteem, never suffer me to neglect any opportunity of my duty and service to you. But what I am now doing, or have done, I would have you learn from their letters, rather than mine; but as to what I hope, and take to be certain in your affair, that I choose to acquaint you with myself; for if any man be timorous in great and dangerous events, and fearing always the worst, rather than hoping the best, I am he; and if this be a fault, confess myself not to be free from it; yet, on the twenty-seventh of November, when, at the desire of your brothers, I had been early with Cæsar, and had gone through the trouble and indignity of getting access and audience, when your brothers and relations had thrown themselves at his feet, and I had said what your cause and circumstances required, I came away, persuaded that your pardon was certain; which I collected, not only from Cæsar's discourse, which was mild and generous, but from his eyes, and looks, and many other signs, which I could better observe than describe. It is your part, therefore, to behave yourself with firmness and courage; and as you have borne the more turbulent part prudently, to bear this calmer state of things cheerfully: I shall continue still to take the same pains in your affairs, as if there was the greatest difficulty in them, and will heartily supplicate in your behalf, as I have hitherto done, not only Cæsar himself, but all his friends whom I have ever found most affectionate to me. Adieu[1]."

While Ligarius's affair was in this hopeful way, Q. Tubero, who had an old quarrel with him, being desirous to obstruct his pardon, and knowing Cæsar to be particularly exasperated against all those who, through an obstinate aversion to him, had renewed the war in Afric, accused him in the usual forms, of an uncommon zeal and violence in prosecuting that war.

[1] Ep. Fam. 6. 14.

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Cæsar privately encouraged the prosecution, and ordered the cause to be tried in the Forum, where he sat upon it in person, strongly prepossessed against the criminal, and determined to lay hold on any plausible pretence for condemning him; but the force of Cicero's eloquence, exerted with all his skill, in a cause which he had much at heart, got the better of all his prejudices, and extorted a pardon from him against his will.

The merit of this speech is too well known, to want to be enlarged upon here: those who read it, will find no reason to charge Cicero with flattery: but the free spirit which it breathes, in the face of that power to which it was suing for mercy, must give a great idea of the art of the speaker, who could deliver such bold truths without offence, as well as of the generosity of the judge, who heard them not only with patience, but approbation.

"Observe, Cæsar," says he, "with what fidelity I plead Ligarius's cause, when I betray even my own by it. O that admirable clemency, worthy to be celebrated by every kind of praise, letters, monuments! M. Cicero defends a criminal before you, by proving him not to have been in those sentiments, in which he owns himself to have been: nor does he yet fear your secret thoughts, or, while he is pleading for another, what may occur to you about himself. See, I say, how little he is afraid of you. See, with what a courage and gaiety of speaking your generosity and wisdom inspire me. I will raise my voice to such a pitch, that the whole Roman people may hear me. After the war was not only begun, Cæsar, but in a great measure finished, when I was driven by no necessity, I went by choice and judgment to join myself with those who had taken arms against you. Before whom do I say this? why before him, who, though he knew it to be true, yet restored me to the Republic, before he had even seen me; who wrote to me from Egypt, that I should be the same man that I had always been; and when he was the only emperor within the dominion of Rome, suffered me to be the other; and to hold my laurelled fasces, as long as I thought them worth holding[1]. Do you then, Tubero, call Ligarius's conduct wicked? for what reason? since that cause has never yet been called by that name: some, indeed, call it mistake; others fear; those who speak more severely, hope, ambition, hatred, obstinacy; or, at the worst, rashness; but no man, besides you, has ever called it wickedness. For my part, were I to invent a proper and genuine name for our calamity, I should take it for a kind of fatality that had possessed the unwary minds of

[1] Pro Ligar. 3.

men; so that none can think it strange, that all human counsels were overruled by a divine necessity. Call us then, if you please, unhappy, though we can never be so, under this conqueror: but I speak not of us who survive, but of those who fell; let them be ambitious; let them be angry; let them be obstinate; but let not the guilt of crime, of fury, of parricide, ever be charged on Cn. Pompey, and on many of those who died with him. When did we ever hear any such thing from you, Cæsar? or what other view had you in the war, than to defend yourself from injury?—you considered it, from the first, not as a war, but a secession; not as an hostile, but civil dissension: where both sides wished well to the Republic, yet through a difference, partly of counsels, partly of inclinations, deviated from the common good; the dignity of the leaders was almost equal; though not, perhaps, of those who followed them: the cause was then dubious, since there was something which one might approve on either side; but now, that must needs be thought the best, which the gods have favoured; and, after the experience of your clemency, who can be displeased with that victory, in which no man fell, who was not actually in arms[1]?"

This speech was soon made public, and greedily bought by all: Atticus was extremely pleased with it, and very industrious in recommending it; so that Cicero says, merrily, to him by letter, "you have sold my Ligarian speech finely: whatever I write for the future, I will make you the publisher:" and again, "your authority, I perceive, has made my little oration famous: for Balbus and Oppius write me word, that they are wonderfully taken with it, and have sent a copy to Cæsar[2]." The success which it met with made Tubero ashamed of the figure that he made in it; so that he applied to Cicero, to have something inserted in his favour, with the mention of his wife, and some of his family, who were Cicero's near relations: but Cicero excused himself, because the speech was got abroad: nor had he a mind, he says, to make any apology for Tubero's conduct[3].

Ligarius was a man of distinguished zeal for the liberty of his country: which was the reason both of Cicero's pains to preserve, and of Cæsar's aversion to restore him. After his return, he lived in great confidence with Brutus, who found

[1] Pro Ligar. 6.

[2] Ligarianam præclare vendidisti. Posthac quicquid scripsero, tibi præconium deferam. Ad Att. 13. 12.

Ligarianam, ut video, præclare auctoritas tua commendavit. Scripsit enim ad me Balbus et Oppius, mirifice se probare, ob eamque causam ad Cæsarem eam se oratiunculam misisse. Ibid. 19.

[3] Ad Ligarianam de uxore Tuberonis, et privigna, neque possum jam addere, est enim res pervulgata, neque Tuberonem volo defendere. Mirifice est enim φιλαίτιος. Ibid. 20.

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him a fit person to bear a part in the conspiracy against Cæsar; but, happening to be taken ill near the time of its execution, when Brutus, in a visit to him, began to lament that he was fallen sick in a very unlucky hour, Ligarius, raising himself presently upon his elbow, and taking Brutus by the hand, replied: "Yet still, Brutus, if you mean to do any thing worthy of yourself, I am well[1]:" nor did he disappoint Brutus's opinion of him, for we find him afterwards in the list of the conspirators.

In the end of the year, Cæsar was called away in great haste into Spain, to oppose the attempts of Pompey's sons, who, by the credit of their father's name, were become masters again of all that province; and with the remains of the troops, which Labienus, Varus, and the other chiefs, who escaped, had gathered up from Afric, were once more in condition to try the fortune of the field with him: where the great danger to which he was exposed, from this last effort of a broken party, shews how desperate his case must have been, if Pompey himself, with an entire and veteran army, had first made choice of this country for the scene of the war.

Cicero all this while passed his time, with little satisfaction, at home, being disappointed of the ease and comfort which he expected from his new marriage: his children, as we may imagine, while their own mother was living, would not easily bear with a young mother-in-law in the house with them. The son especially, was pressing to get a particular appointment settled for his maintenance, and to have leave also to go to Spain, and make a campaign under Cæsar, whither his cousin Quintus was already gone. Cicero did not approve this project, and endeavoured by all means to dissuade him from it; representing to him, that it would naturally draw a just reproach upon them, for not thinking it enough to quit their former party, unless they fought against it too; and that he would not be pleased to see his cousin more regarded there than himself; and promising, withal, if he would consent to stay, to make him an ample and honourable allowance[2]. This diverted him from the thoughts of Spain, though not from the desire of removing from his father, and taking a separate house in the city, with a distinct family of his own: but Cicero thought it best to send him to Athens, in order to spend a few years in the study of philosophy and polite letters; and, to make the proposal agree-

[1] Plut. in Brut.

[2] De Hispania duo attuli; primum idem, quod tibi, me vereri vituperationem: non satis esse si hæc arma reliquissemus? etiam contraria? deinde fore ut angeretur, cum a fratre familiaritate et omni gratia vinceretur. Velim magis liberalitate uti mea quam sua libertate. Ad Att. 12. 7.

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

able, offered him an appointment, that would enable him to live as splendidly as any of the Roman nobility, who then resided there, Bibulus, Acidinus, or Messala[1]. This scheme was accepted, and soon after executed; and young Cicero was sent to Athens, with two of his father's freedmen, L. Tullius Montanus, and Tullius Marcianus, as the intendants and counsellors of his general conduct, while the particular direction of his studies was left to the principal philosophers of the place; and, above all, to Cratippus, the chief of the peripatetic sect[2].

In this uneasy state, both of his private and public life, he was oppressed by a new and most cruel affliction, the death of his beloved daughter Tullia; which happened soon after her divorce from Dolabella, whose manners and humour were entirely disagreeable to her. Cicero had long been deliberating with himself and his friends, whether Tullia should not first send the divorce; but a prudential regard to Dolabella's power, and interest with Cæsar, which was of use to him in these times, seems to have withheld him[3]. The case was the same with Dolabella; he was willing enough to part with Tullia, but did not care to break with Cicero, whose friendship was a credit to him, and whom gratitude obliged him to observe and reverence; since Cicero had twice defended and preserved him in capital causes[4]: so that it seems most probable, that the divorce was of an amicable kind, and executed at last by the consent of both sides: for it gave no apparent interruption to the friendship between Cicero and Dolabella, which they carried on with the same show of affection and professions of respect toward each other, as if the relation had still subsisted.

Tullia died in child-bed, at her husband's house[5]; which confirms the probability of their agreement in the divorce: it is certain, at least, that she died in Rome; where Cicero was detained, he says, by the expectation of the birth, and to receive the first payment of her fortune back again from Dolabella, who was then in Spain; she was delivered, as it was thought, very happily, and supposed to be out of danger; when an un-

[1] Præstabo nec Bibulum, nec Acidinum, nec Messalam, quos Athenis futuros audio, majores sumptus facturos, quam quod ex eis mercedibus accipietur. Ad Att. 12. 32.

[2] L. Tullium Montanum nosti, qui cum Cicerone profectus est. Ibid. 52, 53.
Quanquam te, Marce fili, annum jam audientem Cratippum, &c. De Offic. 1. 1. it. 2. 2.

[3] Te oro ut de hac misera cogites—melius quidem in pessimis nihil fuit discidio—nunc quidem ipse videtur denunciare—placet mihi igitur, et idem tibi nuncium remitti, &c. Ad Att. 11. 23. Vid. ib. 3.
Quod scripsi de nuncio remittendo, quæ sit istius vis hoc tempore, et quæ concitatio multitudinis, ignoro. Si metuendus iratus est, quies tamen ab illo fortasse nascetur. Ep. Fam. 14. 13.

[4] Cujus ego salutem duobus capitis judiciis summa contentione defendi. Ibid. 3. 10.

[5] Plut. in Cic.

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expected turn in her case put an end to her life, to the inexpressible grief of her father [1].

We have no account of the issue of this birth, which writers confound with that which happened three years before, when she was delivered, at the end of seven months, of a puny male child: but whether it was from the first, or the second time of her lying in, it is evident that she left a son by Dolabella, who survived her, and whom Cicero mentions more than once, in in his letters to Atticus, by the name of Lentulus [2]: desiring him to visit the child, and see a due care taken of him, and to assign him what number of servants he thought proper [3].

Tullia was about two and thirty years old at the time of her death; and, by the few hints which are left of her character, appears to have been an excellent and admirable woman: she was most affectionately and piously observant of her father; and, to the usual graces of her sex, having added the more solid accomplishments of knowledge and polite letters, was qualified to be the companion, as well as the delight of his age; and was justly esteemed not only as one of the best, but the most learned of the Roman ladies. It is not strange, therefore, that the loss of such a daughter, in the prime of her life, and the most comfortless season of his own, should affect him with all that grief which the greatest calamity could imprint on a temper naturally timid and desponding.

Plutarch tells us, that the philosophers came from all parts to comfort him; but that can hardly be true, except of those who lived in Rome, or in his own family; for his first care was, to shun all company as much as he could, by removing to Atticus's house; where he lived chiefly in the library, endeavouring to relieve his mind, by turning over every book which he could meet with, on the subject of moderating grief [4]; but

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[1] Me Romæ tenuit omnino Tulliæ meæ partus: sed cum ea, quemadmodum spero, satis firma sit, teneor tamen, dum a Dolabellæ procuratoribus exigam primam pensionem. Ep. Fam. 6. 18.

[2] The father's names were Publius Cornelius Lentulus Dolabella: the two last being surnames, acquired, perhaps, by adoption, and distinguishing the different branches of the Cornelian family.

[3] Velim aliquando, cum erit tuum commodum, Lentulum puerum visas, eique de mancipiis, quæ tibi videbitur, attribuas. Ad Att. 12. 28.

Quod Lentulum invisis, valde gratum. Ibid 30. Vid. etiam 18.

N. B. Mr. Bayle declares himself surprised, to find Asconius Pæd. so ill informed of the history of Tullia, as to tell us, that, after Piso's death, she was married to P. Lentulus, and died in child-bed at his house. In which short account there are contained, he says, two or three lies. But Plutarch confirms the same account; and the mistake will rest, at last, not on Asconius, but on Mr. Bayle himself, who did not reflect, from the authority of those ancients, that Lentulus was one of Dolabella's names, by which he was called indifferently, as well as by any of the rest. See Bayl. Diction. Artic. Tullia. not. k.

[4] Me Mihi non defuisse tu testis es, nihil enim de mœrore minuendo ab ullo scriptum est, quod ego non domi tuæ legerim. Ad Att. 12. 14.

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finding his residence here too public, and a greater resort to him than he could bear, he retired to Astura, one of his seats near Antium, a little island on the Latian shore, at the mouth of a river of the same name, covered with woods and groves, cut out into shady walks; a scene of all others, the fittest to indulge melancholy, and where he could give a free course to his grief. "Here," says he, "I live without the speech of man; every morning early I hide myself in the thickest of the wood, and never come out till the evening: next to yourself, nothing is so dear to me as this solitude: my whole conversation is with my books; yet that is sometimes interrupted by my tears, which I resist as well as I can, but am not yet able to do much [1]."

Atticus urged him to quit this retirement, and divert himself with business, and the company of his friends; and put him gently in mind, that, by afflicting himself so immoderately, he would hurt his character, and give people a handle to censure his weakness: to which he makes the following answer:

"As to what you write, that you are afraid lest the excess of my grief should lessen my credit and authority, I do not know what men would have of me. Is it, that I should not grieve? that is impossible; or that I should not be oppressed with grief? who was ever less so? When I took refuge at your house, was any man ever denied access to me? or did any one ever come, who had reason to complain of me? I went from you to Astura, where those gay sparks, who find fault with me, are not able even to read so much as I have written: how well, is nothing to the purpose; yet it is of a kind which nobody could write with a disordered mind. I spent a month in my gardens about Rome, where I received all who came, with the same easiness as before. At this very moment, while I am employing my whole time in reading and writing, those who are with me are more fatigued with their leisure, than I with my pains. If any one asks, why I am not at Rome? because it is vacation time; why not in some of my villas, more suitable to the season? because I could not easily bear so much company. I am where he, who has the best house at Baiæ, chooses to be, in this part of the year. When I come to Rome, nobody shall find any thing amiss, either in my looks or discourse: as to that cheerfulness with which we used to season the misery of these times, I have lost it, indeed, for ever; but

[1] In hac solitudine careo omnium colloquio, cumque mane in sylvam me abstrusi densam et asperam, non exeo inde ante vesperum. Secundum te, nihil mihi amicius solitudine. In ea mihi omnis sermo est cum litteris; eum tamen interpellat fletus; cui repugno quoad possum, sed adhuc pares non sumus. Ad Att. 12. 15.

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will never part with my constancy and firmness, either of mind or speech[1]," &c.

All his other friends were very officious, likewise, in making their compliments of condolence, and administering arguments of comfort to him: among the rest, Cæsar himself, in the hurry of his affairs in Spain, wrote him a letter on the occasion, dated from Hispalis, the last of April[2]. Brutus wrote another, so friendly and affectionate, that it greatly moved him[3]: Lucceius, also, one of the most esteemed writers of that age, sent him two; the first to condole, the second to expostulate with him for persevering to cherish an unmanly and useless grief[4]: but the following letter of Ser. Sulpicius is thought to be a masterpiece of the consolatory kind.

"SER. SULPICIUS TO M. T. CICERO.

"I WAS exceedingly concerned, as indeed I ought to be, to hear of the death of your daughter Tullia; which I looked upon as an affliction common to us both. If I had been with you, I would have made it my business to convince you what a real share I take in your grief. Though that kind of consolation is but wretched and lamentable, as it is to be performed by friends and relations, who are overwhelmed with grief, and cannot enter upon their task without tears, and seem to want comfort rather themselves, than to be in condition to administer it to others. I resolved, therefore, to write to you, in short, what occurred upon it to my own mind; not that I imagined, that the same things would not occur also to you, but that the force of your grief might possibly hinder your attention to them. What reason is there, then, to disturb yourself so immoderately on this melancholy occasion? Consider how fortune has already treated us; how it has deprived us of what ought to be as dear to us as children; our country, credit, dignity, honours. After so miserable a loss as this, what addition can it possibly make to our grief, to suffer one misfortune more? or how can a mind, after being exercised in such trials, not grow callous, and think every thing else of inferior value? But is it for your daughter's sake that you grieve? yet how often must you necessarily reflect, as I myself frequently do, that those cannot be said to be hardly dealt with, whose lot it has been, in these times, without suffering any affliction, to exchange life for death. For what is there,

[1] Ibid. 40.
[2] A Cæsare litteras accepi consolatarias, datas prid. Kal. Maii, Hispali. Ibid. 13. 20.
[3] Bruti litteræ scriptæ et prudenter et amice, multas tamen mihi lacrimas attulerunt. Ibid. 12, 13.
[4] Vid. Ep. Fam. 5. 13, 14.

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in our present circumstances, that could give her any great invitation to live? what business? what hopes? what prospect of comfort before her? was it to pass her days in the married state, with some young man of the first quality? (for you, I know, on the account of your dignity, might have chosen what son-in-law you pleased out of all our youth, to whose fidelity you might safely have trusted her:) was it then for the sake of bearing children, whom she might have had the pleasure to see flourishing afterwards, in the enjoyment of their paternal fortunes, and rising gradually to all the honours of the state, and using the liberty, to which they were born, in the protection of their friends and clients? but what is there of all this, which was not taken away, before it was even given to her? But it is an evil, you will say, to lose our children: it is so; yet it is much greater to suffer what we now endure. I cannot help mentioning one thing, which has given me no small comfort, and may help also, perhaps, to mitigate your grief. On my return from Asia, as I was sailing from Ægina towards Megara, I began to contemplate the prospect of the countries around me: Ægina was behind, Megara before me; Piræeus on the right, Corinth on the left; all which towns, once famous and flourishing, now lie overturned, and buried in their ruins: upon this sight I could not but think presently within myself, alas! how do we poor mortals fret and vex ourselves, if any of our friends happen to die, or to be killed, whose life is yet so short, when the carcasses of so many noble cities lie here exposed before me in one view? Why wilt thou not then command thyself, Servius, and remember that thou art born a man! Believe me, I was not a little confirmed by this contemplation: try the force of it, therefore, if you please, upon yourself; and imagine the same prospect before your own eyes. But to come nearer home: when you consider how many of our greatest men have perished lately at once; what destruction has been made in the empire; what havoc in all the provinces; how can you be so much shocked to be deprived of the fleeting breath of one little woman? who, if she had not died at this time, must necessarily have died a few years after, since that was the condition of her being born. But recal your mind from reflections of this kind, to the consideration of yourself; and think rather on what becomes your character and dignity: that your daughter lived as long as life was worth enjoying, as long as the Republic stood; had seen her father prætor, consul, augur; been married to the noblest of our youth; had tasted every good in life: and when the Republic fell, then quitted it: what ground is there then, either for you or her, to complain of fortune on this account? In short, do not forget that

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you are Cicero, one who has been used always to prescribe and give advice to others; nor imitate those paltry physicians, who pretend to cure other people's diseases, yet are not able to cure their own; but suggest rather to yourself the same lesson, which you would give in the same case. There is no grief so great which length of time will not alleviate: but it would be shameful in you to wait for that time, and not to prevent it by your wisdom: besides, if there be any sense in the dead, such was her love and piety to you, that she must be concerned to see how much you afflict yourself. Give this therefore to the deceased; give it to your friends; give it to your country; that it may have the benefit of your assistance and advice, whenever there shall be occasion. Lastly, since fortune has now made it necessary to us to accommodate ourselves to our present situation, do not give any one a handle to think that you are not so much bewailing your daughter, as the state of the times, and the victory of certain persons. I am ashamed to write any more, lest I should seem to distrust your prudence; and will add, therefore, but one thing farther, and conclude. We have sometimes seen you bear prosperity nobly, with great honour and applause to yourself; let us now see that you can bear adversity with the same moderation, and without thinking it a greater burthen than you ought to do: lest, in the number of all your other virtues, this one, at last, be thought to be wanting. As to myself, when I understand that your mind is grown more calm and composed, I will send you word how all things go on here, and what is the state of the province. Adieu [1]."

His answer to Sulpicius was the same in effect with what he gave to all his friends; that his case was different from all the examples, which he had been collecting for his own imitation, of men who had borne the loss of children with firmness; since they lived in times when their dignity in the state was able, in great measure, to compensate their misfortune: "But for me," says he, "after I had lost all those ornaments which you enumerate, and which I had acquired with the utmost pains, I have now lost the only comfort that was left to me. In this ruin of the Republic, my thoughts were not diverted by serving either my friends or my country; I had no inclination to the Forum; could not bear the sight of the senate; took myself, as the case in truth was, to have lost all the fruit of my industry and fortunes: yet, when I reflected, that all this was common to you, and to many others, as well as to myself, and was forcing myself therefore to bear it tolerably, I had still, in

[1] Ep. Fam. 4. 5.

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Tullia, somewhat always to recur to, in which I could acquiesce; and in whose sweet conversation I could drop all my cares and troubles: but by this last cruel wound, all the rest, which seemed to be healed, are broken out again afresh: for as I then could relieve the uneasiness which the Republic gave me, by what I found at home; so I cannot now, in the affliction which I feel at home, find any remedy abroad; but am driven, as well from my house as the Forum; since neither my house can ease my public grief, nor the public my domestic one[1]."

The remonstrances of his friends had but little effect upon him; all the relief that he found was from reading and writing, in which he continually employed himself; and did what no man had ever done before him, draw up a treatise of consolation for himself; from which he professes to have received his greatest comfort; though he wrote it, he owns, at a time when, in the opinion of the philosophers, he was not so wise as he ought to have been: "But I did violence," says he, "to my nature; to make the greatness of my sorrow give place to the greatness of the medicine: though I acted against the advice of Chrysippus, who dissuades the application of any remedy to the first assaults of grief[2]." In this work he chiefly imitated Crantor, the academic, who had left a celebrated piece on the same subject; yet he inserted also whatever pleased him, from any other author who had written upon it[3]; illustrating his precepts, all the way, by examples from their own history, of the most eminent Romans of both sexes, who had borne the same misfortune with a remarkable constancy. This book was much read by the primitive fathers, especially Lactantius, to whom we are obliged for the few fragments which remain of it: for as the critics have long since observed, that piece, which we now see in the collection of his writings under the title of Consolation, is undoubtedly spurious.

But the design of this treatise was, not only to relieve his own mind, but to consecrate the virtues and memory of Tullia to all posterity: nor did his fondness for her stop here; but

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[1] Ep. Fam. 4. 6. it. Ad Att. 12. 23.

[2] Feci, quod ante me nemo, ut ipse me per litteras consolarer—affirmo tibi nullam consolationem esse talem. Ibid. 12. 14. it. ib. 28.

Quid ego de consolatione dicam? quæ mihi quidem ipsi sane aliquantum medetur, cæteris item multum illam profuturam puto. De Divin. 2. 1.

In consolationis libro, quem in medio (non enim sapientes eramus), mœrore et dolore conscripsimus: quodque vetat Chrysippus, ad recentes quasi tumores animi remedium adhibere, id nos fecimus, naturæque vim adtulimus, ut magnitudini medicinæ doloris magnitudo concederet. Tusc. Disp. 4. 29.

[3] Crantorem sequor. Plin. Præf. Hist. N.

Neque tamen progredior longius, quam mihi doctissimi homines concedunt, quorum scripta omnia, quæcunque sunt in eam sententiam, non legi solum—sed in mea etiam scripta transtuli. Ad Att. 12. 21. it. 22.

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suggested the project of a more effectual consecration, by building a temple to her, and erecting her into a sort of deity. It was an opinion of the philosophers, which he himself constantly favoured, and, in his present circumstances, particularly indulged, that the souls of men, were of heavenly extraction, and that the pure and chaste, at their dissolution from the body, returned to the fountain from which they were derived, to subsist eternally in the fruition and participation of the Divine Nature; whilst the impure and corrupt were left to grovel below in the dirt and darkness of these inferior regions. He declares, therefore, that as the wisdom of the ancients had consecrated and deified many excellent persons of both sexes, whose temples were then remaining; the progeny of Cadmus, of Amphitryon, of Tyndarus; so he would perform the same honour to Tullia; who, if any creature had ever deserved it, was of all the most worthy of it. "I will do it, therefore," says he, "and consecrate thee, thou best and most learned of women, now admitted into the assembly of the gods, to the regard and veneration of all mortals [1]."

In his letters to Atticus we find the strongest expressions of his resolution and impatience to see this design executed: "I will have a temple," says he; "it is not possible to divert me from it—if it be not finished this summer, I shall not think myself clear of guilt—I am more religiously bound to the execution of it, than any man ever was to the performance of his vow [2]." He seems to have designed a fabric of great magnificence; for he had settled the plan with his architect, and contracted for pillars of Chian marble, with a sculptor of that isle; where both the work and the materials were the most esteemed of any in Greece [3]. One reason that determined him to a temple rather than a sepulchre, was, that in the one

[1] Non enim omnibus illi sapientes arbitrati sunt eundem cursum in cœlum patere. Nam vitiis et sceleribus contaminatos deprimi in tenebras, atque in cœno jacere docuerunt; castos autem animos, puros, integros, incorruptos, bonis etiam studiis atque artibus expolitos leni quodam ac facili lapsu ad deos, id est, ad naturam sui similem pervolare. Fragm. Consolat. ex Lactantio.

Cum vero et mares et fœminas complures ex hominibus in deorum numero esse videamus et eorum in urbibus atque agris augustissima templa veneremur, assentiamur eorum sapientiæ, quorum ingeniis et inventis omnem vitam legibus et institutis excultam constitutamque habemus. Quod si ullum unquam animal consecrandum fuit, illud profecto fuit. Si Cadmi, aut Amphitryonis progenies, aut Tyndari in cœlum tollenda fama fuit, huic idem honos certe dicandus est. Quod quidem faciam; teque omnium optimam doctissimamque, approbantibus diis ipsis, in eorum cœtu locatam, ad opinionem omnium mortalium consecrabo. Ibid.—Vid. Tusc. Disp. l. 1. c. 11. 12. 30, 31.

[2] Fanum fieri volo, neque mihi erui potest. [Ad Att. 12. 36.] Redeo ad Fanum, nisi hac æstate absolutum erit—scelere me liberatum non putabo. [Ibid. 41.] Ego me majore religione, quam quisquam fuit ullius voti, obstrictum puto. Ibid. 43.

[3] De Fano illo dico—neque de genere dubito, placet enim mihi Cluatii. [Ibid. 18.] Tu tamen cum Apella Chio confice de columnis. [Ibid. 19.] Vid. Plin. Hist. N. 36, 5, 6.

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he was not limited in the expense, whereas, in the other, he was confined by law to a certain sum, which he could not exceed without the forfeiture of the same sum also to the public: yet this, as he tells us, was not the chief motive, but a resolution, that he had taken, of making a proper apotheosis [1]. The only difficulty was, to find a place that suited his purpose: his first thought was to purchase certain gardens cross the Tiber, which, lying near the city, and in the public view, were the most likely to draw a resort of votaries to his new temple. He presses Atticus, therefore, to buy them for him, at any rate, without regard to his circumstances; since he would sell, or mortgage, or be content to live on little, rather than be disappointed. Groves and remote places, he says, were proper only for deities of an established name and religion; but for the deification of mortals, public and open situations were necessary, to strike the eyes, and attract the notice of the people. But he found so many obstructions in all his attempts of purchasing, that, to save trouble and expense, Atticus advised him to build, at last, in one of his own villas; to which he seemed inclined, lest the summer should pass without doing any thing: yet he was irresolute still, which of his villas he should choose, and discouraged by reflecting on the change of masters to which all private estates were exposed, in a succession of ages, which might defeat the end of his building, and destroy the honour of his temple, by converting it to other uses, or suffering it to fall into ruins [2].

[1] Nunquam mihi venit in mentem, quo plus insumtum in monumentum esset, quam nescio quid, quod lege conceditur, tantundem populo dandum esse: quod non magnopere moveret, nisi nescio quomodo, ἀλόγως fortasse. Nollem illud ullo nomine nisi Fani appellari. [Att. 12. 35.] Sepulcri similitudinem effugere non tam propter pœnam legis studeo, quam ut maxime assequar ἀποθέωσιν. Ibid. 36.

This fact seems to confirm what the author of the Book of Wisdom observes on the origin of idolatry; that it was owing to the fond affection of parents, seeking to do honour to their deceased children. "The father," says he, "oppressed with an unexpected grief for the sudden death of his child, after making an image of him, began to worship him as a god, though he was but a dead man, and enjoined certain rites and mysteries to his servants and dependants." [Wisd. xiv. 15.] But it was not Cicero's real thought, after all, to exalt his daughter into a deity; he knew it to be absurd, as he often declares, to pay divine honours to dead mortals; and tells us, how their very publicans had decided that question in Bœotia: for, when the lands of the immortal gods were excepted out of their lease, by the law of the censors, they denied that any one could be deemed an immortal god who had once been a man; and so made the lands of Amphiaraus and Trophonius pay the same taxes with the rest [de Nat. Deor. 3. 19]: yet, in a political view, he sometimes recommends the worship of those sons of men, whom their eminent services to mankind had advanced to the rank of inferior gods, as it inculcated, in a manner the most sensible, the doctrine of the soul's immortality. [de Leg. 2. 11.] And since a temple was the most ancient way of doing honour to those dead who had deserved it [Plin. Hist. 27.], he considered it as the most effectual method of perpetuating the memory and praises of Tullia, and was willing to take the benefit of the popular superstition, and follow the example of those ancients, who had polished and civilized human life, by consecrating such patterns of virtue to the veneration of their fellow-citizens. Vid. Mongault. not. 1. Ad Att. 12. 18.

[2] Sed ineunda nobis ratio est, quemadmodum in omni mutatione dominorum, qui innumerabiles fieri possunt in infinita posteritate—illud quasi consecratum remanere

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But after all his eagerness and solicitude about this temple, it was never actually built by him; since we find no mention of it in any of the ancient writers: which could not have been omitted, if a fabric so memorable had ever been erected[1]. It is likely that, as his grief evaporated, and his mind grew more calm, he began to consider his project more philosophically, and to perceive the vanity of expecting any lasting glory from such monuments, which time itself, in the course of a few ages, must necessarily destroy: it is certain, at least, that, as he made no step towards building it this summer, so Cæsar's death, which happened before the next, gave fresh obstruction to it, by the hurry of affairs, in which it engaged him; and though he had not still wholly dropped the thoughts of it, but continued to make a preparation, and to set apart a fund for it[2], yet, in the short and busy scene of life, which remained to him, he never had leisure enough to carry it into execution.

He was now grown so fond of solitude, that all company was become uneasy to him; and when his friend Philippus, the father-in-law of Octavius, happened to come to his villa, in that neighbourhood, he was not a little disturbed at it, from the apprehension of being teazed with his visits; and he tells Atticus, with some pleasure, that he had called upon him only to pay a short compliment, and went back again to Rome, without giving him any trouble[3]. His wife Publilia also wrote him word, that her mother and brother intended to wait upon him, and that she would come along with them, if he would give her leave, which she begged in the most earnest and submissive terms:——but his answer was, that he was more indisposed than ever to receive company, and would not have

possit. Equidem jam nihil egeo vectigalibus, et parvo contentus esse possum. Cogito interdum trans Tiberim hortos aliquos parare, et quidem ob hanc causam maxime; nihil enim video quod tam celebre esse posset. [Ad Att. 12. 19.] de hortis, etiam atque etiam te rogo. [Ibid. 22.] ut sæpe locuti sumus, commutationes dominorum reformido. [Ibid. 36.] celebritatem requiro. Ibid. 37.

[1] Cœlius Rhodiginus tells us, that in the time of Sixtus the 4th, there was found near Rome, on the Appian way, over against the tomb of Cicero, the body of a woman, whose hair was dressed up in network of gold, and which, from the inscription, was thought to be the body of Tullia. It was entire, and so well preserved by spices, as to have suffered no injury from time; yet, when it was removed into the city, it mouldered away in three days. But this was only the hasty conjecture of some learned of that time, which, for want of authority to support it, soon vanished of itself; for no inscription was ever produced to confirm it, nor has it been mentioned, that I know of, by any other author, that there was any sepulchre of Cicero on the Appian way. Vid. Cœl. Rhod. Lection. antiq. l. 3. c. 24.

[2] Quod ex istis fructuosis rebus receptum est, id ego ad illud fanum sepositum putabam. Ad Att. 15. 15.

[3] Mihi adhuc nihil prius fuit hac solitudine, quam vereor, ne Philippus tollat: heri enim vesperi venerat. Ibid. 12. 16.

Quod eram veritus, non obturbavit Philippus: nam ut heri me salutavit, statim Romam profectus est. Ibid. 18.

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them come; and lest they should come without leave, he desires Atticus to watch their motions, and give him notice, that he might contrive to avoid them [1]. A denial so peremptory confirms what Plutarch says, that his wife was now in disgrace with him, on account of her carriage towards his daughter, and for seeming to rejoice at her death; a crime which, in the tenderness of his affliction appeared to him so heinous, that he could not bear the thoughts of seeing her any more; and though it was inconvenient to him to part with her fortune at this time, yet he resolved to send her a divorce, as a proper sacrifice to the honour of Tullia [2].

Brutus, likewise, about this time, took a resolution of putting away his wife Claudia, for the sake of taking Porcia, Bibulus's widow, and his uncle Cato's daughter. But he was much censured for this step; since Claudia had no stain upon her character, was nobly born, the sister of Appius Claudius, and nearly allied to Pompey; so that his mother, Servilia, though Cato's sister, seems to have been averse to the divorce, and strongly in the interests of Claudia, against her niece. Cicero's advice upon it was, that if Brutus was resolved upon the thing, he should do it out of hand, as the best way to put an end to people's talking, by shewing that it was not done out of levity or complaisance to the times, but to take the daughter of Cato, whose name was now highly popular [3]: which Brutus soon after complied with, and made Porcia his wife.

There happened another accident this summer, which raised a great alarm in the city; the surprising death of Marcellus, whom Cæsar had lately pardoned. He had left Mitylene, and was come as far as Piræeus, on his way towards Rome; where he spent a day with his old friend and colleague, Serv. Sulpicius, intending to pursue his voyage the day following by sea; but in the night, after Sulpicius had taken leave of him, on the twenty-third of May, he was killed by his friend and client, Magius, who stabbed himself instantly with the same poignard; of which Sulpicius sent the following account to Cicero.

[1] Publilia ad me scripsit, matrem suam cum Publilio ad me venturam, et se una, si ego paterer: orat multis et supplicibus verbis ut liceat, et ut sibi rescribam—rescripsi, me etiam gravius esse affectum, quam tum, cum illi dixissem, me solum esse velle, quare nolle me hoc tempore eam ad me venire—te hoc nunc rogo ut explores. Ad Att. 12. 32.

[2] This affair of Publilia's divorce is frequently referred to, though with some obscurity, in his letters; and we find Atticus employed by him afterwards to adjust with the brother Publilius, the time and manner of paying back the fortune. Vid. Ibid. 13. 34, 47. 16. 2.

[3] A te expecto si quid de Bruto: quanquam Nicias confectum putabat, sed divortium non probari. Ibid. 13. 9.

Brutus si quid—curabis ut sciam. Cui quidem quam primum agendum puto, præsertim si statuit; sermunculum enim omnem aut restinxerit aut sedarit. Ibid. 10.

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"SERV. SULPICIUS TO M. T. CICERO.

"THOUGH I know that the news, which I am going to tell you, will not be agreeable, yet since chance and nature govern the lives of us all, I thought it my duty to acquaint you with the fact, in what manner soever it happened. On the twenty-second of May I came by sea from Epidaurus to Piræeus, to meet my colleague Marcellus, and for the sake of his company, spent that day with him there. The next day, when I took my leave of him, with design to go from Athens into Bœotia, to finish the remaining part of my jurisdiction, he, as he told me, intended to set sail, at the same time, towards Italy. The day following, about four in the morning, when I was preparing to set out from Athens, his friend, P. Postumius, came to let me know, that Marcellus was stabbed by his companion P. Magius Cilo, after supper, and had received two wounds, the one in his stomach, the other in his head near the ear, but he was in hopes still that he might live; that Magius presently killed himself; and that Marcellus sent him to inform me of the case, and to desire that I would bring some physicians to him. I got some together immediately, and went away with them before break of day: but when I was come near Piræeus, Acidinus's boy met me with a note from his master, in which it was signified, that Marcellus died a little before day. Thus a great man was murdered by a base villain; and he, whom his very enemies had spared on the account of his dignity, received his death from the hands of a friend. I went forward, however, to his tent, where I found two of his freedmen, and a few of his slaves; all the rest, they said, were fled, being in a terrible fright, on the account of their master's murder. I was forced to carry his body with me into the city, in the same litter in which I came, and by my own servants, where I provided a funeral for him, as splendid as the condition of Athens would allow. I could not prevail with the Athenians to grant a place of burial for him within the city: they said, that it was forbidden by their religion, and had never been indulged to any man: but they readily granted what was the most desirable in the next place, to bury him in any of their public schools that I pleased. I chose a place, therefore, the noblest in the universe, the School of the Academy, where I burnt him; and have since given orders that the Athenians should provide a marble monument for him in the same place. Thus I have faithfully performed to him both when living and dead, every duty which our partnership

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in office, and my particular relation to him required. Adieu. The thirtieth of May, from Athens[1]."

M. Marcellus was the head of a family, which, for a succession of many ages, had made the first figure in Rome, and was himself adorned with all the virtues that could qualify him to sustain that dignity which he derived from his noble ancestors. He had formed himself in a particular manner for the bar, where he soon acquired great fame; and, of all the orators of his time, seems to have approached the nearest to Cicero himself, in the character of a complete speaker. His manner of speaking was elegant, strong, and copious; with a sweetness of voice, and propriety of action, that added a grace and lustre to every thing that he said. He was a constant admirer and imitator of Cicero; of the same principles in peace, and on the same side in war: so that Cicero laments his absence, as the loss of a companion and partner in their common studies and labours of life. Of all the magistrates, he was the fiercest opposer of Cæsar's power, and the most active to reduce it; his high spirit, and the ancient glory of his house, made him impatient under the thought of receiving a master; and when the battle of Pharsalia seemed at last to have imposed one upon them, he retired to Mitylene, the usual resort of men of learning; there to spend the rest of his days in a studious retreat; remote from arms, and the hurry of war: and determined neither to seek nor to accept any grace from the conqueror. Here Brutus paid him a visit, and found him, as he gave an account to Cicero, as perfectly easy and happy, under all the misery of the times, from the consciousness of his integrity, as the condition of human life could bear; surrounded with the principal scholars and philosophers of Greece, and eager in the pursuit of knowledge; so that, in departing from him towards Italy, he seemed, he said, to be going himself into exile, rather than leaving Marcellus in it[2].

[1] Ep. Fam. 4. 12.

[2] Mihi, inquit, Marcellus satis est notus. Quid igitur de illo judicas?—quod habiturus es similem tui—ita est, et vehementer placet. Nam et didicit, et omissis cæteris studiis id egit unum, seseque quotidianis commentationibus acerrime exercuit. Itaque et lectis utitur verbis et frequentibus; et splendore vocis, dignitate motus fit speciosum et illustre, quod dicitur; omniaque sic suppetunt, ut ei nullam deesse virtutem oratoris putem. Brut. 367.

Dolebam, Patres conscripti,—illo æmulo atque imitatore studiorum meorum, quasi quodam socio a me et comite distracto—quis enim est illo aut nobilitate, aut probitate, aut optimarum artium studio, aut innocentia, aut ullo genere laudis præstantior? Pro Marcel. 1.

Nostri enim sensus, ut in pace semper, sic tum etiam in bello congruebant. Ibid. 6.

Qui hoc tempore ipso—in hoc communi nostro et quasi fatali malo, consoletur se cum conscientia optimæ mentis, tum etiam usurpatione ac renovatione doctrinæ. Vidi enim Mitylenis nuper virum, atque ut dixi, vidi plane virum. Itaque cum eum antea tui similem in dicendo viderim; tum vero nunc doctissimo viro, tibique, ut intellexi, amicissimo Cratippo, instructum omni copia, multo videbam similiorem. Brut. ib. vid. Senec. Consolat. ad Helv. p. 79.

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Magius, who killed him, was of a family which had borne some of the public offices, and had himself been quæstor [1]; and, having attached himself to the fortunes of Marcellus, and followed him through the wars and his exile, was now returning with him to Italy. Sulpicius gives no hint of any cause that induced him to commit this horrid act: which, by the immediate death of Magius, could never be clearly known. Cicero's conjecture was, that Magius, oppressed with debts, and apprehending some trouble on that score at his return, had been urging Marcellus, who was his sponsor for some part of them, to furnish him with money to pay the whole; and, by receiving a denial, was provoked to the madness of killing his patron [2]. Others assign a different reason, as the rage of jealousy, and the impatience of seeing others more favoured by Marcellus than himself [3].

As soon as the news reached Rome, it raised a general consternation; and from the suspicious nature of the times, all people's thoughts were presently turned on Cæsar, as if he were privately the contriver of it: and from the wretched fate of so illustrious a citizen, every man began to think himself in danger: Cicero was greatly shocked at it, and seemed to consider it as the prelude of some greater evil to ensue: and Atticus, signifying his concern upon it, advises him to take a more particular care of himself, as being the only consular senator left, who stood exposed to any envy [4]. But Cæsar's friends soon cleared him of all suspicion; as, indeed, the fact itself did, when the circumstances came to be known, and fixed the whole guilt of it on the fury of Magius.

There appeared, at this time, a bold impostor, who began to make a great noise and figure in Italy, by assuming the name, and pretending to be the grandson of Caius Marius; but apprehending that Cæsar would soon put an end to his pretensions, and treat him as he deserved, he sent a pathetic letter to Cicero, by some young fellows of his company, to justify his claim and descent, and to implore his protection against the enemies of his family; conjuring him, by their relation, by the poem which he had formerly written in praise of Marius, by the eloquence of L. Crassus, his mother's father, whom he had likewise celebrated, that he would undertake the defence of his

[1] Vid. Pigh. Annal. A. U. 691.

[2] Quanquam nihil habeo quod dubitem, nisi ipsi Magio quæ fuerit causa amentiæ. Pro quo quidem etiam sponsor Sunii factus est. Nimirum id fuit. Solvendo enim non erat. Credo eum a Marcello petiisse aliquid, et illum, ut erat, constantius respondisse. Ad Att. 13. 10.

[3] Indignatus aliquem amicorum ab eo sibi præferri. Val. Max. 9. 11.

[4] Minime miror te et graviter ferre de Marcello, et plura vereri periculi genera. Quis enim hoc timeret, quod neque acciderat antea, nec videbatur natura ferre, ut accidere posset. Omnia igitur metuenda, &c. Ad Att. 13. 10.

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cause: Cicero answered him very gravely, that he could not want a patron, when his kinsman, Cæsar, so excellent and generous a man, was now the master of all; yet that he also should be ready to favour him [1]. But Cæsar, at his return, knowing him to be a cheat, banished him out of Italy; since, instead of being what he pretended to be, he was found to be only a farrier, whose true name was Herophilus [2].

Ariarathes, the brother and presumptive heir of Ariobarzanes, king of Cappadocia, came to Rome this year, and as Cicero had a particular friendship with his family, and, when consul, had, by a decree of the senate, conferred upon his father the honour of the regal title, he thought proper to send a servant to meet him on the road, and invite him to his house; but he was already engaged by Sestius, whose office it then was to receive foreign princes and ambassadors at the public expense, which Cicero was not displeased with in the present state of his domestic affairs: "He comes," says he, "I guess, to purchase some kingdom of Cæsar, for he has not at present a foot of land of his own [3]."

Cicero's whole time, during his solitude, was employed in reading and writing: this was the business both of his days and nights: it is incredible, he says, how much he wrote, and how little he slept; and if he had not fallen into that way of spending his time, he should not have known what to do with himself [4]. His studies were chiefly philosophical, which he had been fond of from his youth, and, after a long intermission, now resumed with great ardour; having taken a resolution to explain to his countrymen, in their own language, whatever the Greeks had taught on every part of philosophy, whether speculative or practical: for being driven, as he tells us, from the public administration, he knew no way so effectual of doing good, as by instructing the minds, and reforming the morals of the youth; which, in the licence of those times,

[1] Heri—quidam Urbani, ut videbantur, ad me mandata et litteras attulerunt, a C. Mario, C. F. C. N. multis verbis agere mecum per cognationem, quæ mihi secum esset, per eum Marium, quem scripsissem, per eloquentiam L. Crassi avi sui, ut se defenderem —rescripsi nihil ei patrono opus esse, quoniam Cæsaris, propinqui ejus, omnis potestas esset, viri optimi et hominis liberalissimi: me tamen ei fauturum. Ad Att. 12. 49.

[2] Herophilus equarius medicus, C. Marium septies Consulem avum sibi vendicando, ita se extulit, ut coloniæ veteranorum complures et municipia splendida, collegiaque fere omnia patronum adoptarent—cæterum decreto Cæsaris extra Italiam relegatus, &c. Val. Max. 9. 15.

[3] Ariarathes Ariobarzani filius Romam venit. Vult, opinor, regnum aliquod emere a Cæsare: nam, quo modo nunc est, pedem ubi ponat in suo non habet. Omnino eum Sestius noster parochus publicus occupavit: quod quidem facile patior. Verumtamen quod mihi, summo beneficio meo, magna cum fratribus illius necessitudo est, invito eum per litteras, ut apud me diversetur. Ad Att. 13. 2.

[4] Credibile non est, quantum scribam die, quin etiam noctibus. Nihil enim somni. Ibid. 26.

Nisi mihi hoc venisset in mentem, scribere ista nescio quæ, quo verterem me non haberem. Ibid. 10.

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wanted every help to restrain and correct them. "The calamity of the city," says he, "made this task necessary to me: since in the confusion of civil arms, I could neither defend it after my old way; nor, when it was impossible for me to be idle, could I find any thing better, on which to employ myself. My citizens, therefore, will pardon, or rather thank me, that when the government was fallen into the power of a single person, I neither wholly hid, nor afflicted myself unnecessarily, nor acted in such a manner as to seem angry at the man, or the times; nor yet flattered or admired the fortune of another, so as to be displeased with my own. For I had learnt from Plato and philosophy, that these turns and revolutions of states are natural: sometimes into the hands of a few, sometimes of the many, sometimes of one: as this was the case of our own Republic, so, when I was deprived of my former post in it, I betook myself to these studies, in order to relieve my mind from the sense of our common miseries, and to serve my country, at the same time, in the best manner that I was able: for my books supplied the place of my votes in the senate; and of my speeches to the people; and I took up philosophy, as a substitute for my management of the state [1]."

He now published, therefore, in the way of dialogue, a book, which he called Hortensius, in honour of his deceased friend; where, in a debate of learning, he did, what he had often done in contests of the bar, undertake the defence of philosophy against Hortensius, to whom he assigned the part of arraigning it [2]. It was the reading of this book, long since unfortunately lost, which first inflamed St. Austin, as he himself somewhere declares, to the study of the Christian philosophy; and if it had yielded no other fruit, yet happy it was to the world that it once subsisted, to be the instrument of raising up so illustrious a convert and champion to the church of Christ [3].

He drew up also, about this time, in four books, a particular account and defence of the philosophy of the Academy, the sect which he himself followed; being, as he says, of all others, the most consistent with itself, and the least arrogant, as well

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[1] Divin. 2. 2.—de Fin. 1. 3.

[2] Cohortati sumus, ut maxime potuimus, ad philosophiæ studium eo libro, qui est inscriptus, Hortensius. De Divin. 2. 1.

Nos autem universæ philosophiæ vituperatoribus respondimus in Hortensio. Tusc. Disp. 2. 2.

[3] It is certain that all the Latin Fathers made great use of Cicero's writings, and especially Jerome, who was not so grateful as Austin in acknowledging the benefit; for, having conceived some scruples on that score in his declining age, he endeavoured to discourage his disciples from reading them at all; and declared, that he had not taken either Cicero or Maro, or any heathen writer into his hands for above fifteen years; for which his adversary Ruffinus rallies him very severely. Vid. Hieron. Op. Tom. 4. par. 2. p. 414. it. par. 1. p. 288. Edict. Benedict.

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as most elegant[1]. He had before published a work, on the same subject, in two books: the one called Catulus, the other Lucullus; but, considering that the argument was not suited to the characters of the speakers, who were not particularly remarkable for any study of that sort, he was thinking to change them to Cato and Brutus; when Atticus, happening to signify to him that Varro had expressed a desire to be inserted in some of his writings, he presently reformed his scheme, and enlarged it into four books, which he addressed to Varro; taking upon himself the part of Philo, of defending the principles of the Academy, and assigning to Varro that of Antiochus, of opposing and confuting them, and introducing Atticus as the moderator of the dispute. He finished the whole with great accuracy; so as to make it a present worthy of Varro; and if he was not deceived, he says, by partiality and self-love, too common in such cases, there was nothing on the subject equal to it, even among the Greeks[2]. All these four books, excepting part of the first, are now lost; whilst the second book of the first edition, which he took some pains to suppress, remains still entire, under its original title of Lucullus.

He published, likewise, this year, one of the noblest of his works, and on the noblest subject in philosophy, his treatise, called De Finibus, or of the chief good and ill of man; written in Aristotle's manner[3]; in which he explained, with great elegance and perspicuity, the several opinions of all the ancient sects on that most important question. It is there inquired, he tells us, what is the chief end to which all the views of life ought to be referred, in order to make it happy; or what it is, which nature pursues as the supreme good, and shuns as the worst of ills[4]. The work consists of five books: in the two first, the Epicurean doctrine is largely opened and discussed, being defended by Torquatus, and confuted by Cicero, in a conference, supposed to be held in his Cuman Villa, in the presence of Triarius, a young gentleman, who came with Torquatus to visit him. The two next explain the doctrine of

[1] Quod genus philosophandi minime arrogans, maximeque et constans, et elegans arbitraremur, quatuor Academicis libris ostendimus. De Divin. 2. 1.

[2] Ergo illam Ἀκαδημικὴν, in qua homines, nobiles illi quidem, sed nullo modo philologi, nimis acute loquuntur, ad Varronem transferamus—Catulo et Lucullo alibi reponemus. Ad Att. 13. 12.

Quod ad me de Varrone scripseras, totam Academiam ab hominibus nobilissimis abstuli: transtuli ad nostrum sodalem, et ex duobus libris contuli in quatuor—libri quidem ita exierunt, (nisi me forte communis φιλαυτία decipit) ut in tali genere ne apud Græcos quidem quicquam simile. Ibid. 13. vide it. ib. 16. 19.

[3] Quæ autem his temporibus scripsi Ἀριστοτέλειον morem habent—ita confeci quinque libros περὶ τελῶν. Ibid. 19.

[4] Tum id, quod his libris quæritur, quid sit finis, quid extremum, quid ultimum, quo sint omnia bene vivendi, recteque faciendi consilia referenda. Quid sequatur natura, ut summum ex rebus expetendis; quid fugiat, ut extremum malorum. De Fin. l. 4.

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the Stoics, asserted by Cato, and opposed by Cicero, in a friendly debate, upon their meeting accidentally in Lucullus's library. The fifth contains the opinions of the Old Academy, or the Peripatetics, explained by Piso, in a third dialogue, supposed to be held at Athens, in the presence of Cicero, his brother Quintus, cousin Lucius, and Atticus. The critics have observed some impropriety in this last book, in making Piso refer to the other two dialogues, of which he had no share, and could not be presumed to have any knowledge [1]. But if any inaccuracy of that kind be really found in this, or any other of his works, it may reasonably be excused by that multiplicity of affairs, which scarce allowed him time to write, much less to revise what he wrote: and, in dialogues of length, composed by piece-meal, and in the short intervals of leisure, it cannot seem strange, that he should sometimes forget his artificial, to resume his proper character; and enter inadvertently into a part, which he had assigned to another. He addressed this work to Brutus, in return for a present of the same kind, which Brutus had sent to him a little before, *a treatise upon virtue* [2].

Not long after he had finished this work, he published another of equal gravity, called his Tusculan Disputations, in five books also, upon as many different questions in philosophy, the most important and useful to the happiness of human life. The first teaches us how to contemn the terrors of death, and to look upon it as a blessing, rather than an evil; the second, to support pain and affliction with a manly fortitude; the third, to appease all our complaints and uneasiness under the accidents of life; the fourth, to moderate all our other passions; the fifth, to evince the sufficiency of virtue to make man happy. It was his custom, in the opportunities of his leisure, to take some friends with him into the country; where, instead of amusing themselves with idle sports or feasts, their diversions were wholly speculative: tending to improve the mind, and enlarge the understanding. In this manner he now spent five days at his Tusculan Villa, in discussing with his friends the several questions just mentioned: for, after employing the mornings in declaiming and rhetorical exercises, they used to retire, in the afternoon, into a gallery called the Academy, which he had built for the purpose of philosophical conferences: where, after the manner of the Greeks, he held a school, as they called it, and invited the company to call for any subject, that they desired to hear explained; which being proposed, accord-

[1] Vid. Præfat. Davis. in Lib. de Fin.

[2] De Fin. l. 3.

ingly, by some of the audience, became immediately the argument of that day's debate. These five conferences, or dialogues, he collected afterwards into writing, in the very words and manner in which they really passed, and published them under the title of his Tusculan Disputations, from the name of the Villa in which they were held [1].

He wrote also a little piece, in the way of a Funeral Encomium, in praise of Porcia; the sister of Cato, the wife of Domitius Ahenobarbus, Cæsar's mortal enemy: which shews how little he was still disposed to court the times. Varro and Lollius attempted the same subject; and Cicero desires Atticus to send him their compositions: but all the three are now lost: though Cicero took the pains to revise and correct his, and sent copies of it afterwards to Domitius the son, and Brutus the nephew of that Porcia [2].

Cæsar continued all this while in Spain, pursuing the sons of Pompey, and providing for the future peace and settlement of the province; whence he paid Cicero the compliment of sending him an account of his success with his own hand. Hirtius also gave him early intelligence of the defeat and flight of the two brothers; which was not disagreeable to him; for though he was not much concerned about the event of the war, and expected no good from it on either side, yet the opinion which he had conceived of the fierceness and violence of the young Pompeys, especially of the elder of them, Cnæus, engaged his wishes rather for Cæsar. In a letter to Atticus, "Hirtius," says he, "wrote me word, that Sextus Pompey had withdrawn himself from Corduba into the hither Spain; and that Cnæus too was fled, I know not whither, nor in truth do I care [3]:" and this indeed seems to have been the common sentiment of all the Republicans; as Cassius himself, writing to Cicero on the same subject, declares still more explicitly; "may I perish," says he, "if I be not solicitous about the event of things in Spain; and would rather keep our old and clement master, than try a new and cruel one. You know what a fool Cnæus is; how he takes cruelty for a virtue: how

[1] In Tusculano, cum essent complures mecum familiares—ponere jubebam, de quo quis audire vellet; ad id aut sedens aut ambulans disputabam. Itaque dierum quinque Scholas, ut Græci appellant, in totidem libros contuli. Tusc. Disp. 1. 4.

Itaque cum ante meridiem dictioni operam dedissemus—post meridiem in academiam descendimus: in qua disputationem habitam non quasi narrantes exponimus, sed eisdem fere verbis ut actum disputatumque est. Ibid. 2. 3. 3. 3.

[2] Laudationem Porciæ tibi misi correctam: ac eo properavi; ut si forte aut Domitio filio aut Bruto mitteretur, hæc mitteretur. Id si tibi erit commodum, magnopere cures velim; et velim M. Varronis, Lolliique mittas laudationem. Ad Att. 13. 48. it. ibid. 37.

[3] Hirtius ad me scripsit, Sex. Pompeium Corduba exisse, et fugisse in Hispaniam citeriorem; Cnæum fugisse nescio quo, neque enim curo. Ibid. 12. 37.

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

he has always thought that we laughed at him: I am afraid, lest he should take it into his head to repay our jokes, in his rustic manner, with the sword [1]."

Young Quintus Cicero, who made the campaign along with Cæsar, thinking to please his company, and to make his fortunes the better amongst them, began to play over his old game, and to abuse his uncle again in all places. Cicero, in his account of it to Atticus, says, "there is nothing new, but that Hirtius has been quarrelling in my defence, with our nephew Quintus, who takes all occasions of saying every thing bad of me, and especially at public feasts; and when he has done with me, falls next upon his father; he is thought to say nothing so credible, as that we are both irreconcilable to Cæsar: that Cæsar should trust neither of us; and even beware of me: this would be terrible, did I not see that our king is persuaded that I have no spirit left [2]."

Atticus was always endeavouring to moderate Cicero's impatience under the present government, and persuading him to comply more cheerfully with the times, nor to reject the friendship of Cæsar, which was so forwardly offered to him; and upon his frequent complaints of the slavery and indignity of his present condition, he took occasion to observe, what Cicero could not but own to be true; that if to pay a particular court and observance to a man, was the mark of slavery, those in power seemed to be slaves rather to him, than he to them [3]. With the same view he was now pressing him, among his other works, to think of something to be addressed to Cæsar; but Cicero had no appetite to this task; he saw how difficult it would be to perform it, without lessening his character, and descending to flattery; yet being urged to it also by other friends, he drew up a letter, which was communicated to Hirtius and Balbus, for their judgment upon it, whether it was proper to be sent to Cæsar? The subject seems to have been some advice, about restoring the peace and liberty of the Republic, and to dissuade him from the Parthian war, which he intended for his next expedition, till he had finished the more necessary work of settling the state of things at home.

[1] Peream, nisi sollicitus sum? ac malo veterem ac clementem dominum habere, quam novum et crudelem experiri. Scis, Cæsus quam sit fatuus; scis, quomodo crudelitatem virtutem putet; scis, quam se semper a nobis derisum putet. Vereor, ne nos rustice gladio velit ἀντιμυκτηρίσαι. Ep. Fam. 15. 19.

[2] Novi sane nihil, nisi Hirtium cum Quinto acerrime pro me litigasse; omnibus eum locis facere, maximeque in conviviis; cum multa de me, tum redire ad patrem: nihil autem ab eo tam ἀξιοπίστως dici, quam alienissimos nos esse a Cæsare; fidem nobis habendam non esse: me vero cavendum: φοβερὸν ἦν, nisi viderem scire Regem, me animi nihil habere. Ad Att. 13. 37.

[3] Et si mehercule, ut tu intelligis, magis mihi isti serviunt, si observare servire est. Ibid. 49.

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

There was nothing in it, he says, but what might come from the best of citizens. It was drawn, however, with so much freedom, that though Atticus seemed pleased with it, yet the other two durst not advise the sending it, unless some passages were altered or softened, which disgusted Cicero so much, that he resolved not to write at all: and when Atticus was still urging him to be more complaisant, he answered with great spirit in two or three letters [1].

"As for the letter to Cæsar," says he, "I was always very willing that they should first read it; for otherwise, I had both been wanting in civility to them, and, if I had happened to give offence, exposed myself also to danger. They have dealt ingenuously and kindly with me, in not concealing what they thought; but what pleases me the most is, that by requiring so many alterations, they give me an excuse for not writing at all. As to the Parthian war, what had I to consider about it, but that which I thought would please him? for what subject was there else for a letter, but flattery? or if I had a mind to advise, what I really took to be the best, could I have been at a loss for words? there is no occasion, therefore, for any letter: for where there is no great matter to be gained, and a slip, though not great, may make us uneasy, what reason is there to run any risk? especially when it is natural for him to think, that as I wrote nothing to him before, so I should have written nothing now, had not the war been wholly ended: besides, I am afraid lest he should imagine that I sent this as a sweetener for my Cato: in short, I was heartily ashamed of what I had written, and nothing could fall out more luckily than that it did not please [2]."

Again, "As for writing to Cæsar, I swear to you I cannot do it: nor is it yet the shame of it that deters me, which ought to do it the most: for how mean would it be to flatter, when even to live is base in me? but it is not, as I was saying, this shame which hinders me, though I wish it did, for I should then be, what I ought to be; but I can think of nothing to write upon. As to those exhortations addressed to Alexander by the eloquent and the learned of that time, you see on what points they turn: they are addressed to a youth inflamed with the thirst of true glory, and desiring to be advised how to

[1] Epistolam ad Cæsarem mitti, video tibi placere—mihi quidem hoc idem maxime placuit, et eo magis, quod nihil est in ea nisi optimi civis; sed ita optimi, ut tempora, quibus parere omnes πολιτικοὶ præcipiunt. Sed scis ita nobis esse visum, ut isti ante legerent. Tu igitur id curabis. Sed nisi plane intelliges iis placere, mittenda non est. Ad Att. 12. 51.

De epistola ad Cæsarem, κέκριμα. Atque id ipsum, quod isti aiunt illum scribere, se, nisi constitutis rebus, non iturum in Parthos; idem ego suadebam in illa epistola. Ibid. 13. 31.

[2] Ibid. 27.

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

acquire it. On an occasion of such dignity, words can never be wanting; but what can I do on my subject? Yet I had scratched, as it were, out of the block, some faint resemblance of an image; but because there were some things hinted in it, a little better than what we see done every day, it was disliked: I am not at all sorry for it; for had the letter gone, take my word for it, I should have had cause to repent. For do you not see that very scholar of Aristotle, a youth of the greatest parts and the greatest modesty, after he came to be called a king, grown proud, cruel, extravagant? Do you imagine that this man, ranked in the processions of the gods, and enshrined in the same temple with Romulus, will be pleased with the moderate style of my letters? It is better that he be disgusted at my not writing, than at what I write: in a word, let him do what he pleases; for that problem, which I once proposed to you, and thought so difficult, in what way I should manage him, is over with me; and in truth, I now wish more to feel the effect of his resentment, be it what it will, than I was before afraid of it[1]." "I beg of you, therefore," says he in another letter, "let us have no more of this, but shew ourselves at least half free, by our silence and retreat[2]."

From this little fact, one cannot help reflecting on the fatal effects of arbitrary power upon the studies and compositions of men of genius, and on the restraint that it necessarily lays on the free course of good sense and truth among men. It had yet scarce shewn itself in Rome, when we see one of the greatest men, as well as the greatest wits, which that Republic ever bred, embarrassed in the choice of a subject to write upon; and, for fear of offending, choosing not to write at all; and it was the same power, which, from this beginning, gradually debased the purity both of the Roman wit and language, from the perfection of elegance, to which Cicero had advanced them, to that state of rudeness and barbarism, which we find in the productions of the lower empire.

This was the present state of things between Cæsar and Cicero; all the marks of kindness on Cæsar's part, of coldness and reserve on Cicero's. Cæsar was determined never to part with his power, and took the more pains, for that reason, to make Cicero easy under it; he seems, indeed, to have been somewhat afraid of him; not of his engaging in any attempt against his life; but lest, by his insinuations, his railleries, and his authority, he should excite others to some act of violence: but what he more especially desired and wanted,

[1] Ibid. 13. 28.

[2] Obsecro, abjiciamus ista; et semiliberi saltem simus; quod assequemur et tacendo, et latendo. Ibid. 31.

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

was to draw from him some public testimony of his approbation; and to be recommended by his writing to the favour of posterity.

Cicero, on the other hand, perceiving no step taken towards the establishment of the Republic, but more and more reason every day to despair of it, grew still more indifferent to every thing else: the restoration of public liberty was the only condition on which he could entertain any friendship with Cæsar, or think and speak of him with any respect: without that, no favour could oblige him; since, to receive them from a master was an affront to his former dignity, and but a splendid badge of servitude: books, therefore, were his only comfort; for while he conversed with them, he found himself easy, and fancied himself free: thus, in a letter to Cassius, touching upon the misery of the times, he adds—"What is become then, you will say, of philosophy? why, yours is in the kitchen; but mine is troublesome to me: for I am ashamed to live a slave; and feign myself therefore to be doing something else, that I may not hear the reproach of Plato[1]."

During Cæsar's stay in Spain, Antony set forward from Italy to pay his compliments to him there, or to meet him at least on the road in his return towards home: but when he had made about half of the journey, he met with some despatches, which obliged him to turn back, in all haste, to Rome. This raised a new alarm in the city; and especially among the Pompeians, who were afraid that Cæsar, having now subdued all opposition, was resolved, after the example of former conquerors, to take his revenge in cool blood on all his adversaries; and had sent Antony back, as the properest instrument to execute some orders of that sort. Cicero himself had the same suspicion, and was much surprised at Antony's sudden return; till Balbus and Oppius eased him of his apprehensions, by sending him an account of the true reason of it[2]: which, contrary to expectation, gave no uneasiness at last to any body, but to Antony himself. Antony had bought Pompey's houses in Rome, and the neighbourhood, with all their rich furniture, at Cæsar's auction, soon after his return from Egypt; but trusting to his interest with Cæsar, and to the part which he had borne in advancing him to his power, never dreamt of being obliged to pay for them; but Cæsar, being disgusted by

[1] Ubi igitur, inquies, Philosophia? tua quidem in culina; mea molesta est. Pudet enim servire. Itaque facio me alias res agere, ne convicium Platonis audiam. Ep. Fam. 15. 18.

[2] Heri cum ex aliorum litteris cognovissem de Antonii adventu, admiratus sum nihil esse in tuis. Ad Att. 12. 18.

De Antonio Balbus quoque ad me cum Oppio conscripsit, idque tibi placuisse, ne perturbarer. Illis egi gratias. Ibid. 19.

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

the account of his debauches and extravagances in Italy, and resolved to shew himself the sole master, nor suffer any contradiction to his will, sent peremptory orders to L. Plancus, the prætor, to require the immediate payment of Antony, or else to levy the money upon his sureties, according to the tenor of their bond. This was the cause of his quick return, to prevent that disgrace from falling upon him, and find some means of complying with Cæsar's commands: it provoked him, however, to such a degree, that, in the height of his resentment, he is said to have entered into a design of taking away Cæsar's life; of which Cæsar himself complained openly in the senate [1].

The war being ended in Spain, by the death of Cnæus Pompey and the flight of Sextus, Cæsar finished his answer to Cicero's Cato, in two books, which he sent immediately to Rome, in order to be published. This gave Cicero, at last, the argument of a letter to him, to return thanks for the great civility with which he had treated him in that piece, and to pay his compliments likewise, in his turn, upon the elegance of the composition. This letter was communicated again to Balbus and Oppius, who declared themselves extremely pleased with it, and forwarded it directly to Cæsar. In Cicero's account of it to Atticus, "I forgot," says he, "to send you a copy of what I wrote to Cæsar: not for the reason, which you suspect, that I was ashamed to let you see how well I could flatter: for, in truth, I wrote to him no otherwise than as if I was writing to an equal; for I really have a good opinion of his two books, as I told you, when we were together; and wrote, therefore, both without flattering him, and yet so, that he will read nothing, I believe, with more pleasure [2]."

A. Urb. 708. Cic. 62. Coss.—Q. Fabius Maximus. C. Trebonius.

CÆSAR returned to Rome about the end of September; when divesting himself of the consulship, he conferred it on Q. Fabius Maximus and C. Trebonius, for the three re-

[1] Appellatus es de pecunia, quam pro domo, pro hortis, pro sectione debebas.—et ad te et ad prædes tuos milites misit. [Phil. 2. 29.] idcirco urbem terrore nocturno, Italiam multorum dierum metu perturbasti—ne L. Plancus prædes tuos venderet [Ibid. 31.] quin his ipsis temporibus domi Cæsaris percussor, ab isto missus, deprehensus dicebatur esse cum sica. De quo Cæsar in Senatu, aperte in te invehens, questus est. Ibid. 29.

[2] Conscripsi de his libris epistolam Cæsari, quæ deferretur ad Dolabellam: sed ejus exemplum misi ad Balbum et Oppium, scripsique ad eos, ut tum deferri ad Dolabellam juberent meas litteras, si ipsi exemplum probassent, ita mihi rescripserunt, nihil unquam se legisse melius. Ad Att. 13. 50.

Ad Cæsarem quam misi epistolam, ejus exemplum fugit me tum tibi mittere; nec id fuit quod suspicaris, ut me puderet tui—nec mehercule scripsi aliter, ac si πρὸς ἴσον ὅμοιονque scriberem. Bene enim existimo de illis libris, ut tibi coram. Itaque scripsi et ἀκολακεύτως, et tamen sic, ut nihil eum existimem lecturum libentius. Ibid. 51.

A. Urb. 708. Cic. 62. Coss.—Q. Fabius Maximus. C. Trebonius.

maining months of the year[1]. His first care, after his arrival, was to entertain the city with the most splendid triumph which Rome had ever seen; but the people, instead of admiring and applauding it, as he expected, were sullen and silent; considering it, as it really was, a triumph over themselves; purchased by the loss of their liberty, and the destruction of the best and noblest families of the Republic. They had before given the same proof of their discontent at the Circensian games, where Cæsar's statue, by a decree of the senate, was carried in the procession, along with those of the gods: for they gave none of their usual acclamations to the favourite deities, as they passed, lest they should be thought to give them to Cæsar. Atticus sent an account of it to Cicero, who says, in answer to him, "Your letter was agreeable, though the show was so sad:—the people, however, behaved bravely who would not clap even the goddess Victory, for the sake of so bad a neighbour[2]." Cæsar, however, to make amends for the unpopularity of his triumph, and to put the people into good humour, entertained the whole city, soon after, with something more substantial than shows—two public dinners, with plenty of the most esteemed and costly wines of Chios and Falernum[3].

Soon after Cæsar's triumph, the consul Fabius, one of his lieutenants in Spain, was allowed to triumph too, for the reduction of some parts of that province, which had revolted: but the magnificence of Cæsar made Fabius's triumph appear contemptible; for his models of the conquered towns, which were always a part of the show, being made only of wood, when Cæsar's were of silver or ivory, Chrysippus merrily called them the cases only of Cæsar's towns[4].

Cicero resided generally in the country, and withdrew himself wholly from the senate[5]: but, on Cæsar's approach towards Rome, Lepidus began to press him, by repeated letters, to come and give them his assistance; assuring him, that both he and Cæsar would take it very kindly of him. He could not guess for what particular service they wanted him, except the dedication of some temple, to which the presence of three

[1] Utroque anno binos consules substituit sibi in ternos novissimos menses. Suet. J. Cæs. 76.

[2] Suaves tuas litteras! etsi acerba pompa—populum vero præclarum, quod propter tam malum vicinum, ne victoriæ ploditur. Ad Att. 13. 44.

[3] Quid non et Cæsar dictator triumphi sui cœna vini Falerni amphoras, Chii cados in convivia distribuit? idem in Hispaniensi triumpho Chium et Falernum dedit. Plin. Hist. 14. 15.

Adjecit post Hispaniensem victoriam duo prandia. Sueton. 38.

[4] Ut Chrysippus, cum in triumpho Cæsaris eborea oppida essent translata, et post dies paucos Fabii Maximi lignea, thecas esse oppidorum Cæsaris dixit. Quintil. 6. 3. Dio, 234.

[5] Cum his temporibus non sane in Senatum ventitarem. Ep. Fam. 13. 77.

A. Urb. 708. Cic. 62. Coss.—Q. Fabius Maximus. C. Trebonius.

augurs was necessary [1]. But whatever it was, as his friends had long been urging the same advice, and persuading him to return to public affairs, he consented, at last, to quit his retirement and come to the city: where, soon after Cæsar's arrival, he had an opportunity of employing his authority and eloquence, where he exerted them always with the greatest pleasure, in the service and defence of an old friend, king Deiotarus.

This prince had already been deprived, by Cæsar, of part of his dominions, for his adherence to Pompey, and was now in danger of losing the rest, from an accusation preferred against him by his grandson, of a design pretended to have been formed by him against Cæsar's life, when Cæsar was entertained at his house, four years before, on his return from Egypt. The charge was groundless and ridiculous; but, under his present disgrace, any charge was sufficient to ruin him; and Cæsar's countenancing it, so far as to receive and hear it, shewed a strong prejudice against the king, and that he wanted only a pretence for stripping him of all that remained to him. Brutus likewise interested himself very warmly in the same cause; and when he went to meet Cæsar on his road from Spain, made an oration to him, at Nicæa, in favour of Deiotarus, with a freedom which startled Cæsar, and gave him occasion to reflect on what he had not perceived so clearly before, the invincible fierceness and vehemence of Brutus's temper [2]. The present trial was held in Cæsar's house, where Cicero so manifestly exposed the malice of the accuser, and the innocence of the accused, that Cæsar, being determined not to acquit, yet ashamed to condemn him, chose the expedient of reserving his sentence to farther deliberation, till he should go in person into the east, and inform himself of the whole affair upon the spot. Cicero says, that Deiotarus, neither present nor absent, could ever obtain any favour or equity from Cæsar: and that as often as he pleaded for him, which he was always ready to do, he could never persuade Cæsar to think any thing reasonable that he asked for him [3]. He sent a copy of his oration to the king; and, at Dolabella's

[1] Ecce tibi, orat Lepidus, ut veniam. Opinor augures nil habere ad Templum effandum. Ad Att. 13. 42.

Lepidus ad me heri—litteras misit. Rogat magnopere ut sim Kalend. in Senatu; me et sibi et Cæsari vehementer gratum esse facturum. Ibid. 47.

[2] Ibid. 14. 1. The Jesuits, Catrou and Rouille, take Nicæa, where Brutus made this speech, to be the capital of Bithynia, Deiotarus's kingdom: but it was a city on the Ligurian coast still called Nice, where Brutus met Cæsar on his last return from Spain, and when he was not able to prevail for Deiotarus, Cicero was forced to undertake the cause as soon as Cæsar came to Rome. Vid. Hist. Tom. 17. p. 91. not.

[3] Quis enim cuiquam inimicitior, quam Deiotaro Cæsar?—a quo nec præsens, nec absens Rex Deiotarus quidquam æqui boni impetravit—ille nunquam, semper enim absenti affui Deiotaro, quicquam sibi, quod nos pro illo postularemus, æquum dixit videri. Philip. 2. 37.

A. Urb. 708. Cic. 62. Coss.—Q. Fabius Maximus. C. Trebonius.

request, gave another likewise to him: excusing it as a trifling performance, and hardly worth transcribing; "but I had a mind," says he, "to make a slight present to my old friend and host, of coarse stuff indeed, yet such as his presents usually are to me[1]."

Some little time after this trial, Cæsar, to shew his confidence in Cicero, invited himself to spend a day with him at his house in the country, and chose the third day of the Saturnalia for his visit; a season always dedicated to mirth and feasting amongst friends and relations[2]. Cicero gives Atticus the following account of the entertainment, and how the day passed between them:—"O this guest," says he, "whom I so much dreaded! yet I had no reason to repent of him: for he was well pleased with his reception. When he came the evening before, on the eighteenth, to my neighbour Philip's, the house was so crowded with soldiers, that there was scarce a room left empty for Cæsar to sup in: there were about two thousand of them, which gave me no small pain for the next day: but Barba Cassius relieved me; for he assigned me a guard, and made the rest encamp in the field: so that my house was clear. On the nineteenth, he staid at Philip's till one in the afternoon, but saw nobody; was settling accounts, I guess, with Balbus; then took a walk on the shore; bathed after two; heard the verses on Mamurra[3], at which he never changed countenance; was rubbed, anointed, sat down to table. Having taken a vomit just before, he ate and drank freely, and was very cheerful[4]: the supper was good and well served:

[1] Oratiunculam pro Deiotaro, quam requirebas—tibi misi. Quam velim sic legas, ut causam tenuem et inopem, nec scriptione magno opere dignam. Sed ego hospiti veteri et amico munusculum mittere volui levidense, crasso filo, cujusmodi ipsius solent esse munera. Ep. Fam. 9. 12.

[2] This festival, after Cæsar's reformation of the kalendar, began on the 17th December, and lasted three days. Macrob. Saturn. 1. 10.

[3] Mamurra was a Roman knight, and general of the artillery to Cæsar, in Gaul; where he raised an immense fortune, and is said to have been the first man in Rome, who incrusted his house with marble, and made all his pillars of solid marble. [Plin. Hist. 36. 6.] He was severely lashed, together with Cæsar himself, for his excessive luxury, and more infamous vices, by Catullus; whose verses are still extant, and the same, probably, that Cicero here refers to, as being first read to Cæsar at his house. Vid. Catull. 27. 55.

The reader, perhaps, will not readily understand the time and manner of Cæsar's passing from Philip's house to Cicero's in this short account of it: but it must be remembered, that their villas were adjoining to each other on the Formian coast, near Cajeta; so that when Cæsar came out of Philip's at one, he took a walk on the shore for about an hour, and then entered into Cicero's: where the bath was prepared for him, and, in bathing, he heard Catullus's verses; not produced by Cicero, for that would not have been agreeable to good manners, but by some of his own friends, who attended him, and who knew his desire to see every thing that was published against him, as well as his easiness in slighting or forgiving it.

[4] The custom of taking a vomit, both immediately before and after meals, which Cicero mentions Cæsar to have done on different occasions, [pro Deiot. 7.] was very common with the Romans, and used by them as an instrument both of their luxury and of their health: they vomit, says Seneca, that they may eat, and eat that they may vomit. [Consol. ad Helo. 9.] By this evacuation before eating, they were prepared to eat

A. Urb. 708. Cic. 62. Coss.—Q. Fabius Maximus. C. Trebonius.

' But our discourse at table, as we ate,
For taste and seasoning still excell'd our meat [1].'

"Besides Cæsar's table, his friends were plentifully provided for in three other rooms; nor was there any thing wanting to his freedmen of lower rank, and his slaves: but the better sort were elegantly treated. In a word, I acquitted myself like a man: yet, he is not a guest to whom one would say, at parting, pray call upon me again, as you return: once is enough: we had not a word on business, but many on points of literature: in short, he was delighted with his entertainment, and passed the day agreeably. He talked of spending one day at Puteoli; another at Baiæ. Thus you see the manner of my receiving him; somewhat troublesome, indeed, but not uneasy to me. I shall stay here a little longer, and then to Tusculum. As he passed by Dolabella's villa, his troops marched close by his horse's side, on the right and left; which was done no where else. I had this from Nicias [2]."

On the last of December, when the consul Trebonius was abroad, his colleague, Q. Fabius, died suddenly; and his death being declared in the morning, C. Caninius Rebilus was named by Cæsar to the vacancy at one in the afternoon, whose office was to continue only through the remaining part of that day. This wanton profanation of the sovereign dignity of the empire, raised a general indignation in the city; and a consulate so ridiculous gave birth to much raillery, and many jokes, which are transmitted to us by the ancients [3]; of which, Cicero, who was the chief author of them, gives us the following specimen, in his own account of the fact.

"CICERO TO CURIUS.

I NO longer either advise or desire you to come home to us, but want to fly some whither myself, where I may hear neither the name nor the acts of these sons of Pelops. It is incredible how meanly I think of myself, for being present at these transactions. You had surely an early foresight of what was coming on, when you ran away from this place: for though it be vexa-

more plentifully; and by emptying themselves presently after it, prevented any hurt from repletion. Thus Vitellius, who was a famous glutton, is said to have preserved his life by constant vomits, while he destroyed all his companions, who did not use the same caution. [Sueton. 12. Dio, 65. 734.] And the practice was thought so effectual for strengthening the constitution, that it was the constant regimen of all the Athletæ, or professed wrestlers, trained for the public shows, in order to make them more robust. So that Cæsar's vomiting before dinner was a sort of compliment to Cicero, as it intimated a resolution to pass the day cheerfully, and to eat and drink freely with him.

[1] This is a citation from Lucilius, of an hexameter verse, with part of a second, which is not distinguished from the text, in the editions of Cicero's Letters.

Sed bene cocto et condito sermone bono, et si quæris libenter.

[2] Ad Att. 13. 52. [3] Macrob. Saturn. 2, 3. Dio, p. 236.

A. Urb. 708. Cic. 62. Coss.—Q. Fabius Maximus. C. Trebonius.

tious to hear of such things, yet that is more tolerable than to see them. It is well that you were not in the field, when at seven in the morning, as they were proceeding to an election of quæstors, the chair of Q. Maximus, whom they called consul [1], was set in its place; but his death being immediately proclaimed, it was removed; and Cæsar, though he had taken the auspices for an assembly of the tribes, changed it to an assembly of the centuries, and at one in the afternoon, declared a new consul, who was to govern till one the next morning. I would have you to know, therefore, that whilst Caninius was consul, nobody dined: and that there was no crime committed in his consulship, for he was so wonderfully vigilant, that through his whole administration he never so much as slept. These things seem ridiculous to you, who are absent; but, were you to see them, you would hardly refrain from tears.—What if I should tell you the rest? For there are numberless facts of the same kind, which I could never have borne, if I had not taken refuge in the port of philosophy, with our friend Atticus, the companion and partner of my studies [2]," &c.

Cæsar had so many creatures and dependants, who expected the honour of the consulship from him, as the reward of their services, that it was impossible to oblige them all in the regular way, so that he was forced to contrive the expedient of splitting it, as it were, into parcels, and conferring it for a few months or weeks, or even days, as it happened to suit his convenience: and, as the thing itself was now but a name, without any real power, it was of little moment for what term it was granted; since the shortest gave the same privilege with the longest, and a man once declared consul, enjoyed ever after the rank and character of a consular senator [3].

A. Urb. 709. Cic. 63. Coss.—C. Julius Cæsar V. M. Antonius.

On the opening of the new year, Cæsar entered into his fifth consulship, in partnership with M. Antony: he had promised it all along to Dolabella, but, contrary to expectation, took it at last to himself. This was contrived by Antony, who, jealous of Dolabella, as a rival in Cæsar's favour, had been suggesting somewhat to his disadvantage, and labouring to create a diffidence of him in Cæsar; which seems to have been the ground of what is mentioned above,—Cæsar's guard-

[1] Cicero would not allow a consul of three months, so irregularly chosen, to be properly called a consul: nor did the people themselves acknowledge him: for, as Suetonius tells us, [in J. Cæs. 80.] when upon Fabius's entrance into the theatre, his officers, according to custom, proclaimed his presence, and ordered the people to make way for the consul, the whole assembly cried out, "He is no consul."

[2] Ep. Fam. 7. 30. [3] Vid. Dio, p. 240.

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ing himself so particularly, when he passed by his villa. Dolabella was sensibly touched with this affront, and came full of indignation to the senate; where, not daring to vent his spleen on Cæsar, he entertained the assembly with a severe speech against Antony, which drew on many warm and angry words between them; till Cæsar, to end the dispute, promised to resign the consulship to Dolabella, before he went to the Parthian war: but Antony protested, that, by his authority as augur, he would disturb that election, whenever it should be attempted [1]; and declared, without any scruple, that the ground of his quarrel with Dolabella, was for having caught him in an attempt to debauch his wife Antonia, the daughter of his uncle: though that was thought to be a calumny, contrived to colour his divorce with her, and his late marriage with Fulvia, the widow of Clodius [2].

Cæsar was now in the height of all his glory, and dressed, as Florus says, in all his trappings, like a victim destined to sacrifice [3]. He had received from the senate the most extravagant honours, both human and divine, which flattery could invent; a temple, altar, priest; his image carried in procession with the gods; his statue among the kings; one of the months called after his name, and a perpetual dictatorship [4]. Cicero endeavoured to restrain the excess of this complaisance, within the bounds of reason [5], but in vain; since Cæsar was more forward to receive, than they to give; and, out of the gaiety of his pride, and to try, as it were, to what length their adulation would reach, when he was actually possessed of every thing which carried with it any real power, was not content still without a title, which could add nothing but envy, and popular odium, and wanted to be called a king. Plutarch thinks it a strange instance of folly in the people, to endure with patience, all the real effects of kingly government, yet declare such an abhorrence to the name. But the folly was not so strange in the people as it was in Cæsar: it is natural to the multitude to be governed by names, rather than things, and the constant art of parties to keep up that prejudice; but it was unpardonable, in so great a man as Cæsar, to lay so much stress on a title, which, so far from being an honour to him, seemed to be a diminution rather of that superior dignity which he already enjoyed.

Among the other compliments that were paid to him, there

[1] Cum Cæsar ostendisset, se, priusquam proficisceretur, Dolabellam Consulem esse jussurum—hic bonus Augur eo se sacerdotio præditum esse dixit, ut comitia auspiciis vel impedire vel vitiare posset, idque se facturum asseveravit. Philip. 2. 32.

[2] Frequentissimo Senatu—hanc tibi esse cum Dolabella causam odii dicere ausus es, quod ab eo sorori et uxori tuæ stuprum oblatum esse comperisses. Philip. 2. 38.

[3] Quæ omnia, velut infulæ, in destinatam morti victimam congerebantur. l. 4. 2. 92.

[4] Flor. ib. Sueton. J. Cæs. 76. [5] Plut. in Cæs.

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was a new fraternity of Luperci instituted to his honour, and called by his name, of which Antony was the head. Young Quintus Cicero was one of this society, with the consent of his father, though to the dissatisfaction of his uncle, who considered it not only as a low piece of flattery, but an indecency for a young man of family to be engaged in ceremonies so immodest, of running naked and frantic about the streets[1]. The festival was held about the middle of February; and Cæsar, in his triumphal robe, seated himself in the rostra, in a golden chair, to see the diversion of the running; where, in the midst of their sport, the consul Antony, at the head of his naked crew, made him the offer of a regal diadem, and attempted to put it on his head; at the sight of which a general groan issued from the whole Forum; till, upon Cæsar's slight refusal of it, the people testified their joy, by an universal shout. Antony, however, ordered it to be entered in the public acts, that, by the command of the people, he had offered the kingly name and power to Cæsar, and that Cæsar would not accept it[2].

While this affair of the kingly title amused and alarmed the city, two of the tribunes, Marullus and Cæsetius, were particularly active in discouraging every step and attempt towards it; they took off the diadem which certain persons had privately put upon Cæsar's statue, in the rostra, and committed those to prison who were suspected to have done it, and publicly punished others for daring to salute him in the streets by the name of king, declaring, that Cæsar himself refused and abhorred that title. This provoked Cæsar beyond his usual temper and command of himself, so that he accused them to the senate, of a design to raise a sedition against him, by persuading the city, that he really affected to be a king: but when the assembly was going to pass the severest sentence upon them, he was content with deposing them from their magistracy, and expelling them from the senate[3], which convinced people still the more of his real fondness for a name that he pretended to despise.

He had now prepared all things for his expedition against the Parthians; had sent his legions before him into Macedonia; settled the succession of all the magistrates for two years to

[1] Quintus Pater quartum vel potius millesimum nihil sapit, qui lætetur Luperco filio et Statio, ut cernat duplici dedecore cumulatam domum. Ad Att. 12. 5.

[2] Sedebat in Rostris collega tuus, amictus toga purpurea, in sella aurea, coronatus: adscendis, accedis ad sellam—diadema ostendis: gemitus toto foro—tu diadema imponebas cum plangore populi, ille cum plausu rejiciebat—at enim adscribi jussit in Fastis ad Lupercalia, C. Cæsari, Dictatori perpetuo M. Antonium Consulem populi jussu regnum detulisse, Cæsarem uti noluisse. [Philip. 2. 34.] Quod ab eo ita repulsum erat, ut non offensus videretur. Vell. Pat. 2. 56.

[3] Sueton. J. Cæs. 79. Dio. p. 245. App. 1. 2. p. 496. Vell. Pat. 2. 68.

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come [1]; appointed Dolabella to take his own place, as consul of the current year; named A. Hirtius and C. Pansa for consuls of the next; and D. Brutus and Cn. Plancus for the following year: but before his departure, he resolved to have the regal title conferred upon him by the senate, who were too sensible of his power, and obsequious to his will, to deny him any thing: and to make it the more palatable, at the same time to the people, he caused a report to be industriously propagated through the city, of ancient prophecies found in the Sibylline books, that the Parthians could not be conquered but by a king; on the strength of which, Cotta, one of the guardians of those books, was to move the senate at their next meeting, to decree the title of king to him [2]. Cicero, speaking afterwards of this design, says—It was expected that some forged testimonies would be produced, to shew that he, whom we had felt in reality to be a king, should be called also by that name, if we would be safe; but let us make a bargain with the keepers of those oracles, that they bring any thing out of them rather than a king, which neither the gods nor men will ever endure again at Rome [3].

One would naturally have expected, after all the fatigues and dangers through which Cæsar had made his way to empire, that he would have chosen to spend the remainder of a declining life in the quiet enjoyment of all the honours and pleasures which absolute power, and a command of the world, could bestow: but, in the midst of all this glory, he was a stranger still to ease: he saw the people generally disaffected to him, and impatient under his government; and though amused a while with the splendour of his shows and triumphs, yet regretting severely, in cool blood, the price that they had paid for them; the loss of their liberty, with the lives of the best and noblest of their fellow-citizens. This expedition therefore against the Parthians, seems to have been a political pretext for removing himself from the murmurs of the city, and leaving to his ministers the exercise of an invidious power, and the task of taming the spirits of the populace; whilst he, by employing himself in gathering fresh laurels in the east, and extending the bounds and retrieving the honour of the empire against its most dreaded enemy, might gradually reconcile

[1] Etiamne Consules et Tribunos plebis in biennium, quos ille voluit? Ad Att. 14. 6.

[2] Proximo autem Senatu, L. Cottam quindecimvirum sententiam dicturum; ut quoniam libris fatalibus contineretur, Parthos non nisi a Rege posse vinci, Cæsar Rex appellaretur. Sueton. c. 79. Dio, p. 247.

[3] Quorum interpres nuper falsa quædam hominum fama dicturus in Senatu putabatur, eum, quem re vera Regem habebamus, appellandum quoque esse Regem, si salvi esse vellemus—cum antistitibus agamus, ut quidvis potius ex illis libris, quam Regem proferant, quem Romæ posthac nec Dii nec homines esse patientur. De Divin. 2. 54.

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them to a reign that was gentle and clement at home, successful and glorious abroad.

But his impatience to be a king defeated all his projects, and accelerated his fate, and pushed on the nobles, who had conspired against his life, to the immediate execution of their plot, that they might save themselves the shame of being forced to concur in an act which they heartily detested[1]: and the two Brutuses, in particular, the honour of whose house was founded in the extirpation of kingly government, could not but consider it as a personal infamy, and a disgrace to their very name, to suffer the restoration of it.

There were above sixty persons said to be engaged in this conspiracy[2], the greatest part of them of the senatorian rank; but M. Brutus and C. Cassius were the chief in credit and authority, the first contrivers and movers of the whole design.

M. Junius Brutus was about one and forty years old, of the most illustrious family of the Republic, deriving his name and descent in a direct line from that first consul, L. Brutus, who expelled Tarquin, and gave freedom to the Roman people[3]. Having lost his father when very young, he was trained with great care by his uncle Cato, in all the studies of polite letters, especially of eloquence and philosophy, and, under the discipline of such a tutor, imbibed a warm love for liberty and virtue. He had excellent parts, and equal industry, and acquired an early fame at the bar; where he pleaded several causes of great importance, and was esteemed the most eloquent and learned of all the young nobles of his age. His manner of speaking was correct, elegant, judicious, yet wanting that force and copiousness which is required in a consummate orator. But philosophy was his favourite study; in which, though he professed himself of the more moderate sect of the

[1] Quæ causa conjuratis fuit maturandi destinata negotia, ne assentiri necesse esset. Sueton. J. Cæs. 80. Dio, p. 247.

[2] Conspiratum est in eum a sexaginta amplius, C. Cassio, Marcoque et Decimo Bruto principibus conspirationis. Sueton. 80.

[3] Some of the ancient writers call in question this account of Brutus's descent; particularly Dionysius of Halicarnassus, the most judicious and critical of them, who alleges several arguments against it, which seem to be very plausible: yet, while Brutus lived, it was universally allowed to him. Cicero mentions it, in his public speeches, and other writings, as a fact that nobody doubted; and often speaks of the image of old Brutus, which Marcus kept in his house, among those of his ancestors: and Atticus, who was peculiarly curious in the antiquities of the Roman families, drew up Brutus's genealogy for him, and deduced his succession from that old hero, in a direct line, through all the intermediate ages, from father to son. Corn. Nep. vit. Att. 18.—Tusc. Disp. 4. 1.

He was born in the consulship of L. Cornelius Cinna III. and Cn. Papirius Carbo, A. U. 668, which fully confutes the vulgar story of his being commonly believed to be Cæsar's son; since he was but fifteen years younger than Cæsar himself; whose familiarity with his mother, Servilia, cannot be supposed to have commenced till many years after Brutus was born, or not till Cæsar had lost his first wife Cornelia, whom he married when he was very young, and always tenderly loved; and whose funeral oration he made when he was quæstor, and consequently thirty years old. Vid. Sueton. J. Cæs. c. 1. 6. 50. It. Brut. p. 343. 447. et Corradi notas.

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old academy, yet, from a certain pride and gravity of temper, he affected the severity of the stoic, and to imitate his uncle Cato, to which he was wholly unequal: for he was of a mild, merciful, and compassionate disposition; averse to every thing cruel, and was often forced, by the tenderness of his nature, to confute the rigour of his principles. While his mother lived in the greatest familiarity with Cæsar, he was constantly attached to the opposite party, and firm to the interests of liberty: for the sake of which he followed Pompey, whom he hated, and acted on that side with a distinguished zeal. At the battle of Pharsalia, Cæsar gave particular orders to find out and preserve Brutus; being desirous to draw him from the pursuit of a cause that was likely to prove fatal to him, so that when Cato, with the rest of the chiefs, went to renew the war in Afric, he was induced, by Cæsar's generosity, and his mother's prayers, to lay down his arms, and return to Italy. Cæsar endeavoured to oblige him by all the honours which his power could bestow: but the indignity of receiving from a master, what he ought to have received from a free people, shocked him much more than any honours could oblige; and the ruin, in which he saw his friends involved, by Cæsar's usurped dominion, gave him a disgust, which no favours could compensate. He observed, therefore, a distance and reserve through Cæsar's reign; aspired to no share of his confidence, or part in his councils; and, by the uncourtly vehemence with which he defended the rights of King Deiotarus, convinced Cæsar that he could never be obliged, where he did not find himself free. He cultivated, all the while, the strictest friendship with Cicero, whose principles, he knew, were utterly averse to the measures of the times, and in whose free conversation he used to mingle his own complaints, on the unhappy state of the Republic, and the wretched hands into which it was fallen: till, animated by these conferences, and confirmed by the general discontent of all the honest, he formed the bold design of freeing his country by the destruction of Cæsar. He had publicly defended Milo's act of killing Clodius, by a maxim which he maintained to be universally true, that those who lived in defiance of the laws, and cannot be brought to a trial, ought to be taken off without a trial. The case was applicable to Cæsar in a much higher degree than to Clodius, whose power had placed him above the reach of the law, and left no way of punishing him, but by an assassination. This, therefore, was Brutus's motive; and Antony did him the justice to say, that he was the only one of the conspiracy who entered into it out of principle; that the rest from

private malice, rose up against the man, he alone against the tyrant [1].

C. Cassius was descended likewise from a family not less honourable or ancient, nor less zealous for the public liberty, than Brutus's: whose ancestor, Sp. Cassius, after a triumph and three consulships, is said to have been condemned, and put to death by his own father, for aiming at a dominion. He shewed a remarkable instance, when a boy, of his high spirit and love of liberty; for he gave Sylla's son, Faustus, a box on the ear, for bragging, among his school-fellows, of his father's greatness and absolute power; and when Pompey called the boys before him, to give an account of their quarrel, he declared, in his presence, that if Faustus should dare to repeat the words, he would repeat the blow. He was quæstor to Crassus, in the Parthian war, where he greatly signalized both his courage and skill; and if Crassus had followed his advice, would have preserved the whole army; but, after their miserable defeat, he made good his retreat into Syria, with the remains of the broken legions; and when the Parthians, flushed with success, pursued him thither, soon after, and blocked him up in Antioch, he preserved that city and province from falling into their hands; and, watching his opportunity, gained a considerable victory over them, with the destruction of their general. In the civil war, after the battle of Pharsalia, he sailed with seventy ships to the coast of Asia, to raise fresh forces in that country, and renew the war against Cæsar; but, as the historians tell us, happening to meet with Cæsar crossing the Hellespont, in a common passage-boat, instead of destroying him, as he might have done, he was so terrified by the sight of the conqueror, that he begged his life, in an abject manner, and delivered up his fleet to him. But Cicero gives us a hint of a quite different story, which is much more probable, and worthy of Cassius; that having got intelligence where Cæsar designed to land, he lay in wait for him, in a bay of Cilicia, at the mouth of the river Cydnus, with a resolution to destroy him; but Cæsar happened to land on the

[1] Natura admirabilis, et exquisita doctrina, et singularis industria. Cum enim in maximis causis versatus esset—[Brut. 26.] quo magis tuum, Brute, judicium probo, qui eorum, id est, ex vetere academia, philosophorum sectam secutus es, quorum in doctrina et præceptis disserendi ratio conjungitur cum suavitate dicendi et copia. [Ibid. 219.] Nam cum inambularem in Xysto—M. ad me Brutus, ut consueverat, cum T. Pomponio venerat—[Ibid. 15.] tum Brutus—itaque doleo et illius consilio et tua voce populum Rom. carere tamdiu. Quod cum per se dolendum est, tum multo magis consideranti, ad quos ista non translata sint, sed nescio quo pacto devenerint, Ibid. 269.

Ἀλλ' Ἀντωνίου γε καὶ πολλοὺς ἀκοῦσαι λέγοντος, ὡς μόνον οἷοιτο Βροῦτον ἐπιθέσθαι Καίσαρι, προαχθέντα τῇ λαμπρότητι καὶ τῷ φαινομένῳ καλῷ τῆς πράξεως. Vid. Plut. in Brut. p. 997. it. App. p. 498.

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opposite shore before he was aware, so that, seeing his project blasted, and Cæsar secured in a country, where all people were declaring for him, he thought it best to make his own peace too, by going over to him with his fleet. He married Tertia, the sister of Brutus, and though differing in temper and philosophy, was strictly united with him in friendship and politics, and the constant partner of all his counsels. He was brave, witty, learned; yet passionate, fierce, and cruel: so that Brutus was the more amiable friend—he the more dangerous enemy. In his latter years he deserted the stoics, and became a convert to Epicurus, whose doctrine he thought more natural and reasonable; constantly maintaining, that the pleasure which their master recommended, was to be found only in the habitual practice of justice and virtue. While he professed himself, therefore, an Epicurean, he lived like a stoic; was moderate in pleasures, temperate in diet, and a water-drinker through life. He attached himself very early to the observance of Cicero, as all the young nobles did, who had any thing great or laudable in view: this friendship was confirmed by a conformity of their sentiments in the civil war, and in Cæsar's reign; during which, several letters passed between them, written with a freedom and familiarity, which is to be found only in the most intimate correspondence. In these letters, though Cicero rallies his Epicureanism, and change of principles, yet he allows him to have acted always with the greatest honour and integrity; and pleasantly says, that he should begin to think that sect to have more nerves than he imagined, since Cassius had embraced it. The old writers assign several frivolous reasons of disgust, as the motives of his killing Cæsar: that Cæsar took a number of lions from him, which he had provided for a public show; that he would not give him the consulship; that he gave Brutus the more honourable prætorship, in preference to him. But we need not look farther for the true motive, than to his temper and principles: for his nature was singularly impetuous and violent, impatient of contradiction, and much more of subjection, and passionately fond of glory, virtue, liberty: it was from these qualities that Cæsar apprehended his danger; and, when admonished to beware of Antony and Dolabella, used to say, that it was not the gay, the curled, and the jovial, whom he had cause to fear, but the thoughtful, the pale, and the lean; meaning Brutus and Cassius [1].

[1] C. Cassius in ea familia natus, quæ non modo dominatum, sed ne potentiam quidem cujusquam ferre potuit. [Philip. 2. 11.] Quem ubi primum magistratu abiit, damnatumque constat. Sunt qui patrem actorem ejus supplicii ferant. Eum, cognita domi causa, verberasse ac necasse, peculiumque filii Cereri consecravisse.

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The next in authority to Brutus and Cassius, though very different from them in character, were Decimus Brutus and C. Trebonius: they had both been constantly devoted to Cæsar, and were singularly favoured, advanced, and entrusted by him in all his wars: so that, when Cæsar marched first into Spain, he left them to command the siege of Marseilles—Brutus by sea, Trebonius by land; in which they acquitted themselves with the greatest courage and ability, and reduced that strong place to the necessity of surrendering at discretion. Decimus was of the same family with his namesake, Marcus; and Cæsar, as if jealous of a name that inspired an aversion to kings, was particularly solicitous to gain them both to his interest, and seemed to have succeeded to his wish in Decimus; who forwardly embraced his friendship, and accepted all his favours; being named by him to the command of Cisalpine Gaul, and to the consulship of the following year, and the second heir even of his estate, in failure of the first. He seems to have had no peculiar character of virtue, or patriotism, nor any correspondence with Cicero, before the act of killing Cæsar; so that people, instead of expecting it from him, were surprised at his doing it; yet he was brave, generous, magnificent, and lived with great splendour, in the enjoyment of an immense fortune; for he kept a numerous band of gladiators at his own expense, for the diversion of the city; and, after Cæsar's death, spent about four hundred thousand pounds of his own money, in maintaining an army against Antony [1].

Trebonius had no family to boast of, but was wholly a new

[Liv. 2. 41.] Cujus filium, Faustum, C. Cassius condiscipulum suum in schola, proscriptionem paternam laudantem—colapho percussit. [Val. Max. 3. 1. vid. Plut. in Brut.] Reliquias legionum C. Cassius—Quæstor conservavit, Syriamque adeo in populi Romani potestate retinuit, ut transgressos in eum Parthos, felici rerum eventu fugaret ac funderet. [Vell. Pat. 2. 46. it. Philip. xi. 14.] *οὐδὲ ἔργον ἕτερον ἡγοῦμαι τύχης ἐν ἀπόρῳ καιρῷ γενέσθαι μᾶλλον, ἢ Κάσσιον τὸν πολεμικώτατον ἐπὶ τριηρῶν ἑβδομήκοντα ἀπαρασκεύῳ Καίσαρι συντυχόντα, μηδ' ἐς χεῖρας ἐλθεῖν ὑποστῆναι, ὁ δ' οὕτως ἑαυτὸν αἰσχρῶς ὑπὸ φόβου μόνου παρακλέοντι παραδοὺς, ὕστερον ἐν Ῥώμῃ δυναστεύοντα ἤδη κατέκτανεν.* [Ap. 2. 483. it. Dio, l. 42. 188. Sueton. J. Cæs. 63.] C. Cassius—sine his clarissimis viris hanc rem in Cilicia ad ostium fluminis Cydni confecisset, si ille ad eam ripam, quam constituerat, non ad contrariam naves appulisset. [Philip. 2. 11.] e quibus Brutum amicum habere malles, inimicum magis timeres Cassium. [Vell. Pat. 2. 72.] *ἡδονὴν* vero et *ἀταραξίαν* virtute, justitia, *τῷ καλῷ* parari, et verum et probabile est. Ipse enim Epicurus—dicit *οὐκ ἐστὶν ἡδέως, ἄνευ τοῦ καλῶς καὶ δικαίως, ζῆν.* [Ep. Fam. 15. 19.] Cassius tota vita aquam bibit. [Senec. 547.] Quanquam quicum loquor? cum uno fortissimo viro; qui postea quam forum attigisti, nihil fecisti nisi plenissimum amplissimæ dignitatis. In ista ipsa *αἰρέσει* metuo ne plus nervorum sit, quam ego putarim, si modo eam tu probas. [Ep. Fam. 15, 16.] Differendo Consulatum Cassium offenderat. Vell. Pat. 2. 56. it. Plut. in Brut. App. 408.

[1] Adjectis etiam consiliariis cædis, familiarissimis omnium, et fortuna partium ejus in summum evectis fastigium, D. Bruto et C. Trebonio, aliisque clari nominis viris. [Vell. Pat. 2. 56.] Pluresque percussorum in tutoribus filii nominavit: Decimum Brutum etiam in secundis heredibus. [Sueton. J. Cæs. 83.] Vid. Cæs. Comm. de Bell. civil. l. 2. Plut. in Brut. App. p. 497. 518. Dio, l. 43. 247, &c. D. Brutus—cum Cæsaris primus omnium amicorum fuisset, interfector fuit. Vell. Pat. 2. 64.

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man, and the creature of Cæsar's power, who produced him, through all the honours of the state, to his late consulship of three months. Antony calls him the son of a buffoon; but Cicero, of a splendid knight. He was a man of parts, prudence, integrity, humanity; was conversant also in the politer arts, and had a peculiar turn to wit and humour; for, after Cæsar's death, he published a volume of Cicero's sayings, which he had taken the pains to collect; upon which Cicero compliments him, for having explained them with great elegance, and given them a fresh force and beauty, by his humorous manner of introducing them. As the historians have not suggested any reason that should move either him or Decimus to the resolution of killing a man, to whom they were infinitely obliged, so we may reasonably impute it, as Cicero does, to a greatness of soul, and superior love of their country, which made them prefer the liberty of Rome to the friendship of any man; and choose rather to be the destroyers, than the partners of a tyranny [1].

The rest of the conspirators were partly young men of noble blood, eager to revenge the ruin of their fortunes and families: partly men obscure, and unknown to the public [2]; yet, whose fidelity and courage had been approved by Brutus and Cassius. It was agreed by them all, in council, to execute their design in the senate, which was summoned to meet on the Ides, or fifteenth of March: they knew, that the senate would applaud it when done, and even assist, if there was occasion, in the doing it [3]; and there was a circumstance which peculiarly encouraged them, and seemed to be even ominous; that it happened to be Pompey's senate-house, in which their attempt was to be made, and where Cæsar would, consequently, fall at the foot of Pompey's statue, as a just sacrifice to the manes of that great man [4]. They took it also for granted, that the city would be generally on their side; yet, for their greater security, D. Brutus gave orders to arm his gladiators that morning, as if for some public show, that they might be ready, on the first

[1] Scurræ filium appellat Antonius. Quasi vero ignotis nobis fuerit splendidus Eques Romanus Trebonii pater. [Philip. 13. 10.] Trebonii—consilium, ingenium, humanitatem, innocentiam, magnitudinem animi in patria liberanda quis ignorat? [Philip. 11. 4.] liber iste, quem mihi misisti, quantam habet declarationem amoris tui? primum, quod tibi facetum videtur quicquid ego dixi, quod aliis fortasse non item: deinde, quod illa sive faceta sunt, sive sic fiunt narrante te venustissima. Quin etiam antequam ad me veniatur, risus omnis pæne consumitur, &c. [Ep. Fam. 15. 21. it. 12. 16.] Qui libertatem populi Romani unius amicitiæ præposuit, depulsorque dominatus, quam particeps esse maluit. Philip. 2. 11.

[2] In tot hominibus, partim obscuris, partim adolescentibus, &c. Philip. 2. 11.

[3] ὡς τῶν βουλευτῶν, εἰ καὶ μὴ προμάθοιεν, προθύμως, ὅτε ἴδοιεν τὸ ἔργον, συνεπιλημψομένων. App. 499.

[4] Postquam Senatus Idibus Martiis in Pompeii curiam edictus est, facile tempus et locum prætulerunt. Sueton. 80.

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notice, to secure the avenues of the senate, and defend them from any sudden violence; and Pompey's theatre, which adjoined to his senate-house, being the properest place for the exercise of the gladiators, would cover all suspicion that might otherwise arise from them. The only deliberation that perplexed them, and on which they were much divided, was, whether they should not kill Antony also, and Lepidus, together with Cæsar; especially Antony, the more ambitious of the two, and the more likely to create fresh danger to the commonwealth. Cassius, with a majority of the company, was warmly for killing him; but the two Brutuses as warmly opposed, and finally overruled it; they alleged, that to shed more blood than was necessary, would disgrace their cause, and draw upon them an imputation of cruelty; and of acting not as patriots, but as the partisans of Pompey; not so much to free the city, as to revenge themselves on their enemies, and get the dominion of it into their hands. But what weighed with them the most, was a vain persuasion, that Antony would be tractable, and easily reconciled, as soon as the affair was over: but this lenity proved their ruin; and, by leaving their work imperfect, defeated all the benefit of it; as we find Cicero afterwards often reproaching them in his letters[1].

Many prodigies are mentioned by the historians to have given warning of Cæsar's death[2]: which, having been forged by some, and credulously received by others, were copied, as usual, by all, to strike the imagination of their readers, and raise an awful attention to an event, in which the gods were supposed to be interested. Cicero has related one of the most remarkable of them; that as Cæsar was sacrificing, a little before his death, with great pomp and splendour, in his triumphal robes, and golden chair, the victim, which was a fat ox, was found to be without a heart: and when Cæsar seemed to be shocked at it, Spurinna, the Haruspex, admonished him to beware, lest through a failure of counsel, his life should be cut off, since the heart was the seat and source of them both. The next day he sacrificed again, in hopes to find the entrails more propitious; but the liver of the bullock appeared to want its head, which was reckoned also among the direful omens[3].

[1] Plut. in Cæs. App. 499, 502. Dio, 247, 248. Quam vellem ad illas pulcherrimas epulas me Idibus Martiis invitasses. Reliquiarum nihil haberemus. Ep. Fam. 10. 28. 12. 4. ad Brut. 2. 7.

[2] Sed Cæsari futura cædes evidentibus prodigiis denunciata est, &c. Sueton. 81. Plut. in vit.

[3] De Divin. 1. 52. 2. 16. These cases of victims found sometimes without a heart or liver, gave rise to a curious question among those who believed the reality of this kind of divination, as the stoics generally did, how to account for the cause of so strange a phenomenon. The common solution was, that the gods made such changes instantaneously, in the moment of sacrificing, by annihilating or altering the condition of the

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These facts, though ridiculed by Cicero, were publicly affirmed and believed at the time, and seem to have raised a general rumour through the city, of some secret danger that threatened Cæsar's life; so that his friends, being alarmed at it, were endeavouring to instil the same apprehension into Cæsar himself: and had succeeded so far, as to shake his resolution of going that day to the senate, when it was actually assembled, by his summons, in Pompey's senate-house; till D. Brutus, by rallying those fears as unmanly and unworthy of him, and alleging, that his absence would be interpreted as an affront to the assembly, drew him out against his will, to meet his destined fate [1].

In the morning of the fatal day, M. Brutus and C. Cassius appeared, according to custom, in the Forum, sitting in their prætorian tribunals, to hear and determine causes; where, though they had daggers under their gowns, they sat with the same calmness, as if they had nothing upon their minds; till the news of Cæsar's coming out to the senate called them away to the performance of their part in the tragical act, which they executed, at last, with such resolution, that, through the eagerness of stabbing Cæsar, they wounded even one another [2].

Thus fell Cæsar, on the celebrated Ides of March, after he had advanced himself to a height of power, which no conqueror had ever attained before him; though, to raise the mighty fabric, he had made more desolation in the world, than any man, perhaps, who ever lived in it. He used to say, that his conquests in Gaul had cost about a million and two hundred thousand lives [3]; and if we add the civil wars to the account, they could not cost the Republic much less, in the more valuable blood of its best citizens: yet when, through a perpetual course of faction, violence, rapine, slaughter, he had made his way at last to empire, he did not enjoy the quiet possession of it above five months [4].

He was endowed with every great and noble quality that

entrails so, as to make them correspond with the circumstances of the sacrificer, and the admonition which they intended to give. [De Divin. ib.] But this was laughed at by the naturalists as wholly unphilosophical, who thought it absurb to imagine, that the Deity could either annihilate or create; either reduce any thing to nothing, or form any thing out of nothing. What seems the most probable, is, that if the facts really happened, they were contrived by Cæsar's friends, and the heart conveyed away by some artifice, to give them a better pretence of enforcing their admonitions, and putting Cæsar upon his guard against dangers, which they really apprehended, from quite different reasons, than the pretended denunciations of the gods.

[1] Plut. in J. Cæs.

[2] Ib. in Brut. App. 2. 505.

[3] Undecies centena et nonaginta duo hominum millia occisa præliis ab eo—quod ita esse confessus est ipse, bellorum civilium stragem non prodendo. Plin. Hist. 7. 25.

[4] Neque illi tanto viro—plusquam quinque mensium principalis quies contigit. Vell. Pat. 2. 56.

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could exalt human nature, and give a man the ascendant in society: formed to excel in peace, as well as war: provident in counsel; fearless in action; and executing what he had resolved with an amazing celerity: generous beyond measure to his friends; placable to his enemies; and for parts, learning, eloquence, scarce inferior to any man. His orations were admired for two qualities, which are seldom found together, strength and elegance: Cicero ranks him among the greatest orators that Rome ever bred: and Quintilian says, that he spoke with the same force with which he fought; and if he had devoted himself to the bar, would have been the only man capable of rivalling Cicero. Nor was he a master only of the politer arts, but conversant also with the most abstruse and critical parts of learning; and among other works which he published, addressed two books to Cicero, on the analogy of language, or the art of speaking and writing correctly [1]. He was a most liberal patron of wit and learning, wheresoever they were found; and, out of his love of those talents would readily pardon those who had employed them against himself; rightly judging, that by making such men his friends, he should draw praises from the same fountain, from which he had been aspersed. His capital passions were ambition, and love of pleasure, which he indulged in their turns to the greatest excess: yet the first was always predominant, to which he could easily sacrifice all the charms of the second, and draw pleasure even from toils and dangers, when they ministered to his glory. For he thought tyranny, as Cicero says, the greatest of goddesses, and had frequently in his mouth a verse of Euripides, which expressed the image of his soul, that if right and justice were ever to be violated, they were to be violated for the sake of reigning. This was the chief end and purpose of his life; the scheme that he had formed from his early youth; so that, as Cato truly declared of him, he came with sobriety and meditation to the subversion of the Republic. He used to say, that there were two things necessary to acquire and to support power—soldiers and money, which yet depended mutually on each other: with money, therefore, he provided soldiers, and with soldiers extorted money: and was of all men the most rapacious in plundering both friends and foes; sparing neither prince nor state, nor temple, nor even private persons, who were known to possess any share of treasure. His great abilities would necessarily have made him

[1] It was in the dedication of this piece to Cicero, that Cæsar paid him the compliment which Pliny mentions, of his having acquired a laurel, superior to that of all triumphs, as it was more glorious to extend the bounds of the Roman wit, than of their empire. Hist. N. 7. 30.

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one of the first citizens of Rome; but, disdaining the condition of a subject, he could never rest till he had made himself a monarch. In acting this last part, his usual prudence seemed to fail him, as if the height, to which he was mounted, had turned his head, and made him giddy; for, by a vain ostentation of his power, he destroyed the stability of it; and, as men shorten life by living too fast, so, by an intemperance of reigning, he brought his reign to a violent end [1].

It was a common question after his death, and proposed as a problem by Livy, whether it was of service to the Republic that he had ever been born [2]. The question did not turn on the simple merit of his acts, for that would bear no dispute, but on the accidental effects of them; their producing the settlement under Augustus, and the benefits of that government, which was the consequence of his tyranny. Suetonius, who treats the characters of the Cæsars with that freedom, which the happy reigns in which he lived indulged, upon balancing the exact sum of the virtues and vices, declares him, on the whole, to have been justly killed [3]: which appears to have been the general sense of the best, the wisest, and the most disinterested in Rome, at the time when the fact was committed.

The only question which seemed to admit any dispute was, whether it ought to have been committed by those who were the leaders in it [4]: some of whom owed their lives to Cæsar, and others had been loaded by him with honours to a degree that helped to increase the popular odium; particularly D. Brutus, who was the most cherished by him of them all, and

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[1] De Cæsare et ipse ita judico—illum omnium fere Oratorum latine loqui elegantissime—et id—multis litteris, et iis quidem reconditis et exquisitis, summoque studio ac diligentia est consecutus.—[Brut. 370.] C. vero Cæsar si foro tantum vacasset, non alius ex nostris contra Ciceronem nominaretur, tanta in eo vis est, id acumen, ea concitatio, ut illum eodem animo dixisse, quo bellavit, appareat. [Quintil. x. 1.] C. Cæsar, in libris, quos ad M. Ciceronem de analogia conscripsit.—[A. Gell. 19. 8.] Quin etiam in maximis occupationibus cum ad te ipsum, inquit, de ratione latine loquendi accuratissime scripserit. [Brut. 370. vid. it. Sueton. 56.] In Cæsare hæc sunt, mitis, clemensque natura—accedit, quod mirifice ingeniis excellentibus, quale tuum est, delectatur—eodem fonte se hausturum intelligit laudes suas, e quo sit leviter aspersus. [Ep. Fam. 6. 6.] τὴν θεῶν μεγίστην ὥστ' ἔχειν τυραννίδα. [Ad Att. 7. 11.] Ipse autem in ore semper græcos versus de Phœnissis habebat ——

Nam si violandum est jus, regnandi gratia
Violandum est: aliis rebus pietatem colas. [Offic. 3. 21.]

Cato dixit, C. Cæsarem ad evertendam Rempublicam sobrium accessisse. [Quintil. 1. 8. 2.] Abstinentiam neque in imperiis neque in magistratibus præstitit—in Gallia fana templaque Deum donis referta expilavit: urbes diruit, sæpius ob prædam quam delictum—evidentissimis rapinis ac sacrilegiis onera bellorum civilium—sustinuit. Sueton. c. 54. vid. it. Dio, p. 208.

[2] Vid. Senec. Natur. Quæst. l. 5. 18. p. 766.

[3] Prægravant tamen cetera facta, dictaque ejus, ut et abusus dominatione et jure cæsus existimetur. Sueton. c. 76.

[4] Disputari de M. Bruto solet, an debuerit accipere a D. Julio vitam, cum occidendum eum judicaret. Senec. de Benef. l. 2. 20.

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left by his will, the second heir of his estate [1]: for, of the two Brutuses, it was not Marcus, as it is commonly imagined, but Decimus, who was the favourite, and whose part in the conspiracy surprised people the most [2]. But this circumstance served only for a different handle to the different parties, for aggravating either their crime or their merit. Cæsar's friends charged them with base ingratitude, for killing their benefactor, and abusing the power which he had given, to the destruction of the giver. The other side gave a contrary turn to it, extolled the greater virtue of the men, for not being diverted, by private considerations, from doing an act of public benefit; Cicero takes it always in this view, and says that the Republic was the more indebted to them, for preferring the common good to the friendship of any man whatsoever; that, as to the kindness of giving them their lives, it was the kindness only of a robber, who had first done them the greater wrong, by usurping the power to take it: that, if there had been any stain of ingratitude in the act, they could never have acquired so much glory by it; and though he wondered, indeed, at some of them, for doing it, rather than ever imagined that they would have done it: yet he admired them so much the more, for being regardless of favours, that they might shew their regard to their country [3].

Some of Cæsar's friends, particularly Pansa and Hirtius, advised him always to keep a standing guard of prætorian troops, for the defence of his person; alleging that a power acquired by arms must necessarily be maintained by arms; but his common answer was, that he had rather die once by treachery, than live always in fear of it [4]. He used to laugh at Sylla, for restoring the liberty of the Republic, and to say, in contempt of him, that he did not know his letters [5]. But, as a judicious writer has observed, Sylla had learnt a better grammar than he, which taught him to resign his guards and

[1] Appian. 2. 518.

[2] Etsi est enim Brutorum commune factum et laudis societas æqua, Decimo tamen iratiores erant ii, qui id factum dolebant, quo minus ab eo rem illam dicebant fieri debuisse. Philip. 10. 7.

[3] Quod est aliud beneficium—Iatronum, nisi ut commemorare possint, iis se dedisse vitam, quibus non ademerint? quod si esset beneficium, nunquam ii qui illum interfecerunt, a quo erant servati,—tantam essent gloriam consecuti. Philip. 2. 3.

Quo etiam majorem ei Respub. gratiam debet, qui libertatem populi Romani unius amicitiæ præposuit, depulsorque dominatus quam particeps esse maluit—admiratus sum ob eam causam, quod immemor beneficiorum, memor patriæ fuisset. Ib. 11.

[4] Laudandum experientia consilium est Pansæ atque Hirtii: qui semper prædixerant Cæsari, ut principatum armis quæsitum armis teneret. Ille dictitans, mori se quam timere malle. Vell. Pat. 2. 57.

Insidias undique imminentes subire semel confessum satius esse, quam cavere semper. Sueton. c. 86.

[5] Nec minoris impotentiæ voces propalam edebat.—Syllam nescisse litteras, qui Dictaturam deposuerit. Sueton. 77.

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his government together: whereas Cæsar, by dismissing the one, yet retaining the other, committed a dangerous solecism in politics [1]: for he strengthened the popular odium, and consequently his own danger, while he weakened his defence.

He made several good laws during his administration, all tending to enforce the public discipline and extend the penalties of former laws.—The most considerable, as well as the most useful, of them was, that no prætor should hold any province more than one year, nor a consul more than two [2]. This was a regulation that had been often wished for, as Cicero says, in the best of times, and what one of the ablest dictators of the old Republic had declared to be its chief security, not to suffer great and arbitrary commands to be of long duration, but to limit them at least in time, if it was not convenient to limit them in power [3]: Cæsar knew, by experience, that the prolongation of these extraordinary commands, and the habit of ruling kingdoms, was the readiest way, not only to inspire a contempt of the laws, but to give a man the power to subvert them; and he hoped, therefore, by this law, to prevent any other man from doing what he himself had done, and to secure his own possession from the attempts of all future invaders.

SECTION IX.

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Cicero was present at the death of Cæsar in the senate; where he had the pleasure, he tells us, to see the tyrant perish as he deserved [4]. By this accident, he was freed at once from all subjection to a superior, and all the uneasiness and indignity of managing a power, which every moment could oppress him. He was now, without competition, the first citizen in Rome; the first in that credit and authority both with the senate and people, which illustrious merit and services will necessarily give in a free city. The conspirators considered him as such, and reckoned upon him as their sure friend: for they had no sooner finished their work, than Brutus, lifting

[1] Vid. Sir H. Savile's Dissertat. de Militia Rom. at the end of his translation of Tacitus.

[2] Philip. 1. 8. Sueton. J. Cæs. 42, 43.

[3] Quæ lex melior, utilior, optima etiam Repub. sæpius flagitata, quam ne Prætoriæ provinciæ plus quam annum, neve plus quam biennium consulares obtinerentur? Philip. 1. 8.

Mamercus Æmilius—maximam autem, ait, ejus custodiam esse, si magna imperia diuturna non essent, et temporis modus imponeretur, quibus juris imponi non posset. Liv. 1. 4. 24.

[4] Quid mihi attulerit ista domini mutatio, præter lætitiam quam oculis cepi, justo interitu Tyranni? Ad Att. 14. 14.

up his bloody dagger, called out upon him by name, to congratulate with him on the recovery of their liberty [1]: and when they all ran out presently after, into the Forum, with their daggers in their hands, proclaiming liberty to the city, they proclaimed, at the same time, the name of Cicero; in hopes to recommend the justice of their act by the credit of his approbation [2].

This gave Antony a pretence to charge him afterwards, in public, with being privy to the conspiracy, and the principal adviser of it [3]: but it is certain that he was not at all acquainted with it; for though he had the strictest friendship with the chief actors, and they the greatest confidence in him, yet his age, character, and dignity, rendered him wholly unfit to bear a part in an attempt of that nature, and to embark himself in an affair so desperate, with a number of men, who, excepting a few of their leaders, were all either too young to be trusted, or too obscure, even to be known by him [4]. He could have been of little or no service to them in the execution of the act, yet of much greater in justifying it afterwards to the city, for having had no share in it, nor any personal interest, to make his authority suspected. These were the true reasons, without doubt, why Brutus and Cassius did not impart the design to him: had it been from any other motive, as some writers have suggested, or had it admitted any interpretation injurious to his honour, he must have been often reproached with it by Antony, and his other adversaries of those times, who were so studious to invent and propagate any calumny that could depress his credit. I cannot, however, entirely acquit him of being, in some degree, accessary to the death of Cæsar: for it is evident, from several of his letters, that he had an expectation of such an attempt, and from what quarter it would come; and not only expected, but wished it: he prophesied, very early, that Cæsar's reign could not last six months, but must necessarily fall, either by violence, or of itself; and hoped to live to see it [5]: he knew the dissatisfaction of the greatest and best of the city: which they expressed with great freedom in their letters, and with much more, we

[1] Cæsare interfecto—statim cruentum alte extollens M. Brutus pugionem, Ciceronem nominatim exclamavit, atquo oi recuperatam libertatem est gratulatus. Philip. 2. 12.

[2] Dio, p. 249.

[3] Cæsarem meo consilio interfectum. [Philip. 2. 11.] Vestri enim pulcherrimi facti ille furiosus me principem dicit fuisse. Utinam quidem fuissem, molestus nobis non esset. Ep. Fam. 12. 3. it. 2.

[4] Quam verisimile porro est, in tot hominibus partim obscuris, partim adolescentibus, neminem occultantibus, meum nomen latere potuisse? Philip. 2. 11.

[5] Jam intelliges id regnum vix semestre esse posse—nos tamen hoc confirmamus illo augurio, quo diximus: nec nos fallit, nec aliter accidet. Corruat iste necesse est, aut per adversarios, aut ipse per se—id spero vivis nobis fore. Ad Att. 10. 8.

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may imagine, in their private conversation; he knew the fierce and haughty spirit of Brutus and Cassius, and their impatience of a master; and cultivated a strict correspondence with them both, at this time, as if for the opportunity of exciting them to some act of vigour. On the news, that Atticus sent him, of Cæsar's image being placed in the temple of Quirinus, adjoining to that of the goddess Salus; "I had rather," says he, "have him the comrade of Romulus, than of the goddess Safety[1]:" referring to Romulus's fate of being killed in the senate. In another letter, it seems to be intimated, that Atticus and he had been contriving, or talking at least together, how Brutus might be spirited up to some attempt of that kind, by setting before him the fame and glory of his ancestors: "Does Brutus then tell us," says he, "that Cæsar brings with him glad tidings to honest men? where will he find them? unless he hangs himself. But how securely is he now entrenched on all sides? What use then of your fine invention; the picture of old Brutus and Ahala with the verses under, which I saw in your gallery? Yet, what after all can he do[2]?" One cannot help observing, likewise, in his pieces addressed about this time to Brutus, how artfully he falls into a lamentation of the times, and of the particular unhappiness of Brutus himself, in being deprived by them of all the hopes and use of his great talents; putting him in mind, at the same time, of his double descent from ancestors, who had acquired immortal glory by delivering Rome from servitude. Thus he concludes his treatise on famous orators.

"When I look upon you, Brutus, I am grieved to see your youth, running, as it were, in full career through the midst of glory, stopped short by the wretched fate of your country. This grief sits heavy upon me, and on our common friend Atticus, the partner of my affection, and good opinion of you; we heartily wish you well; wish to see you reap the fruit of your virtue, and to live in a republic, that may give you the

[1] Eum *σύνναον* Quirino malo, quam Saluti. Ibid. 12. 15.

[2] Itane nunciat Brutus, illum ad bonos viros? *εὐαγγέλια*: sed ubi eos? nisi forte se suspendit? hic autem ut stultum est! ubi igitur *φιλότέχνημα* illud tuum quod vidi in Parthenone, Ahalam et Brutum? sed quid faciat? Ibid. 13. 40.

Parthenone is supposed to denote some room or gallery in Brutus's, or more probably in Atticus's house, adorned with the images or portraits of the great men of Rome, under each of which, as Cornelius Nepos tells us, [in vit. Att. c. 18.] Atticus had severally described their principal acts and honours, in four or five verses of his own composing; where the contemplation of these figures of old Brutus and Ahala, joined together in one picture, with the verses under, had given a handle perhaps to a conversation between Cicero and him, how Brutus might be incited, by the example of those great ancestors, to dissolve the tyranny of Cæsar. It seems also, very probable, that this very picture of Atticus's invention, as Cicero calls it, might give occasion to the thought and coinage of that silver medal or denarius, which is still extant, with the heads and names of those two old patriots; Brutus on the one side, Ahala on the other. Vid. Thesaur. Morell. in Fam. Junia. Tab. 1. 1.

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opportunity, not only to revive, but to increase the honour and memory of the two noble families from which you descend; —for the Forum was wholly your's; your's all that course of glory: you, of all the young pleaders, brought thither not only a tongue ready formed by the exercise of speaking, but had enriched your oratory by the furniture also of the severer arts: and, by the help of the same arts, had joined to a perfection of eloquence the ornament of every virtue. We are doubly sorry, therefore, on your account, that you want the benefit of the republic;—the republic of you: but though this odious ruin of the city extinguishes the use of your abilities, go on still, Brutus, to pursue your usual studies," &c.

These passages seem to give a reasonable ground to believe that Cicero, though a stranger to the particular counsels of the conspirators, had yet a general notion of their design, as well as some share in promoting it. In his reply to Antony's charge, he does not deny his expectation of it, freely owns his joy for it, and thanks him for giving him an honour, which he had not merited, of bearing a part in it. He calls it the most glorious act which had ever been done, not only in that, but in any other city; in which men were more forward to claim a share which they had not, than to dissemble that which they had: that Brutus's reason for not calling upon him, was to signify, that he was then emulating his praises, by an act, not unlike to what he had done: that if to wish Cæsar's death was a crime, to rejoice at it was the same; there being no difference between the adviser and the approver: yet, excepting Antony, and a few more, who were fond of having a king, that there was not a man in Rome who did not desire to see the fact committed; that all honest men, so far as it was in their power, concurred in it; that some, indeed, wanted the counsel, some the courage, some the opportunity, but none the will to do it [1], &c.

The news of this surprising fact raised a general consternation through the city; so that the first care of the conspirators was to quiet the minds of the people, by proclaiming peace and liberty to all, and declaring that no farther violence was intended to any. They marched out, therefore, in a body, with a cap, as the ensign of liberty, carried before them on a spear [2], and, in a calm and orderly manner, proceeded through

[1] Ecquis est igitur, qui te excepto, et iis, qui illum regnare gaudebant, qui illud aut fieri noluerit, aut factum improbarit? omnes enim in culpa. Etenim omnes boni, quantum in ipsis fuit, Cæsarem occiderunt. Aliis consilium, aliis animus, aliis occasio defuit; voluntas nemini, &c. Philip. 2. 12.

[2] A cap was always given to slaves, when they were made free; whence it became the emblem of liberty: to expose it, therefore, on a spear, was a public invitation to the people, to embrace the liberty that was offered to them by the destruction of their

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the Forum; where, in the first heat of joy, for the death of the tyrant, several of the young nobility, who had borne no part in the conspiracy, joined themselves to the company, with swords in their hands, out of an ambition to be thought partners in the act; but they paid dear afterwards for that vanity, and, without any share of the glory, were involved in the ruin which it drew upon all the rest. Brutus designed to have spoken to the citizens from the rostra; but, perceiving them to be in too great an agitation to attend to speeches, and being uncertain what way the popular humour might turn, and knowing that there were great numbers of Cæsar's old soldiers in the city, who had been summoned from all parts to attend him to the Parthian war, he thought proper, with his accomplices, under the guard of Decimus's gladiators, to take refuge in the capitol [1]. Being here secured from any immediate violence, he summoned the people thither in the afternoon; and in a speech to them, which he had prepared, justified his act, and explained the motives of it, and in a pathetic manner, exhorted them to exert themselves in the defence of their country, and maintain the liberty now offered to them, against all the abettors of the late tyranny. Cicero presently followed them into the capitol, with the best and greatest part of the senate, to deliberate on the proper means of improving this hopeful beginning, and establishing their liberty on a solid and lasting foundation.

Antony, in the mean while, shocked by the hardiness of the act, and apprehending some danger to his own life, stripped himself of his consular robes, and fled home in disguise, where he began to fortify his house, and kept himself close all that day [2], till, perceiving the pacific conduct of the conspirators, he recovered his spirits, and appeared again the next morning in public.

While things were in this situation, L. Cornelius Cinna, one of the prætors, who was nearly allied to Cæsar, made a speech to the people in praise of the conspirators; extolling their act as highly meritorious, and exhorting the multitude to invite them down from the capitol, and reward them with the

tyrant. There was a medal likewise struck on this occasion, with the same device, which is still extant. The thought, however, was not new; for Saturninus, in his sedition, when he had possessed himself of the capitol, exalted a cap also on the top of a spear, as a token of liberty to all the slaves who would join with him; and though Marius, in his sixth consulship, destroyed him for that act, by a decree of the senate, yet he himself used the same expedient afterwards to invite the slaves to take arms with him against Sylla, who was marching with his army into the city, to attack him. Val. Max. 8. 6.

[1] App. 2. p. 503. Dio, p. 250. Plut. in Cæs. et Brut.

[2] Quæ tua fuga? quæ formido præclaro illo die? quæ propter conscientiam scelerum desperatio vitæ? cum ex illa fuga—clam te domum recepisti. Philip. 2. 35. Vid. Dio. p. 259. App. 502, 503.

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honours due to the deliverers of their country; then, throwing off his prætorian robe, he declared that he would not wear it any longer, as being bestowed upon him by a tyrant, and not by the laws. But the next day, as he was going to the senate, some of Cæsar's veteran soldiers, having gathered a mob of the same party, attacked him in the streets with volleys of stones, and drove him into a house, which they were going presently to set on fire, with design to have burnt him in it, if Lepidus had not come to his rescue with a body of regular troops [1].

Lepidus was, at this time, in the suburbs of Rome, at the head of an army, ready to depart for the government of Spain, which had been assigned to him by Cæsar, with a part of Gaul. In the night, therefore, after Cæsar's death, he filled the Forum with his troops, and finding himself superior to any man in power, began to think of making himself master of the city, and taking immediate revenge on the conspirators; but, being a weak and vain man, Antony easily diverted him from that design, and managed him to his own views: he represented the hazard and difficulty of the attempt, while the senate, the city, and all Italy were against them; that the only way to effect what they wished, was to dissemble their real purpose; to recommend pacific counsels, and lull their adversaries asleep, till they had provided a strength sufficient to oppress them; and that, as soon as things were ripe, he would join with him very heartily in avenging Cæsar's death. With these remonstrances he pacified him; and, to render their union the firmer, and to humour his vanity at the same time, gave his daughter in marriage to Lepidus's son, and assisted him to seize the high priesthood, vacant by Cæsar's death, without any regard to the ordinary forms of election [2]. Having thus gained Lepidus into his measures, he made use of his authority and his forces, to harass and terrify the opposite party, till he had driven the conspirators out of the city; and when he had served his purposes with him at home, contrived to send him to his government, to keep the provinces and the commanders abroad in proper respect to them; and that, by sitting down with his army in the nearest part of Gaul, he might be ready for any event which should require his help in Italy.

The conspirators, in the meanwhile, had formed no scheme beyond the death of Cæsar; but seemed to be as much surprised and amazed at what they had done, as the rest of the city: they trusted entirely to the integrity of their cause;

[1] Plut. in Brut. App. p. 504. [2] Dio, p. 249, 250. 257. 269.

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fancying that it would be sufficient of itself to effect all that they expected from it, and draw an universal concurrence to the defence of their common liberty; and taking it for granted that Cæsar's fate, in the height of all his greatness, would deter any of his partizans from aiming at the same power: they placed withal a great confidence in Cicero's authority, of which they assured themselves as their own, and were not disappointed; for, from this moment, he resolved, at all adventures, to support the credit of the men and their act, as the only means left of recovering the republic. He knew that the people were all on their side; and, as long as force was removed, that they were masters of the city. His advice, therefore, was, to use their present advantage, and, in the consternation of Cæsar's party, and the zeal and union of their own, that Brutus and Cassius, as prætors, should call the senate into the capitol, and proceed to some vigorous decrees, for the security of the public tranquillity [1]. But Brutus was for marching calmly, and with all due respect to the authority of the consul; and, having conceived hopes of Antony, proposed the sending a deputation to him, to exhort him to measures of peace; Cicero remonstrated against it, nor would be prevailed with to bear a part in it; he told them, plainly, that there could be no safe treaty with him; that, as long as he was afraid of them, he would promise every thing; but when his fears were over, would be like himself, and perform nothing: so that, while the other consular senators were going forwards and backwards in this office of mediation, he stuck to his point, and staid with the rest in the capitol, and did not see Antony for the two first days [2].

The event confirmed what Cicero foretold: Antony had no thoughts of peace, or of any good to the republic; his sole view was to seize the government to himself, as soon as he should be in condition to do it: and then, on pretence of revenging Cæsar's death, to destroy all those who were likely to oppose him. As his business, therefore, was to gain time, by dissembling and deceiving the republican party into a good opinion of him; so all his answers were mild and moderate, professing a sincere inclination to peace, and no other desire than to see the republic settled again on its old basis. Two days passed in mutual assurances, from both sides, of their

[1] Meministi me clamare, illo ipso primo Capitolino die, Senatum in Capitolium a Prætoribus vocari? Dii immortales, quæ tum opera effici potuerunt, lætantibus omnibus bonis, etiam sat bonis, fractis latronibus? Ad Att. 14. 10.

[2] Dicebam illis in Capitolino liberatoribus nostris, cum me ad te ire vellent ut ad defendendam Rempub. te adhortarer, quoad metueres, omnia te promissurum, simul ac timere desiisses, similemte futurum tui. Itaque cum ceteri Consulares irent, redirent, in sententia mansi; neque te illo die, neque postero, vidi. Philip. 2. 35.

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disposition to concord and amity; and Antony summoned the senate on the third to adjust the conditions of it, and confirm them by some solemn act. Here Cicero, as the best foundation of a lasting quiet, moved the assembly, in the first place, after the example of Athens, to decree a general amnesty, or act of oblivion, for all that was past; to which they unanimously agreed. Antony seemed to be all goodness; talked of nothing but healing measures; and for a proof of his sincerity, moved, that the conspirators should be invited to take part in their deliberations, and sent his son as an hostage for their safety; upon which they all came down from the capitol; and Brutus supped with Lepidus, Cassius with Antony, and the day ended to the universal joy of the city, who imagined that their liberty was now crowned with certain peace [1].

There were several things, however, very artfully proposed and carried by Antony, on the pretence of public concord, of which he afterwards made a most pernicious use; particularly, a decree for the confirmation of all Cæsar's acts: this motion was suspected by many, who stuck upon it for some time, and called upon Antony to explain it, and specify how far it was to extend: he assured them, that no other acts were meant than what were known to every body, and entered publicly on Cæsar's register: they asked if any persons were to be restored from exile? He said, one only, and no more: whether any immunities were granted to cities or countries? He answered, none; and consented, that it should pass with a restriction, proposed by Ser. Sulpicius; that no grant, which was to take place after the Ides of March, should be ratified [2]. This was generally thought so reasonable, and Antony's seeming candour had made such an impression, that those who saw the mischief of it, durst not venture to oppose it: especially as there was a precedent for it in the case of Sylla; and, as it was supposed to relate chiefly to the veteran soldiers, whom it was not possible to oblige or keep in good humour, without confirming the privileges and possessions which Cæsar had

[1] In quo templo quantum in me fuit, jeci fundamenta pacis, Atheniensiumque renovavi vetus exemplum: græcum etiam verbum usurpavi, quo tum in sedandis discordiis erat usa civitas illa, atque omnem memoriam discordiarum oblivione sempiterna delendam censui. Præclara tum oratio M. Antonii, egregia etiam voluntas: pax denique per eum et per liberos ejus cum præstantissimis civibus confirmata est. Philip. 1. 1.

Quæ fuit oratio de concordia?—tuus parvulus filius in Capitolium a te missus pacis obses fuit. Quo Senatus die lætior? quo populus Romanus?—tum denique liberati per viros fortissimos videbamur, quia, ut illi voluerant, libertatem pax sequebatur. Ib. 13. Vid. Plut. in Brut.

[2] Summa constantia ad ea, quæ quæsita erant, respondebat: nihil tum, nisi quod erat notum omnibus, in C. Cæsaris commentariis reperiebatur: num qui exules restituti? unum aiebat, præterea neminem. Num immunitates datæ? nullæ, respondebat. Assentiri etiam nos Ser. Sulpicio voluit, ne qua tabula post Idus Martias ullius decreti Cæsaris aut beneficii figeretur. Philip. 1. 1.

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granted to them. But Brutus and his friends had private reasons for entertaining a better opinion of Antony than his outward conduct would justify: Cæsar had used him roughly on several occasions[1]; and they knew his resentment of it; and that he had been engaged with Trebonius, on Cæsar's last return from Spain, in a design against his life: and, though he did not perform that engagement, yet they thought it an obligation, as well as a proof of his continuing in the same mind, that he had not discovered it, which was the reason of their sparing him, when Cæsar was killed, and of Trebonius's taking him aside, on pretence of business, lest his behaviour, on that occasion, might provoke them to kill him too[2].

But, as Cicero often laments, they had already ruined their cause, by giving Antony leisure to recollect himself, and gather troops about him, by which he forced upon them several other decrees against their will; one of them in favour of the veteran soldiers, whom he had drawn up, for that purpose, in arms about the senate[3]: and another still worse, for the allowance of a public funeral to Cæsar; which Atticus had been remonstrating against, both to Cicero and Brutus, as pernicious to the peace of the city; but it was too late to prevent it: Antony was resolved upon it, and had provided all things for it, as the best opportunity of inflaming the soldiers and the populace, and raising some commotions to the disadvantage of the Republican cause: in which he succeeded so well, that Brutus and Cassius had no small difficulty to defend their lives and houses from the violence of this mob[4]. In this tumult, Helvius Cinna, one of the tribunes, and a particular friend of Cæsar, was torn in pieces by the rabble; being mistaken, unluckily, for the prætor of that name, who, as it is said above, had extolled the act of killing Cæsar in a speech from the rostra: this so alarmed all those who had any similitude of name with any of the conspirators, that Caius Casca, another senator, thought fit, by a public advertisement, to signify the distinction of his person and principles from Publius Casca, who gave the first blow to Cæsar[5].

[1] Philip. 2. 29.

[2] Quanquam si interfici Cæsarem voluisse crimen est, vide quæso, Antoni, quid tibi futurum sit, quem et Narbone hoc consilium cum C. Trebonio cepisse notissimum est, et ob ejus consilii societatem, cum interficeretur Cæsar, tum te a Trebonio vidimus sevocari. Ibid. 14.

[3] Nonne omni ratione veterani, qui armati aderant, cum præsidii nos nihil haberemus, defendendi fuerunt? Ad Att. 14. 14.

[4] Meministine te clamare, causam periisse, si funere elatus esset? at ille etiam in foro combustus, laudatusque miserabiliter: servique et egentes in tecta nostra cum facibus immissi. Ibid. 14. 10. 14. Plut. in Brut.

[5] C. Helvius Cinna Trib. pl. ex funere C. Cæsaris domum suam petens, populi manibus discerptus est, pro Cornelio Cinna, in quem sævire se existimabat, iratus ei, quod cum

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We are not to imagine, however, as it is commonly believed, that these violences were owing to the general indignation of the citizens against the murderers of Cæsar, excited either by the spectacle of his body, or the eloquence of Antony, who made the funeral oration: for, it is certain, that Cæsar, through his whole reign, could never draw from the people any public signification of their favour; but, on the contrary, was constantly mortified, by the perpetual demonstrations of their hatred and disaffection to him. The case was the same after his death: the memory of his tyranny was odious, and Brutus and Cassius, the real favourites of the city: as appeared on all occasions, wherever their free and genuine sense could be declared, in the public shows and theatres [1]; which Cicero frequently appeals to, as a proper encouragement to all honest men, to act with spirit and vigour, in the defence of their common liberty. What happened, therefore, at the funeral, was the effect of artifice and faction; the work of a mercenary rabble; the greatest part slaves and strangers, listed and prepared for violence, against a party unarmed, and pursuing pacific counsels, and placing all their trust and security in the justice of their cause. Cicero calls it a conspiracy of Cæsar's freedmen [2], who were the chief managers of the tumult: in which the Jews seem to have borne a considerable part; who, out of hatred to Pompey, for his affront to their city and temple, were zealously attached to Cæsar, and, above all the other foreigners in Rome, distinguished themselves by the expressions of their grief for his death; so as to spend whole nights at his monument in a kind of religious devotion to his memory [3].

The first taste of Antony's perfidy was a clear warning to the conspirators what little reason they had to depend upon him, or to expect any safety in the city, where he had the sovereign command, without a guard for their defence; which, though D. Brutus demanded for them, they could not obtain: whilst Antony, to alarm them still the more, took care to let them know, that the soldiers and the populace were so en-

affinis esset Cæsaris, adversus eum nefarie raptum, impiam pro rostris orationem habuisset Val. Max. 9. 9. vid. Dio, p. 267, 268. it. Plut. in Cæs. et Brut.

[1] Omnes enim jam cives de Reipub. salute una et mente et voce consentiunt. Philip. 1. 9.

Quid enim gladiatoribus clamores innumerabilium civium; quid populi versus? quid Pompeii statuæ plausus infinitus? quid iis tribunis plebis, qui vobis adversantur? parumne hæc significant, incredibiliter consentientem populi Romani voluntatem? &c. Ibid. 15. Ad Att. 14. 2.

[2] Nam ista quidem libertorum Cæsaris conjuratio facile opprimeretur, si recte saperet Antonius. Ibid. 5.

[3] In summo publico luctu exterarum gentium, multitudo circulatim, suo quæque more, lamentata est, præcipueque Judæi, qui etiam noctibus continuis bustum frequentarunt. Sueton. J. Cæs. 84.

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raged, that he did not think it possible for any of them to be safe[1]. They all, therefore, quitted Rome: Trebonius stole away privately for Asia, to take possession of that province, which had before been assigned to him; being afraid of being prevented by the intrigues of Antony: D. Brutus, for the same reason, possessed himself of the Cisalpine or Italic Gaul, which had been conferred upon him likewise by Cæsar, in order to strengthen himself there against all events, and by his neighbourhood to Rome, to encourage and protect all the friends of liberty: M. Brutus, accompanied by Cassius, retired to one of his villas near Lanuvium, to deliberate about their future conduct, and to take such measures, as the accidents of the times and the motions of their enemies should make necessary.

But as soon as the conspirators were gone, Antony resumed his mask, and, as if the late violences had been accidental only, and the sudden transport of a vile mob, professed the same moderation as before, and affected to speak with the greatest respect of Brutus and Cassius; and, by several seasonable acts proposed by him to the senate, appeared to have nothing so much at heart as the public concord: among other decrees, he offered one, which was prepared and drawn up by himself, to abolish, for ever, the name and office of Dictator: this seemed to be a sure pledge of his good intentions, and gave an universal satisfaction to the senate; who passed it, as it were, by acclamation, without putting it even to the vote; and decreed the thanks of the house for it to Antony, who, as Cicero afterwards told him, had fixed an indelible infamy, by it, on Cæsar, in declaring to the world, that, for the odium of his government, such a decree was become both necessary and popular[2].

Cicero also left Rome soon after Brutus and Cassius[3], not a little mortified to see things take so wrong a turn, by the indolence of their friends; which gave him frequent occasion to say, that the Ides of March had produced nothing which pleased

[1] Heri apud me Hirtius fuit; qua mente Antonius esset, demonstravit, pessima scilicet et infidelissima. Nam se neque mihi provinciam dare posse aiebat, neque arbitrari, tuto in urbe esse quemquam nostrum, adeo esse militum concitatos animos et plebis. Quorum utrumque esse falsum puto vos animadvertere—placitum est mihi postulare, ut liceret nobis esse Romæ publico præsidio: quod illos nobis concessuros non puto. Ep. Fam. 11. 1.

[2] Dictaturam, quæ vim jam regiæ potestatis obsederat, funditus e Repub. sustulit. De qua ne sententias quidem diximus—eique amplissimis verbis per S. C. gratiæ egimus—maximum autem illud, quod Dictaturæ nomen sustulisti: hæc inusta est a te—mortuo Cæsari nota ad ignominiam sempiternam, &c. Philip. 1. 1. 15.

[3] Itaque cum teneri urbem a parricidis viderem, nec te in ea, nec Cassium tuto esse posse, eamque armis oppressam ab Antonio, mihi quoque ipsi esse excedendum putavi. Ad Brut. 15.

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him, but the fact of the day; which was executed, indeed, with manly vigour, but supported by childish counsels[1]. As he passed through the country, he found nothing but mirth and rejoicing in all the great towns, on the account of Cæsar's death: "It is impossible to express," says he, "what joy there is every where: how all people flock about me: how greedy they are to hear an account of it from me: yet, what strange politics do we pursue! What a solecism do we commit! To be afraid of those, whom we have subdued; to defend his acts, for whose death we rejoice; to suffer tyranny to live, when the tyrant is killed; and the republic to be lost, when our liberty is recovered[2]."

Atticus sent him word of some remarkable applause, which was given to the famed comedian, Publius, for what he had said upon the stage, in favour of the public liberty; and that L. Cassius, the brother of the conspirator, then one of the tribunes, was received with infinite acclamations upon his entrance into the theatre[3]; which convinced him only the more of the mistake of their friends in sitting still, and trusting to the merit of their cause, while their enemies were using all arts to destroy them. This general inclination, which declared itself so freely on the side of liberty, obliged Antony to act with caution, and, as far as possible, to persuade the city that he was on the same side too: for which end he did another thing, at this time, both prudent and popular, in putting to death the impostor Marius, who was now returned to Rome, to revenge, as he gave out, the death of his kinsman Cæsar: where, signalising himself at the head of the mob, he was the chief incendiary at the funeral, and the subsequent riots, and threatened nothing less than destruction to the whole senate: but Antony, having served his main purpose with him, of driving Brutus and the rest out of the city, ordered him to be seized and strangled, and his body to be dragged through the streets[4]; which gave him fresh credit with the republicans; so that Brutus, together with Cassius and other friends, had a personal

[1] Sed tamen adhuc me nihil delectat præter Idus Martias. [Ad Att. 14. 6. 21.] Itaque stulta jam Iduum Martiarum est consolatio. Animis enim usi sumus virilibus; consiliis, mihi crede, puerilibus. Ibid. 15. 4.

[2] Dici enim non potest quantopere gaudeant, ut ad me concurrant, ut audire cupiant verba mea ea de re—sic enim πεπολιτεύμεθα, ut victos metueremus—nihil enim tam σόλοικον quam τυραννοκτόνους in cœlo esse, Tyranni facta defendi. Ibid. 14. 6.

O Dii boni! vivit tyrannis, tyrannus occidit. Ejus interfecti morte lætamur, cujus facta defendimus. Ibid. 9.

[3] Ex priore theatrum, Publiumque cognovi, bona signa consentientis multitudinis. Plausus vero L. Cassio datus facetus mihi quidem visus est. Ibid. 14. 2.

Infinito fratris tui plausu dirumpitur. Ep. Fam. 12. 2.

[4] Uncus impactus est fugitivo illi, qui C. Marii nomen invaserat. Philip. 1. 2.

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conference with him about this time, which passed to mutual satisfaction [1].

By these arts, Antony hoped to amuse the conspirators, and induce them to lay aside all vigorous counsels; especially, what he most apprehended, that of leaving Italy, and seizing some provinces abroad, furnished with troops and money: which might put them into a condition to act offensively: with the same view he wrote an artful letter to Cicero, to desire his consent to the restoration of S. Clodius, the chief agent of P. Clodius, who had been several years in banishment, for outrages committed in the city; chiefly against Cicero himself, on whose account he was condemned. Antony, by his marriage with Fulvia, the widow of P. Clodius, became the protector of all that family, and the tutor of young Publius, her son; which gave him a decent pretence of interesting himself in this affair. He assures Cicero, that he had procured a pardon for S. Clodius from Cæsar; but did not intend to have made use of it, till he had obtained his consent: and, though he thought himself now obliged to support all Cæsar's acts, yet he would not insist on this against his leave—that it would be an obligation to young Publius, a youth of the greatest hopes, to let him see, that Cicero did not extend his revenge to his father's friends. "Permit me," says he, "to instil these sentiments into the boy; and to persuade his tender mind, that quarrels are not to be perpetuated in families: and though your condition, I know, is superior to all danger; yet you would choose, I fancy, to enjoy a quiet and honourable, rather than a turbulent old age. Lastly, I have a sort of right to ask this favour of you; since I never refused any thing to you: if I do not however prevail with you, I will not grant it to Clodius; that you may see how great your authority is with me: shew yourself the more placable on that account [2]."

Cicero never hesitated about giving his consent, to what Antony could and would have done without it: the thing itself he knew was scandalous, and the pardon said to be granted by Cæsar a forgery; and that Cæsar would never have done it, or suffered it to be done; and so many forgeries of that kind began to be published every day from Cæsar's books, that he was almost tempted, he says, to wish for Cæsar again [3]. He an-

[1] Antonii colloquium cum nostris Heröibus pro re nata non incommodum. Ad Att. 14. 6.

[2] Ibid. 14. after letter the 13th.

[3] Antonius ad me scripsit de restitutione S. Clodii: quam honorifice quod ad me attinet, ex ipsius litteris cognosces—quam dissolute, quam turpiter, quamque ita pernicïose, ut nonnunquam etiam Cæsar desiderandus esse videatur, facile existimabis; quæ enim Cæsar nunquam neque fecisset, neque passus esset, ea nunc ex falsis ejus commentariis

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swered him, however, with great civility, and in a strain of complaisance which corresponded but little with his real opinion of the man: but Antony's public behaviour had merited some compliments: and under the present state of his power, and the uncertain condition of their own party, Cicero resolved to observe all the forms of an old acquaintance with him; till, by some overt act against the public interest, he should be forced to consider him as an enemy [1].

Antony made him but a cold reply; having heard, perhaps, in the mean time, of something which did not please him in his conduct. He told him only that his easiness and clemency were agreeable to him, and might, hereafter, be a great pleasure to himself [2].

Cleopatra, the queen of Egypt, was in Rome when Cæsar was killed; but being terrified by that accident, and the subsequent disorders of the city, she ran away presently, with great precipitation. Her authority and credit with Cæsar, in whose house she was lodged, made her insolence intolerable to the Romans, whom she seems to have treated on the same footing with her own Egyptians; as the subjects of absolute power, and the slaves of a master, whom she commanded. Cicero had a conference with her in Cæsar's gardens; where the haughtiness of her behaviour gave him no small offence. Knowing his taste and character, she made him the promise of some present, very agreeable, but disobliged him the more by not performing it: he does not tell us what it was; but from the hints, which he drops, it seems to have been statues or curiosities from Egypt, for the ornament of his library; a sort of furniture which he was peculiarly fond of. But her pride being mortified by Cæsar's fate, she was now forced to apply to him, by her ministers, for his assistance in a particular suit, that she was recommending to the senate, in which he refused to be concerned. The affair seems to have related to her infant son, whom she pretended to be Cæsar's, and called by his name, and was labouring to get him acknowledged as such at Rome, and declared the heir of her kingdom, as he was, the year following, both by Antony and Octavius, though Cæsar's friends were generally scandalized at it, and Oppius thought

proferuntur. Ego autem Antonio facillimum me præbui. Etenim ille, quoniam semel induxit in animum sibi licere quod vellet, fecisset nihilo minus me invito. Ad Att. 14. 13.

[1] Ego tamen Antonii inveteratam sine ulla offensione amicitiam retinere sane volo. Ep. Fam. 16. 23.

Cui quidem ego semper amicus fui, antequam illum intellexi non modo aperte, sed etiam libenter cum Repub. bellum gerere. Ibid. 11. 5.

[2] Antonius ad me tantum de Clodio rescripsit, meam lenitatem et clementiam et sibi esse gratam et mihi magnæ voluptati fore. Ad Att. 14. 19.

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it worth while to write a book, to prove that the child could not be Cæsar's [1]. Cleopatra had been waiting to accompany Cæsar into the east, in order to preserve her influence over him, which was very great; for, after his death, Helvius Cinna, one of the tribunes, owned, that he had a law ready prepared, and delivered to him by Cæsar, with orders to publish it, as soon as he was gone, for granting to him the liberty of taking what number of wives, and of what condition he thought fit, for the sake of propagating children [2]. This was contrived, probably, to save Cleopatra's honour, and to legitimate his issue by her; since polygamy, and the marriage of a stranger, were prohibited by the laws of Rome.

Cicero touches these particulars in several places, though darkly and abruptly, according to the style of his Letters to Atticus. "The flight of the queen," says he, "gives me no pain. I should be glad to hear what farther news there is of her, and her young Cæsar. I hate the queen: her agent, Ammonius, the witness and sponsor of her promises to me, knows that I have reason: they were things only proper for a man of letters, and suitable to my character; so that I should not scruple to proclaim them from the rostra. Her other agent, Sara, is not only a rascal, but has been rude to me. I never saw him at my house but once, and when I asked him, civilly, what commands he had for me, he said, that he came to look for Atticus. As to the pride of the queen, when I saw her in the gardens, I can never think of it without resentment: I will have nothing, therefore, to do with them: they take me to have neither spirit, nor even feeling left [3]."

Antony having put his affairs into the best train that he could, and appointed the first of June for a meeting of the senate, in order to deliberate on the state of the Republic, took the opportunity of that interval to make a progress through Italy, for the sake of visiting the quarters of the veteran soldiers, and engaging them to his service, by all sorts of

[1] Quorum C. Oppius, quasi plane defensione ac patrocinio res egeret, librum edidit, non esse Cæsaris filium, quem Cleopatra dicat. Sueton. J. Cæs. 52. vid. Dio. p. 227. 345.

[2] Helvius Cinna—confessus est, habuisse se scriptam paratamque legem, quam Cæsar ferre jussisset cum ipse abesset, ut uxores liberorum quærendorum causa quas et quot ducere vellet, liceret. Sueton. ib. Dio, 243.

[3] Reginæ fuga mihi non molesta. [Ad Att. 14. 8.] de Regina velim, atque etiam de Cæsare illo. [ib. 20.] Reginam odi. Me jure facere scit sponsor promissorum ejus Ammonius; quæ quidem erant φιλόλογα et dignitatis meæ, ut vel in concione dicere auderem. Saram autem, præterquam quod nefarium hominem cognovi, præterea in me contumacem. Semel eum omnino domi meæ vidi. Cum φιλοφρόνως ex eo quærerem, quid opus esset, Atticum se dixit quærere. Superbiam autem ipsius Reginæ, cum esset trans Tiberim in hortis, commemorare sine magno dolore non possum. Nihil igitur cum istis: nec tam animum me, quam vix stomachum habere arbitrantur. Ibid. 15. 15.

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bribes and promises. He left the government of the city to Dolabella, whom Cæsar, upon his intended expedition to Parthia, had designed and nominated to the consulship: and though Antony had protested against that designation, and resolved to obstruct its effect, yet, after Cæsar's death, when Dolabella, by the advantage of the general confusion, seized the ensigns of the office, and assumed the habit and character of the consul, Antony quietly received and acknowledged him as such, at the next meeting of the senate [1].

Cicero had always kept up a fair correspondence with his son-in-law, though he had long known him to be void of all virtue and good principles: but he had now greater reason than ever for insinuating himself, as far as he was able, into his confidence, in order to engage him, if possible, to the interests of the Republic, and use him as a check upon the designs of his colleague Antony; in which he had the greater prospect of success, on the account of their declared enmity to each other. Dolabella greatly confirmed these hopes; and as soon as Antony had left the city, made all honest men think themselves sure of him by exerting a most severe, as well as seasonable, act of discipline, upon the disturbers of the public tranquillity. For the mob, headed by the impostor Marius, and the freedmen of Cæsar, had erected an altar in the Forum, on the spot where Cæsar's body was burnt, with a pillar of Numidian marble, twenty feet high, inscribed to the father of his country. Here they performed daily sacrifices and divine rites, and the humour of worshipping at this new altar began to spread itself so fast among the meaner sort, and the slaves, as to endanger the peace and safety of the city: for the multitudes which flocked to the place, fired with a kind of enthusiastic rage, ran furious about the streets, committing all sorts of outrage and violence against the supposed friends of liberty. But Dolabella put an end to the evil at once, by demolishing the pillar and the altar, and seizing the authors of the disorders, and causing such of them as were free to be thrown down the Tarpeian rock, and the slaves to be crucified. This gave an universal joy to the city; the whole body of the people attended the consul to his house, and in the theatres gave him the usual testimony of their thanks, by the loudest acclamations [2].

Cicero was infinitely pleased with this act, and enjoyed some share of the praise, since it was generally imputed to the in-

[1] Tuum Collegam, depositis inimicitiis, oblitus auspicia, te ipso Augure nunciante, illo primo die Collegam tibi esse voluisti. Philip. 1. 13.

[2] Plebs—postea solidam columnam prope viginti pedum lapidis Numidici in Foro statuit, scripsitque Parenti Patriæ, apud eandem longo tempore sacrificare, vota suscipere,

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fluence of his counsels: in a letter upon it to Atticus: "O my admirable Dolabella!" says he, "I now call him mine: for, believe me, I had some doubt of him before; the fact affords matter of great speculation; to throw them down the rock; to crucify; demolish the pillar; pave the area; in short, it is heroic. He has extinguished all appearance of that regret for Cæsar, which was spreading every day so fast, that I began to apprehend some danger to our tyrant-killers: but I now agree with you, and conceive better hopes," &c.[1] Again: "O the brave act of Dolabella! what a prospect does it give us! I never cease praising and exhorting him—Our Brutus, I dare say, might now walk safely through the Forum, with a crown of gold upon his head; for who dares molest him, when the rock or the cross is to be their fate? and when the very lowest of the people give such proofs of their applause and approbation[2]?" He wrote, at the same time, from Baiæ, the following letter to Dolabella himself.

"CICERO TO DOLABELLA, CONSUL.

"Though I was content, my Dolabella, with your glory, and reaped a sufficiency of pleasure from it, yet I cannot but own, that it gives me an inexpressible joy, to find the world ascribing to me also some share in your praises. I have met with nobody here, though I see so much company every day, (for there are many worthy men now at this place, for the sake of their health, and many of my acquaintance from the great towns) who, after extolling you to the skies, do not give thanks presently to me; not doubting, as they all say, but it is by my precepts and advice, that you now shew yourself to be this admirable citizen, and singular consul: and though I could assure them, with great truth, that what you are doing flows wholly from yourself, and your own judgment, and that you want not the advice of any one; yet I neither wholly assent, lest I should derogate from your merit, by making it seem to proceed from

controversias quasdam, interposito per Cæsarem jurejurando, distrahere perseveravit. Sueton. J. Cæs. 85.

Manabat enim illud malum urbanum, et ita corroborabatur quotidie, ut ego quidem et urbi et otio diffiderem urbano. Ep. Fam. 12. 1.

Nam cum serperet in urbe infinitum malum—et quotidie magis magisque perditi homines, cum sui similibus servis, tectis et templis urbis minarentur; talis animadversio fuit Dolabellæ, cum in audaces sceleratosque servos, tum in impuros et nefarios cives, talisque eversio illius execratæ columnæ, &c. Philip. 1. 2—recordare, quæso, Dolabella, consensum illum theatri. Vid. ib. 12.

[1] Ad Att. 14. 15.

[2] O Dolabellæ nostri ἀριστείαν! quanta est ἀναθεώρησις! equidem laudare eum et hortari non desisto—mihi quidem videtur Brutus noster jam vel coronam auream per forum ferre posse, quis enim audeat violare, proposita cruce aut saxo? præsertim tantis plausibus, tanta approbatione infimorum? Ibid. 16.

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my counsel; nor do I strongly deny it, being myself, perhaps, more greedy of glory than I ought to be. But that can never be a diminution to you, which was an honour even to Agamemnon, the king of kings, to have a Nestor for his counsellor; while it will be glorious to me, to see a young consul, the scholar, as it were, of my discipline, flourishing in the midst of applause. L. Cæsar, when I visited him lately sick at Naples, though oppressed with pain in every part of his body, yet, before he had even saluted me, could not forbear crying out, O my Cicero! I congratulate with you on account of the authority which you have with Dolabella; for if I had the same credit with my sister's son, Antony, we should all now be safe: but as to your Dolabella, I both congratulate with him, and thank him; since, from the time of your consulship, he is the only one, whom we can truly call a consul: he then enlarged upon your act, and the manner of it; and declared that nothing was ever greater, nothing nobler, nothing more salutary to the state; and this, indeed, is the common voice of all. Allow me, therefore, I beg of you, to take some share, though it be a false one, in the possession of another man's glory; and admit me, in some degree, into a partnership of your praises. But, to be serious, my Dolabella, for hitherto I have been joking, I would sooner transfer all the credit that I have to you, if I really have any, than rob you of any part of your's; for, as I have always had that sincere affection for you, to which you have been no stranger, so now I am so charmed by your late conduct, that no love was ever more ardent. For, believe me, there is nothing, after all, more engaging, nothing more beautiful, nothing more lovely, than virtue. I have ever loved M. Brutus, you know, for his incomparable parts, sweet disposition, singular probity, and firmness of mind: yet, on the Ides of March, such an accession was made to my love, that I was surprised to find any room for increase in that, which I had long ago taken to be full and perfect. Who could have thought it possible, that any addition could be made to my love of you? Yet so much has been added, that I seem but now at last to love, before to have only esteemed you. What is it, therefore, that I must now exhort you to? Is it to pursue the path of dignity and glory? And as those do, who use to exhort, shall I propose to you the examples of eminent men? I can think of none more eminent than yourself. You must imitate, therefore, yourself; contend with yourself; for, after such great things done, it would be a disgrace to you not to be like yourself. Since this then is the case, there is no occasion to exhort, but to congratulate with you: for that has happened to you,

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which scarce ever happened to any man; that, by the utmost severity of punishing, instead of acquiring odium, you are become popular; and not only with the better sort, but the very meanest of the city. If this was owing to fortune, I should congratulate your felicity; but it was owing to the greatness of your courage, as well as of your parts and wisdom. For I have read your speech to the people: nothing was ever more prudent: you enter so deliberately and gradually into the reason of your act, and retire from it so artfully, that the case itself, in the opinion of all, appears to be ripe for punishment. You have freed us, therefore, both from our danger and our fears, and have done an act of the greatest service, not only to the present times, but for the example of it also to posterity. You are to consider, that the republic now rests upon your shoulders: and that it is your part, not only to protect, but to adorn those men, from whom we have received this beginning of our liberty: but of this we shall talk more fully when we meet again, as I hope we shall shortly; in the mean while, since you are the common guardian, both of the republic, and of us all, take care, my dear Dolabella, that you guard more especially your own safety [1]."

In this retreat from Rome, he had a mind to make an excursion to Greece, and pay a visit to his son at Athens, whose conduct did not please him, and seemed to require his presence to reform and set it right [2]. But the news of Dolabella's behaviour, and the hopes which it gave, of gaining the only thing that was wanted, a head and leader of their cause, armed with the authority of the state, made him resolved to stay, at least till after the first of June, lest his absence should be interpreted as a kind of desertion; nor did he ever intend, indeed, to leave Italy, till he could do it without censure, and to the full satisfaction of Brutus, whom he was determined never to desert on any occasion [3].

He had frequent meetings and conferences all this while with his old friends of the opposite party, the late ministers of Cæsar's power; Pansa, Hirtius, Balbus, Matius, &c.: but Cæsar's death, on which their sentiments were very different from his, had, in a great measure, broken their former confidence; and, though the popularity of the act made them some-

[1] Ep. Fam. 9. 14.

[2] Quod sentio valde esse utile ad confirmationem Ciceronis, me illuc venire. [Ad Att. 14. 13.] Magni interest Ciceronis, vel mea potius, vel mehercule utriusque, me intervenire discenti. Ibid. 16.

[3] Nunc autem videmur habituri ducem, quod unum Municipia bonique desiderant. Ibid. 20.

Nec vero discedam, nisi cum tu me id honeste putabis facere posse. Bruto certe meo nullo loco deero. Ibid. 15.—Vid. 16. 13.

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what shy of speaking their minds freely about it, yet he easily perceived that they were utterly displeased with it, and seemed to want an occasion of revenging it. Pansa and Hirtius, as has been said, were nominated by Cæsar to the consulship of the next year, and, as Cæsar's acts were ratified by the senate, were to succeed to it of course. This made Brutus and Cassius press Cicero earnestly to gain them, if possible, to the republican side; but especially Hirtius, whom they most suspected. But Cicero seems to have had little hopes of success: his account of them to Atticus, is, that there was not one of them who did not dread peace more than war; that they were perpetually lamenting the miserable end of so great a man, and declaring that the Republic was ruined by it; that all his acts would be made void, as soon as people's fears were over, and that clemency was his ruin: since, if it had not been for that, he could not have perished in such a manner: and of Hirtius in particular: "He warmly loves him," says he, "whom Brutus stabbed: as to their desiring me to make him better, I am doing my endeavour: he talks very honestly, but lives with Balbus; who talks honestly too: how far they are to be trusted, you must consider[1]."

But of all this set of men, Matius was the most open and explicit in condemning the act of the conspirators, so as to put Cicero out of humour with him, as a man irreconcileable to the liberty of the Republic. Cicero called upon him, on his way from Rome into the country, and found him sullen, desponding, and foreboding nothing but wars and desolation, as the certain consequence of Cæsar's death. Among other particulars of their conversation, Matius told him something which Cæsar had lately said both of him and Brutus; that he used to say of Brutus, it was of great consequence which way he stood inclined, since whatever he had a mind to, he pursued with an impetuous eagerness; that he had remarked this of him more especially in his pleading for Deiotarus at Nicæa, where he spoke with a surprising vehemence and freedom: and of Cicero, that when he was attending Cæsar, in the cause of Sestius, Cæsar perceiving him sitting in the room, and waiting till he was called, said, "Can I doubt of my being extremely odious, when Cicero sits waiting, and cannot get access to me? yet if

[1] Minime enim obscurum est, quid isti moliantur; meus vero discipulus, qui hodie apud me cœnat, valde amat illum, quem Brutus noster sanciavit, et si quæris, perspexi enim plane, timent otium. ὑπόθεσιν autem hanc habent, eamque præ se ferunt, virum clarissimum interfectum, totam Rempub. illius interitu perturbatam: irrita fore, quæ ille egisset, simul ac desistemus timere. Clementiam illi malo fuisse: qua si usus non esset, nihil illi tale accidere potuisse. Ad Att. 14. 22.

Quod Hirtium per me meliorem fieri volunt, do equidem operam, et ille optime loquitur, sed vivit habitatque cum Balbo: qui item bene loquitur. Quid credas videris. Ibid. 20, 21.

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any man be easy enough to forgive it, it is he, though I do not question but that he really hates me [1]."

There were several reasons, however, which made it necessary to these men to court Cicero, at this time, as much as ever; for, if the Republic happened to recover itself, he was of all men the most capable to protect them on that side: if not, the most able to assist them against Antony, whose designs and success they dreaded still more; for, if they must have a new master, they were disposed, for the sake of Cæsar, to prefer his heir and nephew Octavius. We find Hirtius and Pansa, therefore, very assiduous in their observance of him: they spent a great part of the summer with him at different times, in his villas, giving him the strongest assurances of their good intentions and disposition to peace, and that he should be the arbiter of their future consulship: and, though he continued still to have some distrust of Hirtius, yet Pansa wholly persuaded him that he was sincere [2].

Brutus and Cassius continued still near Lanuvium, in the neighbourhood of Cicero's villa, at Astura, of which, at Cicero's desire, they sometimes made use [3]. Being yet irresolute what measures they should take, they kept themselves quiet and retired, expecting what time and chance would offer, and waiting particularly to see what humour the consuls would be in at the next meeting of the senate, with regard to themselves and the republic: and, since they were driven from the discharge of their prætorship, in the city, they contrived to put the people in mind of them, from time to time, by their edicts, in which they made the strongest professions of their pacific disposition, and declared that their conduct should give no handle for a civil war, and that they would submit to a perpetual exile, if it would contribute in any manner to the public concord, being content with the consciousness of their act, as the greatest honour which they could enjoy [4]. Their present design was to come to Rome on

[1] De Bruto nostro—Cæsarem solitum dicere. Magni refert hic quid velit: sed quicquid vult, valde vult. Idque eum animadvertisse, cum pro Deiotaro Nicææ dixerit, valde vehementer eum visum, et libere dicere. Atque etiam proxime cum Sestii rogatu apud eum fuissem, expectaremque sedens quoad vocarer, dixisse eum; ego dubitem quin summo in odio sim, cum M. Cicero sedeat, nec suo commodo me convenire possit? Atqui si quisquam est facilis, hic est: tamen non dubito, quin me male oderit. Ibid. 14. 1.

[2] Cum Pansa vixi in Pompeiano. Is plane mihi probabat, se bene sentire et cupere pacem, &c. Ibid. 14. 20. it. 15. 1.

[3] Velim mehercule Asturæ Brutus. [Ibid. 14. 11.] Brutum apud me fuisse gaudeo: modo et libenter fuerit et sat diu. Ibid. 15. 3.

[4] Testati edictis, libenter se vel in perpetuo exilio victuros, dum Reipub. constaret concordia, nec ullam belli civilis præbituros materiam, plurimum sibi honoris esse in conscientia facti sui, &c. [Vell. Pat. 2. 62.] Edictum Bruti et Cassii probo. [Ad Att. 14. 20.] De quibus tu bonam spem te habere significas propter edictorum humanitatem. Ibid. 15. 1.

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the first of June, and take their places in the senate, if it should be thought advisable, or to present themselves, at least, in the rostra, and try the affections of the people, for whom Brutus was preparing a speech. They sent to know Cicero's opinion of this project, with the copy also of that speech which Brutus made in the capitol, on the day of Cæsar's death, begging his revisal and correction of it, in order to its being published. Cicero, in his account of it to Atticus, says, "The oration is drawn up with the utmost elegance both of sentiments and style; yet, were I to handle the subject, I should work it up with more fire. You know the character of the speaker; for which reason I could not correct it: for, in the style in which our friend would excel, and according to the idea which he has formed of the best manner of speaking, he has succeeded so well, that nothing could be better: but, whether I am in the right or the wrong, I am of a quite different taste. I wish, however, that you would read it, if you have not already, and let me know what you think of it; though I am afraid, lest, through the prejudice of your name, you should shew too much of the attic in your judgment; yet, if you remember the thunder of Demosthenes, you will perceive that the greatest force may consist with the perfection of attic elegance [1]."

Atticus did not like the speech; he thought the manner too cold and spiritless for so great an occasion, and begged of Cicero to draw up another, to be published in Brutus's name; but Cicero would not consent to it, thinking the thing itself improper, and knowing that Brutus would take it ill [2]. In one of his letters on the subject, "Though you may think me in the wrong," says he, "to imagine that the republic depends on Brutus, the fact is certainly so: there will either be none at all, or it will be saved by him and his accomplices. As to your urging me to write a speech for him, take it from me, my Atticus, as a general rule, which by long experience I have found to be true, that there never was a poet or orator who thought any one preferable to himself; this is the case even with bad ones: what shall we think, then, of Brutus, who has both wit and learning? especially after the late experiment of him, in the case of the edict. I drew up one for him at your desire: I like mine; he his; besides, when, at his earnest solicitation, I addressed to him my treatise on the best manner of speaking, he wrote word, not only to me, but to you too, that the kind of eloquence which I recommended did not please him. Let every one, therefore, compose for himself——I wish only, that

[1] Ad Att. 15. 1.

[2] Ibid. 3. 4.

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it may be in his power to make a speech at all: for if ever he can appear again with safety at Rome, we have gained the victory[1]."

In this interval a new actor appeared on the stage, who, though hitherto but little considered, soon made the first figure upon it, and drew all people's eyes towards him, the young Octavius, who was left, by his uncle Cæsar, the heir of his name and estate. He had been sent, a few months before, to Apollonia, a celebrated academy, or school of learning, in Macedonia, there to wait for his uncle, on his way to the Parthian war, in which he was to attend him: but the news of Cæsar's death soon brought him back to Italy, to try what fortunes he could carve for himself, by the credit of his new name, and the help of his uncle's friends. He arrived at Naples on the eighteenth of April, whither Balbus went the next morning to receive him, and returned the same day to Cicero, near Cumæ, having first conducted Octavius to the adjoining villa of his father-in-law, Philip: Hirtius and Pansa were with Cicero at the same time, to whom they immediately presented Octavius, with the strongest professions, on the part of the young man, that he would be governed entirely by his direction[2]."

The sole pretension which he avowed, at present, was to assert his right to the succession of his uncle's estate, and to claim the possession of it: but this was thought an attempt too hardy and dangerous for a mere boy, scarce yet above eighteen years old: for the republican party had great reason to be jealous of him, lest, with the inheritance of the estate, he should grasp at the power of his uncle; and Antony still more, who had destined that succession to himself, and already seized the effects, lest, by the advantage of all that wealth, Octavius might be in a condition to make head against him. The mother, therefore, and her husband Philip, out of concern for his safety, pressed him to suspend his claim for a while, and not assume an invidious name, before he could see what turn the public affairs would take; but he was of too great a spirit to relish any suggestions of caution; declaring it base and infamous to think himself unworthy of a name of which Cæsar had thought him worthy[3]: and there were many about him constantly pushing him on, to throw himself upon the affections

[1] Ibid. 14. 20.

[2] Octavius Neapolim venit a. d. XIIII Kal. ibi cum Balbus mane postridie; eodemque die mecum in Cumano. [Ibid. 10.] Hic mecum Balbus, Hirtius, Pansa. Modo venit Octavius, et quidem in proximam villam Philippi, mihi totus deditus. Ibid. 11.

[3] Non placebat Atiæ matri, Philippoque vitrico, adiri nomen invidiosæ fortunæ Cæsaris—sprevit cœlestis animus humana consilia—dictitans, nefas esse, quo nomine Cæsari dignus esset visus, sibimet ipsum videri indignum. Vell. Pat. 2. 60.

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of the city, and the army, before his enemies had made themselves too strong for him; so that he was on fire to be at Rome, and to enter into action; being determined to risk all his hopes on the credit of his name, and the friends and troops of his uncle.

Before he left the country, Cicero, speaking of him to Atticus, says, "Octavius is still with us, and treats me with the greatest respect and friendship: his domestics give him the name of Cæsar: Philip does not; nor for that reason do I. It is not possible for him, in my opinion, to make a good citizen; there are so many about him who threaten the death of our friends: they declare, that what they have done can never be forgiven. What will be the case, think you, when the boy comes to Rome, where our deliverers cannot shew their heads? who yet must ever be famous, nay, happy too, in the consciousness of their act: but as for us, unless I am deceived, we shall be undone. I long, therefore, to go abroad, where I may hear no more of these Pelopidæ[1]," &c.

As soon as Octavius came to Rome, he was produced to the people by one of the tribunes, and made a speech from the rostra, which was now generally possessed by the enemies of Brutus, who were perpetually making use of the advantage, to inflame the mob against him: "Remember," says Cicero, "what I tell you: this custom of seditious harangues is so much cherished, that those heroes of our's, or rather gods, will live, indeed, in immortal glory, yet not without envy, and even danger: their great comfort, however is, the consciousness of a most glorious act: but what comfort for us, who, when our king is killed, are not yet free? But fortune must look to that, since reason has no sway[2]."

Octavius seconded his speech, by what was like to please the inferior part of the city much better; the representation of public shows and plays, in honour of his uncle's victories. Cæsar had promised and prepared for them in his lifetime; but those whom he had entrusted with the management, durst not venture to exhibit them after his death, till Octavius, as his heir and representative, undertook the affair, as devolved

[1] Nobiscum hic perhonorifice et amice Octavius: quem quidem sui Cæsarem salutabant, Philippus non: itaque ne nos quidem: quem nego posse bonum civem, ita multi circumstant, qui quidem nostris mortem minitantur. Negant hæc ferri posse. Quid censes, cum Romam puer venerit, ubi nostri liberatores tuti esse non possunt? qui quidem semper erunt clari: conscientia vero facti sui etiam beati: sed nos, nisi me fallit, jacebimus. Itaque aveo exire, ubi nec Pelopidarum. Ad Att.14. 12.

[2] Sed memento, sic alitur consuetudo perditarum concionum, ut nostri illi non Heroes, sed Dii, futuri quidem in gloria sempiterna sint, sed non sine invidia, ne sine periculo quidem: verum illis magna consolatio, conscientia maxima et clarissimi facti: nobis quæ, qui interfecto Rege liberi non sumus? sed hæc fortuna viderit, quoniam ratio non gubernat. Ibid. 11.

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of course upon himself[1]. In these shows, Octavius brought out the golden chair, which, among the other honours decreed to Cæsar, when living, was ordered to be placed in the theatres and circus, as to a deity, on all solemn occasions[2]. But the tribunes ordered the chair to be taken away, upon which the body of the knights testified their applause by a general clap. Atticus sent an account of this to Cicero, which was very agreeable to him[3]: but he was not at all pleased with Octavius's conduct, since it indicated a spirit determined to revive the memory, and to avenge the death of Cæsar; and he was the less pleased to hear, also, that Matius had taken upon him the care of these shows[4]; since it confirmed the suspicion which he had before conceived of Matius, and made him apprehensive that he would be an ill counsellor to young Octavius, in which light he seems to have represented him to Brutus. Matius was informed of these suspicions, and complained to their common friend Trebatius, of Cicero's unkind opinion and unfriendly treatment of him, which gave occasion to the following apology from Cicero, and the answer to it from Matius, which is deservedly valued, not only for the beauty of its sentiments and composition, but for preserving to us a name and character, which was almost lost to history, of a most esteemed and amiable person, who lived in the first degree of confidence with Cæsar, and for parts, learning, and virtue, was scarce inferior to any of that age.

Cicero takes pains to persuade Matius that he had said nothing of him but what was consistent with the strictest friendship; and, to gain the easier credit with him, prefaces his apology with a detail and acknowledgment of Matius's perpetual civilities, and observance of him through life, even when in the height of his power and credit with Cæsar: but when he comes to the point of the complaint, he touches it very tenderly, and observes only, in general, that as Matius's dignity exposed every thing which he did to public notice, so the malice of the world interpreted some of his acts more hardly than they deserved: that it was his care always to give the most favourable turn to them.—"But you," says he, "a man of the greatest learning, are not ignorant, that, if Cæsar was in fact a king, as I indeed looked upon him to have been, there are two ways of considering the case of your duty: either that, which I commonly take, of extolling your fidelity and humanity, in shewing

[1] Ludos autem victoriæ Cæsaris non audentibus facere, quibus obtigerat id munus, ipse edidit. Sueton. Aug. 10. Dio, p. 272.
[2] Dio, 44. 243.
[3] De Sella Cæsaris, bene Tribuni. Præclaros etiam xiv ordines. Ad Att. 15. 3.
[4] Ludorum ejus apparatus, et Matius ac Postumius procuratores non placent. Ibid. 2.

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so much affection even to a dead friend; or the other, which some people use, that the liberty of our country ought to be preferred to the life of any friend. I wish that you had heard with what zeal I used to defend you in these conversations: but there are two things especially, that make the principal part of your praise, which no man speaks of more frequently or more freely than I; that you, of all Cæsar's friends, were the most active, both in dissuading the civil war, and in moderating the victory; in which I have met with nobody who does not agree with me[1]," &c.

"MATIUS TO CICERO.

"YOUR letter gave me great pleasure, by letting me see, that you retain still that favourable opinion of me, which I had always hoped and wished; and though I had never indeed any doubt of it, yet, for the high value that I set upon it, I was very solicitous that it should remain always inviolable: I was conscious to myself that I had done nothing which could reasonably give offence to any honest man; and did not imagine, therefore, that a person of your great and excellent accomplishments could be induced to take any without reason, especially against one who had always professed, and still continued to profess, a sincere good will to you. Since all this then stands just as I wish it, I will now give an answer to those accusations, from which you agreeably to your character, out of your singular goodness and friendship, have so often defended me. I am no stranger to what has been said of me by certain persons since Cæsar's death: they call it a crime in me, that I am concerned for the loss of an intimate friend, and sorry that the man whom I loved met with so unhappy a fate: they say, that our country ought to be preferred to any friendship, as if they had already made it evident that his death was of service to the republic: but I will not deal craftily: I own myself not to be arrived at that degree of wisdom: nor did I yet follow Cæsar in our late dissensions, but my friend; whom, though displeased with the thing, I could not desert: for I never approved the civil war, or the cause of it: but took all possible pains to stifle it in its birth. Upon the victory, therefore, of a familiar friend, I was not eager either to advance or to enrich myself: an advantage which others, who had less interest with him than I, abused to great excess. Nay, my circumstances were even hurt by Cæsar's law, to whose kindness, the greatest part of those, who now rejoice at his death, owed their very continuance in the city. I solicited the pardon of the vanquished, with the

[1] Ep. Fam. xi. 27.

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same zeal as if it had been for myself. Is it possible, therefore, for me, who laboured to procure the safety of all, not to be concerned for the death of him from whom I used to procure it? especially, when the very same men, who were the cause of making him odious, were the authors, also, of destroying him. But I shall have cause, they say, to repent for daring to condemn their act. Unheard-of insolence! that it should be allowed to some to glory in a wicked action, yet not to others even to grieve at it without punishment! But this was always free even to slaves, to fear, rejoice, and grieve by their own will, not that of another; which yet these men, who call themselves the authors of liberty, are endeavouring to extort from us by the force of terror. But they may spare their threats; for no danger shall terrify me from performing my duty and the offices of humanity! since it was always my opinion, that an honest death was never to be avoided, often even to be sought. But why are they angry with me, for wishing only that they may repent of their act? I wish that all the world may regret Cæsar's death. But I ought, they say, as a member of civil society, to wish the good and safety of the republic. If my past life and future hopes do not already prove that I wish it, without my saying so, I will not pretend to evince it by argument. I beg of you, therefore, in the strongest terms, to attend to facts rather than to words; and if you think it the most useful to one in my circumstances, that what is right should take place, never imagine that I can have any union or commerce with ill-designing men. I acted the same part in my youth, where to mistake would have been pardonable; shall I then undo it all again, and renounce my principles in my declining age? No; it is my resolution to do nothing that can give any offence, except it be when I lament the cruel fate of a dear friend and illustrious man. If I were in different sentiments, I would never disown what I was doing; lest I should be thought, not only wicked for pursuing what was wrong, but false and cowardly for dissembling it. But I undertook the care of the shows, which young Cæsar exhibited for the victory of his uncle: this was an affair of private, not of public duty; it was what I ought to have performed to the memory and honour of my dead friend; and what I could not, therefore deny to a youth of the greatest hopes, and so highly worthy of Cæsar. But I go often also to the consul Antony's, to pay my compliments: yet you will find those very men go oftener to ask and receive favours, who reflect upon me for it, as disaffected to my country. But what arrogance is this! When Cæsar never hindered me from visiting whom I would; even those whom

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he did not care for; that they, who have deprived me of him, should attempt, by their cavils, to debar me from placing my esteem where I think proper. But I am not afraid, that either the modesty of my life should not be sufficient to confute all false reports of me, for the future, or that they, who do not love me, for my constancy to Cæsar, would not choose to have their friends resemble me, rather than themselves. For my own part, if I could have my wish, I would spend the remainder of my days in quiet at Rhodes: but if any accident prevent me, will live in such a manner, at Rome, as always to desire that what is right may prevail. I am greatly obliged to our friend Trebatius, for giving me this assurance of your sincere and friendly regard for me, and for making it my duty to respect and observe a man, whom I had esteemed always before with inclination. Take care of your health and preserve me in your affection [1]."

Antony, all this while, was not idle; but pushed on his designs with great vigour and address. In his progress through Italy, his business was to gather up Cæsar's old soldiers from the several colonies and quarters in which they were settled; and by large bribes, and larger promises, to attach them to his interests, and draw great bodies of them towards Rome, to be ready for any purpose that his affairs should require. In the city, likewise, he neglected no means which his consular authority offered, how unjust or violent soever, of strengthening his power; and let all people now see, for what ends he had provided that decree, to which the senate had consented for the sake of peace, of confirming Cæsar's acts; for being the master, both of Cæsar's papers and of his secretary Faberius, by whose hand they were written [2], he had an opportunity of forging and inserting at pleasure whatever he found of use to him; which he practised without any reserve or management: selling publicly for money whatever immunities were desired, by countries, cities, princes, or private men, on pretence that they had been granted by Cæsar, and entered into his books. This alarmed and shocked all honest men,

[1] Ep. Fam. 11. 28. This Cn. Matius lived long afterwards in such favour and familiarity with Augustus, as to be distinguished by the title of Augustus's friend. Yet he seems to have declined all public honours and business, and to have spent the remainder of his days in an elegant and pleasurable retreat; employing his time and studies in the improvements of gardening and planting, as well as in refining the delicacy of a splendid and luxurious life, which was the general taste of that age. For he first taught how to inoculate and propagate some of their curious and foreign fruits; and introduced the way of cutting trees and groves into regular forms: on which subjects he published several books, which are mentioned by the later writers. Vid. Columel. de re rust. l. 12. c. 44. init. Plin. Hist. l. 12. 2. 15. 14.

[2] *τὰ ὑπομνήματα τῶν βεβουλευμένων ὁ Ἀντώνιος ἔχων, καὶ τὸν γραμματέα τοῦ Καίσαρος Φαβέριον ἐς πάντα οἱ πειθόμενον.* App. l. 3. 529.

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who saw the mischief, but knew no remedy: Antony had the power, and their own decree had justified it: Cicero complains of it heavily, in many of his letters, and declares it a thousand times better to die than to suffer it[1]. "Is it so, then?" says he: "is all that our Brutus has done come to this, that he might live at last at Lanuvium, that Trebonius might steal away, through private roads, to his province? That all the acts, writings, sayings, promises, thoughts of Cæsar, should have greater force now than when he himself was living?" All which he charges to that mistake of the first day, in not summoning the senate into the capitol, where they might have done what they pleased, when their own party was uppermost, and these robbers, as he calls them, dispersed and dejected[2].

Among the other acts which Antony confirmed, on the pretence of their being ordered by Cæsar, he granted the freedom of the city to all Sicily, and restored to king Deiotarus all his former dominions. Cicero speaks of this with great indignation: "O my Atticus," says he, "the Ides of March have given us nothing but the joy of revenging ourselves on him, whom we had reason to hate—it was a brave act, but left imperfect—you know what a kindness I have for the Sicilians—that I esteem it an honour to be their patron: Cæsar granted them many privileges, which I did not dislike; though his giving them the rights of Latium was intolerable: but that was nothing to what Antony has done, who, for a large sum of money, has published a law, pretended to be made by the dictator, in an assembly of the people, though we never heard a syllable of it in his life-time, which makes them all citizens of Rome. Is not Deiotarus's case just the same? He is worthy indeed of any kingdom, but not by the grant of Fulvia: there are a thousand instances of the same sort[3]." When this last act was hung up, as usual, in the capitol, among the public monuments of the city, the forgery appeared so gross, that the people, in the midst of their concern, could not help laughing at it, knowing that Cæsar hated no man so much as Deiotarus. But the bargain was made in Fulvia's apartments, for the sum of eighty thousand pounds, by the king's agents at Rome, without consulting Cicero, or any other of their master's friends; yet the old king, it seems, was beforehand with them, and no sooner heard of Cæsar's death, than he seized upon his dominions again by force. "He knew it," says Cicero, "to

[1] Ep. Fam. 12. 1. Ad Att. 14. 9.

[2] Itane vero? hoc meus et tuus Brutus egit, ut Lanuvii esset? ut Trebonius itineribus deviis proficisceretur in provinciam? ut omnia facta, scripta, dicta, promissa, cogitata Cæsaris plus valerent, quam si ipse viveret? &c. Ad Att. 14. 10.

[3] Ibid. 12.

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be an universal right, that what tyrants had forcibly taken away, the true owners might recover, whenever they were able:—he acted like a man, but we contemptibly; who, whilst we hate the author, yet maintain his acts[1]." By these methods Antony presently amassed infinite sums of money; for though, at the time of Cæsar's death he owed, as Cicero told him, above three hundred thousand pounds, yet, within less than a fortnight after it, he had paid off the whole debt[2].

There was another instance of his violence, which gave still greater offence to the city, his seizing the public treasure, which Cæsar had deposited, for the occasions of the government, in the temple of Opis, amounting to above five millions and a half of our money, besides what Calpurnia, Cæsar's wife, from his private treasure, had delivered into his hands, computed at about another million. This was no extraordinary sum, if we consider the vastness of the mine from which it was drawn, the extent of the Roman empire, and that Cæsar was, of all men, the most rapacious in extorting it: Cicero, alluding to the manner in which it was raised, calls it a bloody and deadly treasure, gathered from the spoils and ruin of the subjects; which, if it were not restored, as it ought to be, to the true owners, might have been of great service to the public, towards easing them of their taxes[3].

But Antony, who followed Cæsar's maxims, took care to secure it to himself: the use of it was to purchase soldiers, and he was now in condition to outbid any competitor; but the first purchase that he made with it, was of his colleague Dolabella, who had long been oppressed with the load of his debts, and whom, by a part of this money, and the promise of a farther share in the plunder of the empire, he drew entirely from Cicero and the republican party, into his own measures. This was an acquisition worth any price to him: the general inclination both of the city and the country was clearly against him; the town of Puteoli, one of the most considerable of Italy, had lately chosen the two Brutuses and Cassius for their patrons[4], and there wanted nothing but a leader to arm the whole empire in that cause: Dolabella seemed to be that very

[1] Syngrapha H. S. centies per legatos,—sine nostra, sine reliquorum hospitum Regis sententia, facta in gynæceo: quo in loco plurimæ res venierunt, et veneunt—Rex enim ipse sua sponte, nullis commentariis Cæsaris, simul atque audivit ejus interitum, suo marte res suas recuperavit. Sciebat homo sapiens, jus semper hoc fuisse, ut, quæ Tyranni eripuissent, ea, Tyrannis interfectis, ii quibus erepta essent recuperarent—Ille vir fuit, nos quidem contemnendi, qui auctorem odimus, acta defendimus. Philip. 2. 37.

[2] Tu autem quadringenties H. S. quod Idibus Martiis debuisti, quonam modo ante Kalendas Aprilis debere desisti? Ibid.

[3] Ubi est septies millies H. S. quod in tabulis, quæ sunt ad Opis, patebat? funestæ illius quidem pecuniæ, sed tamen, si iis, quorum erat, non redderetur, quæ nos a tributis posset vindicare. Philip. 2. 37. it. Ibid. 1. 7. it. Plut. in Ant.

[4] Vexavit Puteolanos, quod Cassium et Brutos Patronos adoptassent. Philip. 2. 41.

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person, till bribed, as Cicero says, by force of money, he not only deserted but overturned the republic[1].

These proceedings, which were preparatory to the appointed meeting of the senate, on the first of June, began to open Brutus's eyes, and convince him of the mistake of his pacific measures, and favourable thoughts of Antony: he now saw that there was no good to be expected from him, or from the senate itself, under his influence; and thought it time, therefore, in concert with Cassius, to require an explicit account of his intentions, and to expostulate with him gently in the following letter:—

"BRUTUS AND CASSIUS, PRÆTORS, TO M. ANTONIUS, CONSUL.

"IF we were not persuaded of your sincerity and good will to us, we should not have written this to you; which out of the kind disposition that you bear to us, you will take, without doubt, in good part. We are informed that a great multitude of veteran soldiers is already come to Rome, and a much greater expected there on the first of June. If we could harbour any suspicion or fear of you, we should be unlike ourselves; yet surely, after we had put ourselves into your power, and, by your advice, dismissed the friends whom we had about us, from the great towns, and that not only by public edict, but by private letters, we desire to be made acquainted with your designs, especially in an affair which relates to ourselves. We beg of you, therefore, to let us know what your intentions are with regard to us. Do you think that we can be safe in such a crowd of veterans, who have thoughts, we hear, even of rebuilding the altar, which no man can desire or approve who wishes our safety and honour? That we had no other view from the first but peace, nor sought any thing else but the public liberty, the event shews. Nobody can deceive us but you, which is not certainly agreeable to your virtue and integrity; but no man else has it in his power to deceive us. We trusted, and shall trust to you alone. Our friends are under the greatest apprehensions for us; for though they are persuaded of your integrity, yet they reflect, that a multitude of veterans may sooner be pushed on to any violence by others, than restrained by you. We desire an explicit answer to all particulars: for it is silly and trifling to tell us, that the veterans are called together, because you intend to move the senate in their favour in June: for who do you think will hinder it, when

[1] Ut illum oderim, quod cum Rempub. me auctore defendere cœpisset, non modo deseruerit, emptus pecunia, sed etiam quantum in ipso fuit, everterit. Ad Att. 16. 15.

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it is certain that we shall not?—Nobody ought to think us too fond of life, when nothing can happen to us, but with the ruin and confusion of all things [1]."

During Cicero's stay in the country, where he had a perpetual resort of his friends to him, and where his thoughts seemed to be always employed on the republic, yet he found leisure to write several of those philosophical pieces, which still subsist both to the pleasure and benefit of mankind. For he now composed his Treatise on the Nature of the Gods, in three books, addressed to Brutus; containing the opinions of all the philosophers who had ever written any thing on that argument: to which he bespeaks the attention of his readers, as to a subject of the last importance; which would inform them, what they ought to think of religion, piety, sanctity, ceremonies, faith, oaths, temples, &c. since all these were included in that single question of the gods [2]. He drew up, likewise, his discourse on Divination, or the foreknowledge and prediction of future events, and the several ways by which it was supposed to be acquired or communicated to man: where he explains, in two books whatever could be said for and against the actual existence of the thing itself. Both these pieces are written in the way of dialogue; of which he gives the following account:—"Since Carneades," says he, "has argued both acutely and copiously against divination, in answer to the Stoics, I am now inquiring what judgment we ought to form concerning it: and, for fear of giving my assent rashly to a thing, either false in itself, or not sufficiently understood, I think it best to do, what I have already done, in my three books on the Nature of the Gods, weigh and compare diligently all the arguments with each other: for as rashness of assent and error is in all cases shameful, so most of all in that, where we are to judge what stress is to be laid on auspices, and things of a divine and religious nature; for the danger is, lest, either by neglecting them, we involve ourselves in an impiety, or by embracing them, in an old woman's superstition [3]." He now also wrote his piece on the advantages of old age, called Cato, from the chief speaker in the dialogue: he addressed it to Atticus, as a lecture of common comfort to them both, in that gloomy scene of life on which they were entering; having found so much pleasure, he says, in writing it, that it not only eased him of all the complaints of age, but made age itself even agreeable and cheerful to him [4]. He added, soon after, another present of the same kind to Atticus, a Treatise on Friendship: a subject, he

[1] Ep. Fam. 11. 2. [2] De Nat. Deor. 1. 6. [3] De Divin. 1. 4.
[4] Mihi quidem ita jucunda hujus libri confectio fuit, ut non modo omnes absterserit senectutis molestias, sed effecerit mollem etiam et jucundam senectutem. Cato. 1.

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says, both worthy to be known to all, and peculiarly adapted to the case of their particular intimacy: "For, as I have already written on age, an old man to an old man; so now, in the person of a sincere friend, I write on friendship to my friend." This is written also in dialogue, the chief speaker of which is Lælius: who, in a conversation with his two sons-in-law, Fannius and Scævola, upon the death of P. Scipio, and the memorable friendship that had subsisted between them, took occasion, at their desire, to explain to them the nature and benefits of true friendship. Scævola, who lived to a great age, and loved to retail his old stories to his scholars, used to relate to them, with pleasure, all the particulars of this dialogue which Cicero, having committed to his memory, dressed up afterwards in his own manner, in the present form [1]. Thus this agreeable book, which, when considered only as an invention or essay, is one of the most entertaining pieces in antiquity, must needs affect us more warmly, when it is found at last to be a history, or a picture drawn from the life, exhibiting the real characters and sentiments of the best and greatest men of Rome. He now also wrote his discourse on Fate; which was the subject of a conversation with Hirtius, in his villa near Puteoli, where they spent several days together in May: and he is supposed to have finished, about the same time, a translation of Plato's famous dialogue, called Timæus, on the Nature and Origin of the Universe.

But he was employing himself also upon a work of a different sort, which had been long upon his hands—A History of his Own Times, or rather of his own conduct; full of free and severe reflections on those who had abused their power, to the oppression of the republic, especially Cæsar and Crassus. This he calls his Anecdote: a work not to be published, but to be shewn only to a few friends, in the manner of Theopompus an historian, famed for his severe and invective style [2]. Atticus was urging him to put the last hand to it, and to continue it down through Cæsar's government; but he chose to reserve this last part for a distinct history, in which he designed to vindicate, at large, the justice of killing a tyrant. We meet with several hints of this design in his letters: in one to Atticus, he says, "I have not yet polished my Anecdote to my mind: as to what you would have me to add, it will require a second volume; but, believe me, I could speak more freely and with

[1] Digna mihi res tum omnium cognitione, tum nostra familiaritate visa est—sed ut tum ad senem senex de Senectute, sic hoc libro ad amicum amicissimus de Amicitia scripsi—et cum Scævola—exposuit nobis sermonem Lælii de amicitia, habitum ab illo secum, et cum altero genero C. Fannio, &c. De Amicit. 1.

[2] Ad Att. 2. 6. Dion. Halic. Procem. 1.

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less danger against that detested party, whilst the tyrant himself was alive, than now, when he is dead. For he, I know not why, indulged me wonderfully: but now, which way soever we stir, we are called back, not only to Cæsar's acts, but to his very thoughts."—Again: "I do not well understand what you would have me write: is it, that the tyrant was killed according to the strict laws of justice? Of that I shall both speak and write my thoughts fully on another occasion[1]." His other friends also seem to have had some notice of this work; for Trebonius, in a letter to him from Athens, after reminding him of his promise, to give him a place in some of his writings, adds, "I do not doubt, but that if you write any thing on the death of Cæsar, you will give me not the least share, both of that act, and of your affection[2]." Dion Cassius says, that he delivered this book, sealed up, to his son, with strict orders not to read or publish it till after his death; but, from this time, he never saw his son, and left the piece probably unfinished: though some copies of it afterwards got abroad, from which his commentator, Asconius, has quoted several particulars[3].

In the end of May he began to move towards Rome, in order to assist at the senate on the first of June, and proposed to be at Tusculum on the twenty-sixth, of which he gave Atticus notice. There passed all the while a constant commerce of letters between him and Brutus, who desired a personal conference with him at Lanuvium: in which Cicero resolved to humour him, though he did not think it prudent at that time, when, without any particular use, it would only give jealousy to Antony. But the nearer he came to the city, the more he was discouraged from the thoughts of entering it: he understood that it was filled with soldiers: that Antony came thither attended by a strong body of them: that all his views were bent on war: and that he designed to transfer the province of Gaul from D. Brutus to himself, by a vote of the people[4]. Hirtius dissuaded his going, and resolved to stay away himself; Varro sent him word that the veterans talked

[1] Librum meum illum ἀνέκδοτον nondum, ut volui, perpolivi. Ista vero, quæ tu contexi vis, aliud quoddam separatum volumen exspectant. Ego autem, credas mihi velim, minore periculo existimo contra illas nefarias partes vivo tyranno dici potuisse, quam mortuo. Ille enim nescio quo pacto ferebat me quidem mirabiliter. Nunc quacunque nos commovimus, ad Cæsaris non modo acta, verum etiam cogitata revocamur. [Ad Att. 14. 17.] Sed parum intelligo quid me velis scribere—an sic ut in tyrannum jure optimo cæsum? multa dicentur, multa scribentur a nobis, sed alio modo ac tempore. Ibid. 15. 3.

[2] Namque illud non dubito, quin, si quid de interitu Cæsaris scribas, non patiaris me minimam partem et rei et amoris tui ferre. Ep. Fam. 12. 16.

[3] Vid. Dio. p. 96. it. Ascon. in Tog. cand.

[4] Puto enim nobis Lanuvium eundum, non sine multo sermone—Bruto enim placere, se me conveniri. O rem odiosam et inexplicabilem! puto me ergo iturum—Antonii consilia narras turbulenta—sed mihi totum ejus consilium ad bellum spectare videtur, si quidem D. Bruto provincia eripitur. Ad Att. 15. 4.

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desperately against all those who did not favour them; Græceius also admonished him, on the part of C. Cassius, to be upon his guard, for that certain armed men were provided for some attempt at Tusculum. All these informations determined him at last not to venture to the senate, but to withdraw himself from that city, where he had not only flourished, he says, with the greatest, but lived even a slave, with some dignity [1]. The major part of the senate followed his example, and fled out of the city, for fear of some violence, leaving the consuls, with a few of their creatures, to make what decrees they thought fit [2].

This turn of affairs made Cicero resolve to prosecute what he had long been projecting, his voyage to Greece, to spend a few months with his son at Athens. He despaired of any good from these consuls, and intended to see Rome no more till their successors entered into office, in whose administration he began to place all his hopes. He wrote therefore to Dolabella, to procure him the grant of an honorary lieutenancy; and lest Antony, an angry man, as he calls him, should think himself slighted, he wrote to him too on the same subject. Dolabella immediately named him for one of his own lieutenants, which answered his purpose still better, for, without obliging him to any service, or limiting him to any time, it left him at full liberty to go wherever he pleased; so that he readily accepted it, and prepared for his journey [3]. He heard, in the mean while, from Balbus, that the senate would be held again on the fifth: when commissions would be granted severally to Brutus and Cassius, to buy up corn in Asia and Sicily, for the use of the republic: and that it would be decreed also, at the same time, that provinces should be assigned to them with the other prætors, at the expiration of the year [4].

Their case, at this time, was very remarkable: it being wholly new in Rome to see prætors driven out of the city,

[1] Hirtius jam in Tusculano est: mihique, ut absim, vehementer auctor est; et illo quidem periculi causa—Varro autem noster ad me epistolam misit—in qua scriptum erat, veteranos eos, qui rejiciantur—improbissime loqui; ut magno periculo Romæ sint futuri, qui ab eorum partibus dissentire videantur. Ibid. 5.

Græccius ad me scripsit, C. Cassium ad se scripsisse, homines comparari, qui in Tusculanum armati mitterentur.—Id quidem mihi non videbatur; sed cavendum tamen. Ibid. 8.

Mihi vero deliberatum est, ut nunc quidem est, abesse ex ea urbe, in qua non modo florui cum summa, verum etiam servivi cum aliqua dignitate. Ibid. 5.

[2] Kalendis Juniis cum in Senatum, ut erat constitutum, venire vellemus, metu perterriti repente diffugimus. Philip. 2. 42.

[3] Etiam scripsi ad Antonium de legatione, ne, si ad Dolabellam solum scripsissem, iracundus homo commoveretur. [Ad Att. 15. 8.] Sed heus tu,—Dolabella me sibi legavit, &c. Ibid. 11.

[4] A Balbo redditæ mihi litteræ, fore Nonis Senatum, ut Brutus in Asia, Cassius in Sicilia, frumentum emendum et ad urbem mittendum curarent. O rem miseram! ait, eodem tempore decretum iri, uti iis et reliquis Prætoriis provinciæ decernantur. Ibid. 9.

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where their residence was absolutely necessary, and could not legally be dispensed with for above ten days in the year: but Antony readily procured a decree to absolve them from the laws [1]; being glad to see them in a situation so contemptible, stripped of their power, and suffering a kind of exile, and depending, as it were, upon him for their protection: their friends, therefore, at Rome, had been soliciting the senate for some extraordinary employment to be granted to them, to cover the appearance of a flight, and the disgrace of living in banishment, when invested with one of the first magistracies of the republic [2].

This was the ground of the commission just mentioned, to buy corn; which seemed, however, to be below their character, and contrived as an affront to them by Antony, who affected still to speak of them always with the greatest respect [3]. But their friends thought any thing better for them than to sit still in Italy, where their persons were exposed to danger from the veteran soldiers, who were all now in motion; and that this employment would be a security to them for the present, as well as an opportunity of providing for their future safety, by enabling them to execute what they were now meditating, a design of seizing some provinces abroad, and arming themselves in defence of the republic; which was what their enemies were most afraid of, and charged them with publicly, in order to make them odious. Cicero, in the mean time, at their desire, had again recommended their interests to Hirtius, who gave him the following answer:—

"I wish that Brutus and Cassius could be prevailed with, by you, as easily to lay aside all crafty counsels, as they can obtain, by you, from me, whatever they desire. They were leaving Italy, you say, when they wrote to you: whither? or wherefore? do not let them go, I beseech you, my dear Cicero, nor suffer the republic to be wholly lost; though overwhelmed indeed already by these rapines, burnings, murders. If they are afraid of any thing, let them be upon their guard; but act nothing offensively: they will not, I am confident, gain a tittle the more by the most vigorous, than the most pacific measures, if they use but caution. The things which are now stirring cannot last long; but, if made the subject of war, will acquire present strength to hurt. Let me know your opinion

[1] Cur M. Brutus, te referente, legibus est solutus, si ab urbe plusquam decem dies abfuisset? Philip. 2. 13.

[2] Καὶ αὐτοῖς εἰς εὐπρέπειαν ἡ βουλὴ σίτου φροντίσαι προσέταξεν, ἵνα μὴ τὸ ἐν μέσῳ διάστημα φεύγειν νομίζοιντο. Appian. Bell. Civ. l. 4. 622. it. l. 3. 530.

[3] Frumentum imponere—quod munus in Rep. sordidius? [Ad Att. 15. 10.] Patriæ liberatores urbe carebant—quos tamen ipsi Consules et in concionibus et in omni sermone laudabant. Philip. 1. 2.

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of what may be expected from them." Cicero sent him word, that he would be answerable for their attempting nothing desperate: and was informed, at the same time, by Balbus, that Servilia, Brutus's mother, had undertaken that they should not leave Italy [1].

Servilia, though sister to Cato, had been one of Cæsar's mistresses, and, next to Cleopatra, the most beloved of them all: in the civil war, he gave her several rich farms out of his Pompeian confiscations, and is said to have bought a single jewel for her at the price of about £50,000 [2]. She was a woman of spirit and intrigue, in great credit with the Cæsarean party, and at this very time possessed the estate and villa of Pontius Aquila, one of the conspirators, which had been confiscated, and granted to her by Cæsar. Cicero reckons it among the solecisms of the times, that the mother of the tyrant-killer should hold the estate of one of her son's accomplices [3]; yet she had such a share in all the counsels of Brutus, that it made Cicero the less inclined to enter into them, or to be concerned with one whom he could not trust: "When he is influenced so much," says he, "by his mother's advice, or at least her entreaties, why should I interpose myself [4]?"

At their desire, however, he went over to them at Antium, to assist at a select council of friends, called to deliberate on what was proper for them to do, with regard to this new commission. There were present, among others, Favonius, Servilia, Portia, Brutus's wife, and his sister Tertulla, the wife of Cassius: Brutus was much pleased at his coming; and, after the first compliments, begged him to deliver his opinion to the company, on the subject of their meeting. Upon which he presently advised, what he had been considering on the road, that Brutus should go to Asia, and undertake the affair of the corn; that the only thing to be done at present was, to provide for their safety; that their safety was a certain benefit to the republic.—Here Cassius interrupted him, and, with great fierceness in his looks, protested that he would not go to Sicily, nor accept as a favour what was intended as an affront; but would go to Achaia.—Brutus said that he would go to Rome, if Cicero thought it proper for him: but Cicero declared it impossible for him to be safe there:—"But, supposing," says he, "that I could be safe:" "Why then," says

[1] Cui rescripsi nihil illos callidius cogitare, idque confirmavi—Balbus ad me—Serviliam confirmare non discessuros. Ad Att. 15. 6.

[2] Ante alias dilexit M. Bruti matrem Serviliam,—cui sexagies H. S. margaritam mercatus est, &c. Sueton. J. Cæs. 50.

[3] Quin etiam hoc ipso tempore multa ὑποσόλοικα: Pontii Neapolitanum a matre tyrannoctoni possideri. Ad Att. 14. 21.

[4] Matris consilio cum utatur, vel etiam precibus, quid me interponam? Ibid. 15. 10.

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Cicero, "I should advise it by all means, as the best thing which you could do, and better than any province." After much discourse, and complaining for the loss of their opportunities, for which Cassius laid all the blame on D. Brutus, Cicero said, that though that was true, yet it was in vain to talk of what was past; and, as the case then stood, he saw nothing left but to follow his advice: to which they all at last seemed to agree, especially when Servilia undertook, by her mediation, to get the affair of the corn left out of their commission: and Brutus consented that the plays and shows, with which he was to entertain the city, shortly, as prætor, should be given by proxy in his absence. Cicero took his leave, pleased with nothing in the conference but the consciousness of having done his duty; for as to the rest, he gave up all, he says, for lost; found the vessel, not only broken, but shattered to pieces; and neither prudence, reason, nor design in what they were doing: so that if he had any doubt before, he had none now, but longed to get abroad as soon as possible [1].

Octavius, upon his coming to Rome, was very roughly received by Antony, who, despising his age and want of experience, was so far from treating him as Cæsar's heir, or giving him possession of his estate, that he openly threatened and thwarted him in all his pretensions, nor would suffer him to be chosen tribune, to which he aspired, with the seeming favour of the people, in the room of that Cinna who was killed at Cæsar's funeral [2]. This necessarily drew the regard of the republican party towards him, and Cicero began to take the more notice of him, in proportion as Antony grew more and more formidable: at present, he gives the following account of him. "Octavianus, I perceive, has parts and spirit, and seems to be affected, as we could wish, towards our heroes: but how far we may trust his age, name, succession, education, is a matter of great deliberation: his father-in-law, who came to see me at Astura, thinks not at all. He must be cherished, however, if for nothing else, yet to keep him at a distance from Antony. Marcellus acts nobly, if he instils into him a good disposition towards our friends: he seemed to be much influenced by him, but to have no confidence in Pansa and Hirtius: his natural disposition is good, if it does but hold [3]."

In the midst of these affairs, with which his mind, as he complains, was much distracted, he pursued his literary studies with his usual ardour; and, to avoid the great resort of com-

[1] Ad Att. 15. 11. 12.

[2] In locum Tribuni pl. forte demortui candidatum petitorem se ostendit—sed adversante conatibus suis M. Antonio Consule—. Sueton. August. 10. Dio, 272. App. 506.

[3] Ad Att. 15. 12.

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pany which interrupted him at his house near Baiæ, he removed to his Pompeian villa, on the south side of Naples. Here he began his Book of Offices, for the use and instruction of his son, designed, he says, to be the fruit of this excursion: he composed also an Oration, adapted to the state of the times, and sent it to Atticus, to be suppressed or published at his discretion, promising him, withal, to finish, and send him, in a short time, his secret history, or Anecdote, in the manner of Heraclides, to be kept close in his cabinet [1].

Before he could leave Italy, he was obliged to return to Tusculum, to settle his private affairs, and provide his equipage, and wrote to Dolabella, to give orders for the mules and other necessaries, which the government used to furnish to those who went abroad with a public character [2]. Here Atticus and he took leave of each other with all possible marks of the most sincere and tender affection. The unsettled condition of the times, and the uncertainty when, or in what circumstances, they should meet again, raised several melancholy reflections in them both, which, as soon as they parted, drew many tears from Atticus, of which he gave Cicero an account in his next letter, with a promise to follow him into Greece. Cicero answered him with equal tenderness: "It moved me," says he, "to hear of the tears which you shed after you left me: had you done it in my presence, I should have dropped, perhaps, all thoughts of my journey. That part, however, pleases me, where you comfort yourself with the hopes of our meeting again shortly; which expectation, indeed, is what chiefly supports me. I will write to you perpetually; give you an account of every thing which relates to Brutus; send you, very shortly, my Treatise on Glory, and finish for you the other work, to be locked up with your treasure [3]," &c.

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[1] Nos hic φιλοσοφούμενα (quid enim aliud?) et τὰ περὶ τοῦ καθήκοντος magnifice explicamus, προσφωνούμενάque Ciceroni; qua de re enim potius pater filio? Deinde alia. Quid quæres? Extabit opera peregrinationis hujus.—Ego autem in Pompeianum properabam, non quod hoc loco quidquam pulchrius, sed interpellatores illic minus molesti—.

Orationem tibi misi. Ejus custodiendæ et proferendæ arbitrium tuum—jam probo Ἡρακλείδιον, præsertim cum tu tantopere delectere—enitar igitur. Ad Att. 15. 13. it. 14.

[2] Ibid. 18.

[3] Te, ut a me discesseras, lacrymasse, moleste ferebam. Quod si me præsente fecisses, consilium totius itineris fortasse mutassem. Sed illud præclare, quod te consolata est spes brevi tempore congrediendi: quæ quidem expectatio me maxime sustentat. Meæ tibi litteræ non deerunt. De Bruto scribam ad te omnia. Librum tibi celeriter mittam de Gloria. Excudam aliquid Ἡρακλείδιον, quod lateat in thesauris tuis. Ibid. 27.

N.B. The Treatise, here mentioned, on Glory, which he sent soon after to Atticus, and published in two books, was actually preserved, and subsisting, long after the invention of printing, yet happened to perish, unhappily, for want of being produced into public light by the help of that admirable art.—Raimundus Superantius made a present of it to Petrarch, who, as he tells the story, in one of his epistles, lent it to his schoolmaster, who being old and poor, pawned it, for the relief of his necessities, into some unknown hand, whence Petrarch could never recover it, upon the old man's death.

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These little passages from familiar letters, illustrate more effectually the real characters of men, than any of their more specious and public acts.—It is commonly thought the part of a statesman to divest himself of every thing natural, and banish every passion that does not serve his interest or ambition:—but here we see a quite different character: one of the greatest statesmen of the world cherishing and cultivating in himself the soft and social affections of love and friendship, as knowing them to be designed equally by nature, for the comfort, as well of public as private life.

Atticus, likewise, whose philosophy was as incompatible as ambition with all affections that did not terminate in himself, was frequently drawn, by the goodness of his nature, to correct the viciousness of his principle. He had often reproved Cicero for an excess of love to his daughter Tullia, yet he no sooner got a little Attica of his own, than he began to discover the same fondness, which gave Cicero occasion to repay his raillery with great politeness. "I rejoice," says he, "to perceive that you take so much delight in your little girl. I love her already myself, and know her to be amiable, though I have never seen her.—Adieu then to Patro, and all your Epicurean school." In another letter: "I am mightily pleased with the fondness that you express for your little daughter; and to see you feel, at last, that the love of our children does not flow from habit or fashion, but from nature: for if that be not so, there can be no natural conjunction between one man and another, without which all society must necessarily be dissolved [1]."

There was now great expectation of the shows and plays, which Brutus, as prætor of the city, was going to exhibit, according to annual custom, in honour of Apollo, on the third of July; and all people were attentive and impatient to see in what manner they would be received. Brutus wrote to Cicero, to beg that he would grace them with his presence: but Cicero thought the request absurd, nor at all agreeable to Brutus's usual prudence. His answer was, that he was got too far upon his journey to have it now in his power; and that

About two centuries after, it appeared to have been in the possession of Bernardus Justinianus, and was mentioned in the catalogue of his books, which he bequeathed to a monastery of nuns: but when it could not be found in that monastery, after the strictest search, it was generallybelieved that Petrus Alcyonius, who was physician to that house, and had the free use of the library, had stolen it; and after transcribing as much of it as he could into his own writings, had destroyed the original for fear of a discovery: it being observed, by the critics, that in his book De Exilio, there were many bright passages, not well connected with the rest of the work, which seemed to be above his taste and genius. Vid. Petrarch. Epist. l. 15. l. Rer. Senilium. Paull. Manut. Not. Ad Att. 15. 27. Bayle Dict. in Alcyonius. Menagiana. Vol. IV. p. 86.

[1] Filiolam tibi jam Romæ jucundam esse gaudeo; eamque, quam nunquam vidi, tamen et amo, et amabilem esse certo scio. Etiam atque etiam valete Patron et tui condiscipuli. Ad Att. 5. 19.—it. 7. 20.

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it would be very improper for him, who had not been in Rome since it was filled with soldiers, not so much out of regard to his danger as his dignity, to run thither on a sudden to see plays: that, in such times as these, though it was reputable for those to give plays, whose office required it, yet for his seeing them, as it was not necessary, so neither would it be thought decent—[1]. He was heartily solicitous, however, that they might meet with all imaginable encouragement, and charged Atticus to send him a particular account of what passed, on each day, from their first opening.

The success of them answered all their hopes, for they were received with an incredible applause by all ranks, though Antony's brother Caius, as the next prætor in office, presided at them: one of the plays was Tereus, a tragedy of Accius; which, having many strokes in it on the characters and acts of tyrants, was infinitely clapped by the people. Atticus performed his part to Cicero, and sent him a punctual account of what passed every day; which he constantly communicated to Brutus, who was now in his neighbourhood—in Nesis, a little isle, on the Campanian shore, the seat of young Lucullus.—In his answer to Atticus, "Your letters," says he, "were very acceptable to Brutus: I spent several hours with him, soon after I received them: he seemed to be delighted with the account of Tereus; and thought himself more obliged to the poet Accius, who made it, than to the prætor Antony, who presided at it. But the more joy you send us of this sort, the more indignation it gives me to see the Roman people employ their hands in clapping plays, not in defending the republic. This, perhaps, may provoke our enemies to discover themselves, before they intended it; yet, if they be but mortified, I care not by what means[2]." In a speech made afterwards to the senate, he urges this judgment of the city, as a proper lesson to Antony, to teach him the way to glory. "O happy Brutus," says he, "who, when driven from Rome, by force of arms, resided still in the hearts and bowels of his citizens, who

[1] In quibus unum alienum summa sua prudentia, id est illud, ut spectem ludos suos. Rescripsi scilicet, primum me jam profectum, ut non integrum sit. Dein ἀποπώτατον esse, me, qui Romam omnino post hæc arma non accesserim, neque id tam periculi mei causa fecerim, quam dignitatis, subito ad ludos venire. Tali enim tempore ludos facere illi honestum est, cui necesse est: spectare mihi, ut non est necesse, sic ne honestum quidem est. Equidem illos celebrari, et esse quam gratissimos mirabiliter cupio. Ibid. 15. 26.

[2] Bruto tuæ litteræ gratæ erant. Fui enim apud illum multas horas in Neside, cum paullo ante tuas litteras accepissem. Delectari mihi Terco videbatur; et habere majorem Accio, quam Antonio, gratiam. Mihi autem quo lætiora sunt, eo plus stomachi et molestiæ est, populum Romanum manus suas, non in defendenda Repub. sed in plaudendo consumere. Mihi quidem videntur istorum animi incendi etiam ad repræsentandam improbitatem suam. Sed tamen dum modo doleant aliquid, doleant quodlibet. Ibid. 16. 2.

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made themselves amends for the absence of their deliverer, by their perpetual applauses and acclamations [1]."

But there was one thing, which, through the inadvertency of Brutus's managers, or the contrivance of the prætor Antony, gave Brutus some uneasiness; that, in the edict for proclaiming his shows, the month, instead of Quintilis, was styled July, by its new name, lately given to it in honour of Cæsar: for it raised great speculation, and was thought strange, that Brutus, by edict, should acknowledge and confirm an act, contrived to perpetuate the honour of tyranny. This little circumstance greatly disturbed him, imagining, that it would be reflected upon as a mean condescension; and since it could not be remedied as to the plays, he resolved to correct it for the rest of the shows; and gave immediate orders, that the huntings of the wild beasts, which were to follow, should be proclaimed for the thirteenth of Quintilis [2].

While Cicero continued in these parts, he spent the greatest share of his time with Brutus: and as they were one day together, L. Libo came to them, with letters just received from young S. Pompey, his son-in-law, with proposals of an accommodation, addressed to the consuls, on which he desired their opinion. Cicero thought them drawn up with great gravity and propriety of expression, excepting a few inaccuracies, and advised only to change the address; and, instead of the consuls, to whom alone they were directed, to add the other magistrates, with the senate and people of Rome, lest the consuls should suppress them, as belonging only to themselves. These letters brought in substance, that Pompey was now master of seven legions: that as he had just stormed a town called Borea, he received the news of Cæsar's death, which caused a wonderful joy, and change of affairs through the province of Spain, and a concourse of people to him from all parts. The sum of his demands was, that all who had the command of armies should dismiss them; but to Libo he signified, that, unless his father's estate and house at Rome, which Antony now possessed, were restored to him, he would agree to nothing [3].

This overture from Pompey was procured chiefly by the management of Lepidus [4]: who, having the province of Spain assigned to him, where Pompey was very strong, had no mind to be engaged in a war at such a distance from Rome, and

[1] Quid? Apollinarium ludorum plausus, vel testimonia potius, et judicia populi Romani parum magna videbantur? O beatos illos, qui cum adesse ipsis propter vim armorum non licebat, aderant tamen, et in medullis populi Romani ac visceribus hærebant! nisi forte Accio tum plaudi—et non Bruto putabatis, &c. Philip. 1. 15.

[2] Quam ille doluit de Nonis Juliis! mirifice est conturbatus. Itaque sese scripturum aiebat, ut venationem etiam, quæ postridie ludos Apollinares futura est, proscriberent, III Id. Quintil. Ad Att. 16. 4.

[3] Ibid. [4] Philip. 5. 13, 14, &c. it. Ibid. 13. 4, 5, &c.

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drawn off from attending to the main point in view, the event of affairs in Italy; for which purpose, on pretence of the public quiet, he made the offer of a treaty and honourable terms to Pompey, and that, on condition of laying down his arms, and quitting the province, he should be restored to all his estates and honours, and have the command of the whole naval power of Rome, in the same manner as his father had it before him: all which was proposed and recommended to the senate by Antony himself[1]. Where, to preserve a due respect to Cæsar's acts, by which Pompey's estates had been confiscated, it was decreed, that the same sum for which they had been sold, should be given to him by the public to enable him to purchase them again. This amounted to above five millions and a half of our money, exclusive of his jewels, plate, and furniture; which being wholly embezzled, he was content to lose[2]. On these terms, ratified by the authority of the senate, Pompey actually quitted Spain, and came to Marseilles. The project was wisely concerted by Lepidus and Antony; for while he carried a show of moderation, and disposition to peace, it disarmed a desperate enemy, who was in condition to give a great obstruction to their designs, and diversion to their arms, at a time when the necessity of their interests required their presence and whole attention at home, to lay a firm foundation of their power, in the heart and centre of the empire.

There happened an incident at this time of a domestic kind which gave some pleasure both to Cicero and Atticus: the unexpected conversion of their nephew Quintus. He had long ago deserted his father and uncle, and attached himself wholly to Cæsar, who supplied him liberally with money: on Cæsar's death he adhered still to the same cause, and was in the utmost confidence with Antony; and, as Atticus calls him, his right hand[3]; or the minister of all his projects in the city: but upon some late disgust, he began to make overtures to his friends, of coming over to Brutus, pretending to have conceived an abhorrence of Antony's designs; and signifying to his father, that Antony would have engaged him to seize some strong post in the city, and declare him dictator, and, upon his refusal,

[1] App. p. 528. Dio, l. 45. 475.

[2] Salvis enim actis Cæsaris, quæ concordiæ causa defendimus, Pompeio sua domus patebit, eamque non minoris, quam Antonius emit, redimet—decrevistis tantam pecuniam Pompeio, quantam ex bonis patriis in prædæ dissipatione inimicus victor redegisset—nam, argentum, vestem, supellectilem, vinum amittet æquo animo, quæ ille helluo dissipavit—atque illud septies millies, quod adolescenti, Patris conscripti, spopondistis, ita describetur, ut videatur a vobis Cn. Pompeii filius in patrimonio suo collocatus. Philip. 13. 5.

[3] Quintus filius, ut scribis, Antonii est dextella. Ad Att. 14. 20.

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was become his enemy [1]. The father, overjoyed at this change, carried his son to Cicero, to persuade him of his sincerity, and to beg his intercession also with Atticus, to be reconciled to him: but Cicero, who knew the fickleness and perfidy of the youth, gave little credit to him; taking the whole for a contrivance only to draw money from them: yet, in compliance with their request, he wrote what they desired to Atticus, but sent him another letter, at the same time, with his real thoughts on the matter.

"Our nephew Quintus," says he, "promises to be a very Cato. Both his father and he have been pressing me, that I would undertake for him to you; yet so, that you should not believe him, till you yourself had seen the effects of it. I shall give him, therefore, such a letter to you as he would have; but let it not move you, for I have written this, lest you should imagine that I am moved myself. The gods grant that he may perform what he promises; for it will be a common joy to us all. I will say nothing more of it at present [2]," &c.

But young Quintus got the better, at last, of all Cicero's suspicions; and, after spending several days with him, convinced him, by his whole behaviour and conversation, that he was in earnest: so that he not only recommended him very affectionately to Atticus, but presented him also to Brutus, to make the offer of his service to him in person. "If he had not wholly persuaded me," says he, "that what I am saying of him is certainly true, I should not have done what I am going to tell you; for I carried the youth with me to Brutus, who was so well satisfied with him, that he gave him full credit, without suffering me to be his sponsor: in commending him, he mentioned you in the kindest manner, and at parting, embraced and kissed him. Wherefore, though there is reason rather to congratulate than to entreat you, yet, I beg that whatever he may have done hitherto, through the weakness of age, with more levity than became him, you would believe it all to be now over [3]," &c.

Quintus kept his word with them; and to give proof of his

[1] Quintus pater exultat lætitia. Scripsit enim filius, se idcirco profugere ad Brutum voluisse, quod cum sibi negotium daret Antonius, ut eum Dictatorem efficeret, præsidium occuparet, id recusasset; recusasse autem se, ne patris animum offenderet; ex eo sibi illum hostem. Ad Att. 15. 21.

[2] Quintus filius mihi pollicetur se Catonem. Egit autem et pater et filius, ut tibi sponderem: sed ita, ut tum crederes, cum ipse cognosces. Huic ego litteras ipsius arbitratu dabo. Eæ ne te moverint; has scripsi in eam partem, ne me motum putares. Dii faxint, ut faciat ea, quæ promittit. Commune enim gaudium. Sed ego nihil dico amplius. Ibid. 16. 1.

[3] Quod nisi fidem mihi fecisset, judicassemque hoc quod dico firmum fore, non fecissem id, quod dicturus sum. Duxi enim mecum adolescentem ad Brutum: sic ei probatum est, quod ad te scribo, ut ipse crediderit, me sponsorem accipere noluerit; eumque laudans amicissime tui mentionem fecerit; complexus, osculatusque dimiserit. Ibid. 16. 5.

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zeal and sincerity, was so hardy, before the end of the year, as to undertake to accuse Antony to the people, for plundering the temple of Opis [1]. But this accident of changing his party, which gave so much joy at present to the whole family, though owing rather to a giddiness of temper than any good principle, proved fatal, not long after, both to the young man and his father; as it seems to have been the most probable cause of their being proscribed and murdered the year following, by Antony's order, together with Cicero himself.

Cicero was now ready for his voyage, and had provided three little yachts or gallies to transport himself, and his attendants: but as there was a report of legions arriving daily from abroad, and of pirates also at sea, he thought it would be safer to sail in company with Brutus and Cassius, who had drawn together a fleet of good force, which now lay upon the coast [2]. He gave several hints of this design to Brutus, who received it more coldly than he expected; and seemed uncertain and irresolute about the time of his own going. He resolved, therefore, to embark without farther delay, though in some perplexity to the last, about the expediency of the voyage, and jealous of its being censured, as a desertion of his country: but Atticus kept up his spirits, by assuring him, constantly, in his letters, that all people approved it at Rome, provided that he kept his word of returning by the first of the new year [3].

He sailed slowly along the coast towards Rhegium, going ashore every night to lodge with some friend or client: he spent one day at Velia, the native place of Trebatius; whence he wrote a kind letter to him, dated the nineteenth of July, advising him by no means to sell that family estate, as he then designed, situated so healthfully and agreeably, and affording a convenient retreat from the confusion of the times, among a people, who entirely loved him [4]. At this place he began his treatise of Topics, or the art of finding arguments on any question: it was an abstract of Aristotle's piece on the same subject; which Trebatius happening once to meet with in Cicero's Tusculan library, had begged of him to explain. But Cicero never found

[1] Quintus scribit, se ex Nonis iis, quibus nos magna gessimus, Ædem Opis explicaturum, idque ad populum. Ibid. 14.

[2] Legiones enim adventare dicuntur. Hæc autem navigatio habet quasdam suspiciones periculi. Itaque constituebam uti ὁμοπλοίᾳ. Paratiorem offendi Brutum, quam audiebam——Nam Cassii classem, quæ plane bella est, non numero ultra fretum. Ibid. 16. 4.

[3] Bruto cum sæpe injecissem de ὁμοπλοίᾳ, non perinde atque ego putaram, arripere visus est—[Ibid. 5.] Consilium meum quod ais quotidie magis laudari, non moleste fero; expectabamque, si quid ad me scriberes. Ego enim in varios sermones incidebam. Quin etiam idcirco trahebam, ut quam diutissime integrum esset. [Ibid. 2. It. Ep. Fam. 11. 29.] Scribis enim in cœlum ferri profectionem meam, sed ita, si ante Kal. Jan. redeam. Quod quidem certe enitar. [Ibid. 6.] Ea mente discessi, ut adessem Kalendis Jan. quod initium cogendi Senatus fore videbatur. Philip. 1. 2.

[4] Ep. Fam. 7. 20.

leisure for it till this voyage, in which he was reminded of the task by the sight of Velia; and though he had neither Aristotle, nor any other book to help him, he drew it up from his memory, and finished it as he sailed, before he came to Rhegium; whence he sent it to Trebatius, with a letter dated the twenty-seventh. He excuses the obscurity of it from the nature of the argument, requiring great attention to understand, and great application to reduce it to practice: in which, however, he promises to assist him, if he lived to return, and found the republic subsisting [1].

In the same voyage, happening to be looking over his treatise on the Academic Philosophy, he observed the preface of the third book to be the same that he had prefixed to his book on Glory, which he had lately sent to Atticus. It was his custom, it seems, to prepare at leisure a number of different proems, adapted to the general view of his studies, and ready to be applied to any of his works, which he should afterwards publish; so that by mistake he had used this preface twice, without remembering it: he composed a new one, therefore, on ship-board, for the piece on Glory, and sent it to Atticus, with orders to bind it up with his copy in the place of the former preface [2]. So wonderful was his industry and love of letters, that neither the inconvenience of sailing, which he always hated, nor the busy thoughts which must needs intrude upon him, on leaving Italy in such a conjuncture, could disturb the calm and regular pursuit of his studies.

From Rhegium, or rather Leucopetra, a promontory close by it, he passed over to Syracuse, on the first of August where he staid but one night, though in a city particularly devoted to

[1] Itaque ut primum Velia navigare cœpi, institui Topica Aristotelea conscribere, ab ipsa urbe commonitus, amantissima tui. Eum librum tibi misi Rhegio, scriptum quam plenissime illa res scribi potuit, &c. Ep. Fam. 7. 19.

[2] Nunc negligentiam meam cognosce. De Gloria librum ad te misi, at in eo proœmium id est, quod in Academico tertio. Id evenit ob eam rem, quod habeo volumen proœmiorum: ex eo eligere solco, cum aliquod *σύγγραμμα* institui. Itaque jam in Tusculano, qui non meminissem me abusum isto proœmio, conjeci id in eum librum, quem tibi misi. Cum autem in navi legerem Academicos, agnovi erratum meum, itaque statim novum proœmium exaravi; tibi misi. Ad Att. 16. 6.

N.B. A collection of prefaces prepared beforehand, and calculated indifferently for any treatise, will be thought, perhaps, a strange and fantastical way of composing; but though they had no necessary connexion with the subject of any particular work, they were yet adapted to the general view of his writings, and contrived, severally, to serve the different ends, which he proposed by the publication of them. Thus, in some, he takes occasion to celebrate the praises of his principal friends, to whom they were addressed: in others, to enter into a general defence of philosophy, in answer to those who censured him for spending so much time upon it: in some he represents the miserable state of the times, and subversion of the republic, in a manner proper to alarm his citizens, and rouse them to assert their ancient liberty: in others, he contrives to give a beautiful description of some of his villas or gardens, where the scene of the dialogue was laid: all which the reader will find very agreeably executed in the prefaces of his philosophical pieces, which are yet connected so artfully with the treatises that follow them, and lead us so naturally into the argument, as if they had been originally contrived for the sake of introducing it. Vid. Tusc. Disp.—Init. de Divin. 2. 1. de Fin. 1. 1. de Leg. 2. 1.

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him, and under his special protection; but he was unwilling to give umbrage or suspicion to those at Rome, of having any views abroad, which concerned the republic[1]: he set sail, therefore, again the next morning towards Greece, but was driven back, by contrary winds, to Leucopetra; and, after a second attempt, with no better success, was forced to repose himself in the villa of his friend Valerius, and wait for the opportunity of a fair wind[2].

Here the principal inhabitants of the country came to pay him their compliments: some of them fresh from Rome, who brought great news of an unexpected turn of affairs there, towards a general pacification; that Antony seemed disposed to listen to reason, to desist from his pretensions to Gaul, submit to the authority of the senate, and make up matters with Brutus and Cassius, who had written circular letters to all the principal senators, to beg their attendance in the senate on the first of September, and that Cicero's absence was particularly regretted, and even blamed, at such a crisis[3]. This agreeable account of things made him presently drop all thoughts of pursuing his voyage, in which he was confirmed likewise by letters from Atticus, who, contrary to his former advice, pressed him now, in strong and pathetic terms, to come back again to Rome.

He returned, therefore, by the same course which he had before taken, and came back to Velia on the seventeenth of August: Brutus lay within three miles of it, with his fleet, and hearing of his arrival, came immediately on foot to salute him: he declared himself exceedingly pleased with Cicero's return; owned that he had never approved, though he had not dissuaded, the voyage, thinking it indecent to give advice to a man of his experience, but now told him, plainly, that he had escaped two great imputations on his character; the one, of too hasty a despair and desertion of the common cause; the other of the vanity of going to see the Olympic games. This last, as Cicero says, would have been shameful for him, in any state of the republic; but, in the present, unpardonable; and professes himself, therefore, greatly obliged to the winds, for

[1] Kalendis sextil. veni Syracusas—quæ tamen urbs mihi conjunctissima, plus una me nocte cupiens retinere non potuit. Veritus sum, ne meus repentinus ad meos necessarios adventus suspicionis aliquid afferret, si essem commoratus. Philip. 1. 3.

[2] Cum me ex Sicilia ad Leucopetram, quod est promontorium agri Rhegini, venti detulissent: ab eo loco conscendi, ut transmitterem; nec ita multum provectus, rejectus austro sum in eum ipsum locum.—[Ibid.] ibi cum ventum expectarem: erat enim villa Valerii nostri, ut familiariter essem, et libenter. Ad Att. 16. 7.

[3] Rhegini quidam, illustres homines eo venerunt, Roma sane recentes—hæc afferebant, edictum Bruti et Cassii; et fore frequentem Senatum Kal.; a Bruto et Cassio litteras missas ad Consulares et Prætorios, ut adessent, rogare. Summam spem nunciabant, fore, ut Antonius cederet, res conveniret, nostri Romam redirent. Addebant etiam me desiderari, subaccusari, &c. Ibid.

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preserving him from such an infamy, and like good citizens blowing him back to the service of his country [1].

Brutus informed him, likewise, of what had passed in the senate, on the first of August, and how Piso had signalized himself, by a brave and honest speech, and some vigorous motions in favour of the public liberty, in which nobody had the courage to second him: he produced also Antony's edict, and their answer to it, which pleased Cicero very much; but on the whole, though he was still satisfied with his resolution of returning, yet he found no such reason for it as his first intelligence had suggested, nor any hopes of doing much service at Rome, where there was not one senator who had the [2] courage to support Piso, nor Piso himself the resolution to appear in the senate again the next day.

This was the last conference that he ever had with Brutus, who, together with Cassius, left Italy soon after it: they were both to succeed, of course, as all prætors did, at the expiration of their office, to the government of some province, which was assigned to them either by lot, or by an extraordinary decree of the senate. Cæsar had intended Macedonia for the one, and Syria for the other; but as these were two of the most important commands of the empire, and would throw a great power into their hands at a time when their enemies were taking measures to destroy them, so Antony contrived to get two other provinces decreed to them of an inferior kind,—Crete to Brutus, and Cyrene to Cassius, and by a law of the people, procured Macedonia and Syria to be conferred upon himself, and his colleague, Dolabella; in consequence of which, he sent his brother Caius, in all haste, to possess himself of the first, and Dolabella to secure the second, before their rivals could be in condition to seize them by force, of which they were much afraid, taking it for granted, that this was the project which Brutus and Cassius were now meditating. Cassius had acquired a great reputation in the east, by his conduct in the Parthian war, and Brutus was highly honoured in Greece, for his eminent virtue and love of philosophy; they resolved, therefore, to slight the petty provinces which were granted to them, and to try their fortunes in the more powerful ones that Cæsar had promised them; and, with that view, had provided the fleets abovementioned, to transport themselves to those countries, which they had destined for the scene of action;

[1] Nam xvi. Kal. Sept. cum venissem Veliam, Brutus audivit, erat enim cum suis navibus apud Helctem fluvium citra Veliam millia passuum III. pedibus ad me statim. Dii immortales, quam valde ille reditu, vel potius reversione mea lætatus est? Effudit illa omnia, quæ tacuerat—se autem lætari quod effugissem duas maximas vituperationes, &c. Ad Att. 16. 7. Vid. it. Ep. Fam. 12. 25. it. ad Brut. 15.

[2] Vid. Ad Att. ib. Philip. 1. 4, 5. Ep. Fam. 12. 2.

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Brutus to Macedonia, Cassius to Syria, where we shall soon have occasion to give a farther account of their success [1].

Cicero, in the meanwhile, pursued his journey towards Rome, where he arrived on the last of the month; on his approach to the city, such multitudes flocked out to meet him, that the whole day was spent in receiving the compliments and congratulations of his friends, as he passed along to his house [2]. The senate met the next morning, to which he was particularly summoned by Antony, but excused himself by a civil message, as being too much indisposed by the fatigue of his journey. Antony took this as an affront, and, in great rage, threatened, openly in the senate, to order his house to be pulled down, if he did not come immediately: till, by the interposition of the assembly, he was dissuaded from using any violence [3].

The business of the day was to decree some new and extraordinary honours to the memory of Cæsar, with a religious supplication to him, as to a divinity; Cicero was determined not to concur in it, yet knew that an opposition would not only be fruitless, but dangerous; and for that reason staid away. Antony, on the other hand, was desirous to have him there, fancying that he would either be frightened into a compliance, which would lessen him with his own party, or, by opposing what was intended, make himself odious to the soldiery; but as he was absent, the decree passed without any contradiction.

The senate met again the next day, when Antony thought fit to absent himself, and leave the stage clear to Cicero [4]; who accordingly appeared, and delivered the first of those speeches, which, in imitation of Demosthenes, were called afterwards his Philippics—he opens it with a particular account of the motives of his late voyage and sudden return; of his interview with Brutus, and his regret at leaving him: "at Velia," says he, "I saw Brutus: with what grief I saw him, I need not tell you; I could not but think it scandalous for me to return to a city, from which he was forced to retire, and to find myself safe in any place, where he could not be so; yet Brutus was not half so much moved with it as I, but supported by the consciousness of his noble act, shewed not the least concern for his own case, while he expressed the greatest for your's."—He then declares, that he came to second Piso; and, in case of any

[1] Plut. in Brut. App. 527. 533. Philip. 2. 13. 38. [2] Plut. in Cic.

[3] Cumque de via languerem, mihique displicerem, misi pro amicitia qui hoc ei diceret, at ille, vobis audientibus, cum fabris, se domum meam venturum esse dixit, &c. Philip. 1. 5.

[4] Veni postridie, ipse non venit. Ibid. 5. 7.

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accidents, of which many seemed to surround him, to leave that day's speech as a monument of his perpetual fidelity to his country [1]. Before he enters upon the state of the republic, he takes occasion to complain of the unprecedented violence of Antony's treatment of him the day before, who would not have been better pleased with him, had he been present; for he should never have consented to pollute the republic with so detestable a religion, and blend the honours of the gods with those of a dead man: he prays the gods to forgive both the senate and the people for their forced consent to it—that he would never have decreed it, though it had been to old Brutus himself, who first delivered Rome from regal tyranny, and, at the distance of five centuries, had propagated a race from the same stock, to do their country the same service [2]. He returns thanks to Piso for what he had said in that place the month before: wishes that he had been present to second him; and reproves the other consulars for betraying their dignity, by deserting him.—As to the public affairs, he dwells chiefly on Antony's abuse of their decree, to confirm Cæsar's acts; declares himself still for the confirmation of them, not that he liked them, but for the sake of peace; yet, of the genuine acts only, such as Cæsar himself had completed; not the imperfect notes and memorandums of his pocket books; not every scrap of his writing; or what he had not even written, but spoken only, and that without a voucher—he charges Antony with a strange inconsistency, in pretending such a zeal for Cæsar's acts, yet violating the most solemn and authentic of them, his laws; of which he gives several examples: thinks it intolerable, to oblige them to the performance of all Cæsar's promises, yet annul so freely what ought to be held the most sacred and inviolable of any thing that he had done: he addresses himself pathetically to both the consuls, though Dolabella only was present; tells them, that they had no reason to resent his speaking so freely on the behalf of the republic: that he made no personal reflections: had not touched their characters, their lives, and manners: that if he offended in that way, he desired no quarter [3]: but if, according to his custom, he delivered himself with all freedom on public affairs, he begged, in the first place, that they would not be angry; in the next, that if they were, they would express their anger, as became citizens, by civil, not military methods; that he had been admonished, indeed, not to expect, that the same liberty would be allowed to him, the enemy of Cæsar, which had been indulged to Piso, his father-in-law; that Antony would resent whatever was said

[1] Philip. 1. 4. [2] Ibid. 5. 6. [3] Ibid. 7. 11.

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against his will, though free from personal injury; if so, he must bear it as well as he could—then, after touching on their plundering the Temple of Opis, of those sums which might have been of great service to the state, he observes, that whatever the vulgar might think, money was not the thing which they aimed at; that their souls were too noble for that, and had greater designs in view[1]; but they quite mistook the road to glory, if they thought it to consist in a single man's having more power than a whole people—that to be dear to our citizens, to deserve well of our country, to be praised, respected, beloved, was truly glorious; to be feared and hated, always invidious, detestable, weak, and tottering—that Cæsar's fate was a warning to them, how much better it was to be loved than to be feared: that no man could live happy, who held life on such terms that it might be taken from him, not only with impunity, but with praise[2]. He puts them in mind of the many public demonstrations of the people's disaffection to them, and their constant applauses and acclamations to those who opposed them, to which he begs them to attend with more care, in order to learn the way how to be truly great and glorious.—He concludes, by declaring, that he had now reaped the full fruit of his return, by giving this public testimony of his constant adherence to the interests of his country: that he would use the same liberty oftener, if he found that he could do it with safety: if not, would reserve himself, as well as he could, to better times, not so much out of regard to himself, as to the republic.

In speaking afterwards of this day's debate, he says, that whilst the rest of the senate behaved like slaves, he alone shewed himself to be free; and though he spoke, indeed, with less freedom than it had been his custom to do, yet it was with more than the dangers, with which he was threatened, seemed to allow[3]. Antony was greatly enraged at his speech, and summoned another meeting of the senate for the nineteenth, where he again required Cicero's attendance, being resolved to answer him in person, and, justify his own conduct: for which end he employed himself, during the interval, in preparing the materials of a speech, and declaiming against Cicero, in his villa near Tibur. The senate met on the appointed day, in the Temple of Concord, whither Antony came with a strong guard, and in great expectation of meeting Cicero, whom he had endeavoured, by artifice, to draw thither: but

[1] Ibid. 12.

[2] Ibid. 14.

[3] Locutus sum de Repub. minus equidem libere, quam mea consuetudo, liberius tamen quam periculi minæ postulabant. Ibid. 5. 7.
In summa reliquorum servitute liber unus fui. Ep. Fam. 12. 25.

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though Cicero himself was ready and desirous to go, yet his friends overruled and kept him at home, being apprehensive of some design intended against his life [1].

Antony's speech confirmed their apprehensions, in which he poured out the overflowings of his spleen with such fury against him, that Cicero, alluding to what he had done a little before, in public, says, that he seemed once more rather to spew than to speak [2]. He produced Cicero's letter to him, about the restoration of S. Clodius, in which Cicero acknowledged him, not only for his friend, but a good citizen; as if the letter was a confutation of his speech, and Cicero had other reasons for quarrelling with him now, than the pretended service of the public [3]. But the chief thing with which he urged him was, his being not only privy to the murder of Cæsar, but the contriver of it, as well as the author of every step, which the conspirators had since taken; by this he hoped to inflame the soldiers to some violence, whom he had planted for that purpose about the avenues of the temple, and within hearing even of their debates. Cicero, in his account of it to Cassius, says, that he should not scruple to own a share in the act, if he could have a share in the glory: but that, if he had really been concerned in it, they should never have left the work half finished [4].

He had resided all this while in Rome, or the neighbourhood; but as a breach with Antony was now inevitable, he thought it necessary, for his security, to remove to a greater distance, to some of his villas near Naples. Here he composed his second Philippic, by way of reply to Antony; not delivered in the senate, as the tenor of it seems to imply, but finished in the country, nor intended to be published, till things were actually come to extremity, and the occasions of the republic made it necessary to render Antony's character and designs as odious as possible to the people. The oration is a most bitter invective on his whole life, describing it as a perpetual scene of lewdness, faction, violence, rapine, heightened with all the colours of wit and eloquence—it was greatly admired by the ancients, and shews that, in the decline of life, Cicero had lost no share of that fire and spirit, with which his earlier productions are animated: but he never had a cause more interesting, or where he had greater reason to exert himself: he knew that

[1] Quo die, si per amicos mihi cupienti in Senatum venire licuisset, cædis initium fecisset a me. Philip. 5. 7.
Meque cum elicere vellet in cædis causam, tum tentaret insidiis. Ep. Fam. 12. 25.
[2] Itaque omnibus est visus, ut ad te antea scripsi, vomere suo more, non dicere. Ibid. 2.
[3] Atque etiam litteras, quas me sibi misisse diceret, recitavit, &c. Philip. 2. 4.
[4] Nullam aliam ob caussam me auctorem fuisse Cæsaris interficiendi criminatur, nisi ut in me veterani incitentur. Ep. Fam. 12. 2. vid. 3, 4.

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in case of a rupture, for which alone the piece was calculated, either Antony or the republic must perish; and he was determined to risk his own life upon the quarrel, nor bear the indignity of outliving a second time the liberty of his country.

He sent a copy of this speech to Brutus and Cassius, who were infinitely pleased with it: they now at last clearly saw, that Antony meditated nothing but war, and that their affairs were growing daily more and more desperate; and being resolved, therefore, to leave Italy, they took occasion, a little before their departure, to write the following letter in common to Antony.

"BRUTUS AND CASSIUS, PRÆTORS, TO ANTONY, CONSUL.

"If you are in good health, it is a pleasure to us. We have read your letter, exactly of a piece with your edict, abusive, threatening, wholly unworthy to be sent from you to us. For our part, Antony, we have never done you any injury; nor imagined that you would think it strange, that prætors, and men of our rank, should require any thing by edict of a consul: but if you are angry that we have presumed to do it, give us leave to be concerned, that you would not indulge that privilege, at least, to Brutus and Cassius: for as to our raising troops, exacting contributions, soliciting armies, sending expresses beyond sea; since you deny that you ever complained of it, we believe you; and take it as a proof of your good intention: we do not, indeed, own any such practices; yet think it strange, when you objected nothing of that kind, that you could not contain yourself from reproaching us with the death of Cæsar. Consider with yourself, whether it is to be endured, that, for the sake of the public quiet and liberty, prætors cannot depart from their rights by edict, but the consul must presently threaten them with arms. Do not think to frighten us with such threats; it is not agreeable to our character to be moved by any danger: nor must Antony pretend to command those, by whose means he now lives free. If there were other reasons to dispose us to raise a civil war, your letter would have no effect to hinder it: for threats can have no influence on those who are free. But you know, very well, that it is not possible for us to be driven to any thing against our will; and, for that reason, perhaps, you threaten, that whatever we do, it may seem to be the effect of fear. These, then, are our sentiments: we wish to see you live with honour and splendour in a free republic; have no desire to quarrel with you; yet value our liberty more than your friendship. It is your business to consider again and again what you attempt, and what you can maintain; and to reflect, not how long Cæsar lived,

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but how short a time he reigned: we pray the gods, that your counsels may be salutary, both to the republic and to yourself; if not, wish, at least, that they may hurt you as little as may consist with the safety and dignity of the republic[1]."

Octavius perceived, by this time, that there was nothing to be done for him in the city against a consul, armed with superior power, both civil and military; and was so far provoked by the ill usage which he had received, that in order to obtain, by stratagem, what he could not gain by force, he formed a design against Antony's life, and actually provided certain slaves to assassinate him, who were discovered and seized with their poignards in Antony's house, as they were watching an opportunity to execute their plot. The story was supposed, by many, to be forged by Antony, to justify his treatment of Octavius, and his depriving him of the estate of his uncle; but all men of sense, as Cicero says, both believed and applauded it: and the greatest part of the old writers treat it as an undoubted fact[2].

They were both of them equally suspected by the senate, but Antony more immediately dreaded, on account of his superior power, and supposed credit with the soldiers, whom he had served with, through all the late wars, and on several occasions commanded. Here his chief strength lay; and, to ingratiate himself the more with them, he began to declare himself more and more openly every day against the conspirators; threatening them in his edicts, and discovering a resolution to revenge the death of Cæsar; to whom he erected a statue in the rostra, and inscribed it—To the most worthy parent of his country. Cicero, speaking of this, in a letter to Cassius, says, "Your friend Antony grows every day more furious, as you see from the inscription of his statue; by which he makes you, not only murderers, but parricides. But why do I say you, and not rather us? for the madman affirms me to be the author of your noble act. I wish that I had been; for, if I had, he would not have been so troublesome to us as at this time[3]."

Octavius was not less active in soliciting his uncle's soldiers, sparing neither pains nor money that could tempt them to his

[1] Ep. Fam. 11. 3.

[2] De quo multitudini fictum ab Antonio crimen videtur, ut in pecuniam adolescentis impetum faceret. Prudentes autem et boni viri et credunt factum et probant. [Ibid. 12. 23.] Insidiis M. Antonii Consulis latus petierat. [Sen. de Clem. l. 1. 9.]

Hortantibus itaque nonnullis percussores ei subornavit. Hac fraude deprehensa, &c. Sueton. August. 10. Plut. in Anton.

[3] Auget tuus amicus furorem indies, primum in statua, quam posuit in rostris, inscripsit, PARENTI OPTIME MERITO. Ut non modo sicarii, sed jam etiam parricidæ judicemini. Quid dico judicemini? judicemur potius. Vestri enim pulcherrimi facti ille furiosus me principem dicit fuisse. Utinam quidem fuissem, molestus non esset. Ep. Fam. 12. 3.

service: and, by outbidding Antony, in all his offers and bribes to them, met with greater success than was expected, so as to draw together, in a short time, a firm and regular army of veterans, completely furnished with all necessaries for present service. But as he had no public character to justify this conduct, which, in regular times, would have been deemed treasonable, so he paid the greater court to the republican chiefs, in hopes to get his proceedings authorized by the senate; and, by the influence of his troops, procure the command of the war to himself: he now, therefore, was continually pressing Cicero, by letters and friends, to come to Rome, and support him, with his authority, against their common enemy, Antony; promising to govern himself, in every step, by his advice.

But Cicero could not yet be persuaded to enter into his affairs: he suspected his youth and want of experience, and that he had not strength enough to deal with Antony: and, above all, that he had no good disposition towards the conspirators: he thought it impossible that he should ever be a friend to them, and was persuaded rather, that, if ever he got the upper hand, his uncle's acts would be more violently enforced, and his death more cruelly revenged, than by Antony himself[1]. These considerations withheld him from an union with him, till the exigencies of the republic made it absolutely necessary; nor did he consent at last, without making it an express condition, that Octavius should employ all his forces in defence of the common liberty, and particularly of Brutus and his accomplices, where his chief care and caution still was, to arm him only with a power sufficient to oppress Antony, yet so checked and limited, that he should not be able to oppress the republic.

This is evident from many of his epistles to Atticus: "I had a letter," says he, "from Octavianus, on the first of November: his designs are great: he has drawn over all the veterans of Casilinum and Calatia; and no wonder;—he gives sixteen pounds a man. He proposes to make the tour of the other colonies: his view plainly is, to have the command of the war against Antony; so that we shall be in arms in a few days. But which of them shall we follow? Consider his name; his age: he begs to have a private conference with me at Capua or near it: it is childish to imagine that it could be private: I gave him to understand, that it was neither necessary nor prac-

[1] Valde tibi assentior, si multum possit Octavianus, multo firmius acta Tyranni comprobatum iri, quam in Telluris, atque id contra Brutum fore—sed in isto Juvene quanquam animi satis, auctoritatis parum est. Ad Att. 16. 14.

ticable. He sent to me one Cæcina of Volaterræ, who brought word, that Antony was coming towards the city, with the legion of the Alaudæ[1]: that he raised contributions from all the great towns, and marched with colours displayed: he asked my advice, whether he should advance before him to Rome, with three thousand veterans, or keep the post of Capua, and oppose his progress there, or go to the three Macedonian legions, who were marching along the upper coast, and are, as he hopes, in his interest—they would not take Antony's money, as this Cæcina says, but even affronted and left him, while he was speaking to them. In short, he offers himself for our leader, and thinks that we ought to support him. I advised him to march to Rome; for he seems likely to have the meaner people on his side, and, if he makes good what he promises, the better sort too. O Brutus, where art thou? What an opportunity dost thou lose? I did not, indeed, foresee this, yet thought that something like it would happen. Give me your advice: shall I come away to Rome, stay where I am, or retire to Arpinum? where I shall be the safest. I had rather be at Rome, lest if any thing should be done, I should be wanted: resolve, therefore, for me: I never was in greater perplexity[2]."

Again:—"I had two letters, the same day, from Octavius: he presses me to come immediately to Rome; is resolved, he says, to do nothing without the senate. I tell him, that there can be no senate till the first of January, which I take to be true: he adds, also, nor without my advice.—In a word, he urges;—I hang back: I cannot trust his age, do not know his real intentions; will do nothing without Pansa; am afraid that Antony may prove too strong for him, and unwilling to stir from the sea, yet would not have any thing vigorous done without me. Varro does not like the conduct of the boy,—but I do. He has firm troops, and may join with D. Brutus: what he does, he does openly; musters his soldiers at Capua; pays them. We shall have a war, I see, instantly[3]."

Again:—"I have letters every day from Octavianus, to

[1] This legion of the Alaudæ was first raised by J. Cæsar, and composed of the natives of Gaul, armed and disciplined after the Roman manner, to which he gave the freedom of Rome. He called it by a Gallic name, Alaudæ, which signified a kind of lark, or little bird, with a tuft or crest rising upon its head, in imitation of which, this legion wore a crest of feathers on the helmet, from which origin the word was adopted into the Latin tongue. Antony, out of compliment to these troops, and to assure himself of their fidelity, had lately made a judiciary law, by which he erected a third class of judges, to be drawn from the officers of this legion, and added to the other two of the senators and knights; for which Cicero often reproaches him, as a most infamous prostitution of the dignity of the republic. Philip. 1. 8.

[2] Ad Att. 16. 8.

[3] Ibid. 9.

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undertake his affairs; to come to him at Capua; to save the state a second time: he resolves to come directly to Rome.

"Urg'd to the fight, 'tis shameful to refuse,
Whilst fear yet prompts the safer part to choose."—Hom. Il. η.

"He has hitherto acted, and acts still with vigour, and will come to Rome with a great force. Yet he is but a boy: he thinks the senate may be called immediately: but who will come?—or, if they do, who, in this uncertainty of affairs, will declare against Antony?—he will be a good guard to us on the first of January; or, it may come, perhaps, to blows before. The great towns favour the boy strangely: they flock to him from all parts, and exhort him to proceed: could you ever have thought it[1]? There are many other passages of the same kind, expressing a diffidence of Octavius, and inclination to sit still, and let them fight it out between themselves; till the exigency of affairs made their union at last mutually necessary to each other.

In the hurry of all these politics, he was prosecuting his studies still, with his usual application, and, besides the second Philippic, already mentioned, now finished his book of Offices, or the Duties of Man, for the use of his son[2]; a work admired by all succeeding ages, as the most perfect system of heathen morality, and the noblest effort and specimen of what mere reason could do, towards guiding man through life with innocence and happiness. He now also drew up, as it is thought, his Stoical Paradoxes, or an illustration of the peculiar doctrines of that sect, from the examples and characters of their own countrymen, which he addressed to Brutus.

Antony left Rome about the end of September, in order to meet, and engage to his service, four legions from Macedonia, which had been sent thither by Cæsar, on their way towards Parthia, and were now, by his orders, returning to Italy. He thought himself sure of them, and by their help to be master of the city: but, on his arrival at Brundisium on the eighth of October, three of the legions, to his great surprise, rejected all his offers, and refused to follow him. This affront so enraged him, that, calling together all the centurions, whom he suspected to be the authors of their disaffection, he ordered them to be massacred in his own lodgings, to the number of three hundred, while he and his wife Fulvia stood calmly looking on, to satiate their cruel revenge by the blood of these brave men: after which he marched back towards Rome by the Appian Road, at the head of the single legion which submitted to him,

[1] Ibid. 11. [2] Ibid.

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whilst the other three took their route along the Adriatic coast, without declaring yet for any side [1].

He returned full of rage both against Octavius and the republicans, and determined to make what use he could of the remainder of his consulship, in wresting the provinces and military commands out of the hands of his enemies, and distributing them to his friends. He published, at the same time, several fierce and threatening edicts, in which he gave Octavius the name of Spartacus; reproached him with the ignobleness of his birth; charged Cicero with being the author of all his counsels; abused young Quintus as a perfidious wretch, who had offered to kill both his father and uncle; forbade three of the tribunes, on pain of death, to appear in the senate, Q. Cassius, the brother of the conspirator, Carfulenus, and Canutius [2]. In this humour, he summoned the senate on the twenty-fourth of October, with severe threats to those who should absent themselves; yet he himself neglected to come, and adjourned it, by edict, to the twenty-eighth: but while all people were in expectation of some extraordinary decrees from him, and of one particularly, which he had prepared, to declare young Cæsar a public enemy [3], he happened to receive the news that two of the legions from Brundisium, the fourth, and that which was called the martial, had actually declared for Octavius, and posted themselves at Alba, in the neighbourhood of Rome [4]. This shocked him so much, that instead of prosecuting what he had projected, he only huddled over, what nobody opposed, a decree of a supplication to Lepidus: and the same evening, after he had distributed to his friends, by a pretended allotment, the several provinces of the empire, which few or none of them durst accept, from so precarious a title, he changed the habit of the consul for that of the general, and left the

[1] A. d. vii. Id. Octob. Brundisium erat profectus Antonius obviam legionibus Macedonicis iiii, quas sibi conciliare pecunia cogitabat, easque ad Urbem adducere. Ep. Fam. 12. 22.

Quippe qui in hospitis tectis Brundisii fortissimos viros, cives optimos, jugulari jusserit: quorum ante pedes ejus morientium sanguine os uxoris respersum esse constabat. Philip. 3. 2.

Cum ejus promissis legiones fortissimæ reclamassent, domum ad se venire jussit Centuriones, quos bene de Repub. sentire cognoverat, eosque ante pedes suos, uxorisque suæ, quam secum gravis Imperator ad exercitum duxerat, jugulari coegit. Ibid. 5. 8.

[2] Primum in Cæsarem ut maledicta congessit—ignobilitatem objicit C. Cæsaris filio.—[Philip. 3. 6.] Quem in edictis Spartacum appellat. [Ibid. 8.] Q. Ciceronem, fratris mei filium compellat edicto—ausus est scribere, hunc de Patris et Patrui parricidio cogitasse. [Ibid. 7.] Quid autem attinuerit, Q. Cassio—mortem denunciare si in Senatum venisset. D. Carfulenum—e Senatu vi et mortis minis expellere: Tib. Canutium—non templo solum, sed aditu prohibere capitolii. Ibid. 9.

[3] Cum senatum vocasset, adhibuissetque Consularem, qui sua sententia C. Cæsarem hostem judicaret. Philip. 5. 9. App. 556.

[4] Postea vero quam Legio Martia ducem præstantissimum vidit, nihil egit aliud, nisi ut aliquando liberi essemus: quam est imitata quarta Legio. Philip. 5. 8.

Atque ea Legio consedit Albæ, &c. Ibid. 3. 3.

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city with precipitation, to put himself at the head of his army, and possess himself, by force, of Cisalpine Gaul, assigned to him by a pretended law of the people against the will of the senate[1].

On the news of his retreat, Cicero presently quitted his books and the country, and set out towards Rome: he seemed to be called by the voice of the republic to take the reins once more into his hands. The field was now open to him: there was not a consul, and scarce a single prætor in the city, nor any troops from which he could apprehend danger. He arrived on the ninth of December, and immediately conferred with Pansa, for Hirtius lay very ill, about the measures proper to be taken on their approaching entrance into the consulship.

Before his leaving the country, Oppius had been with him, to press him again to undertake the affairs of Octavius, and the protection of his troops; but his answer was, that he could not consent to it, unless he were first assured that Octavius would not only be no enemy, but even a friend to Brutus: that he could be of no service to Octavius till the first of January, and there would be an opportunity before that time of trying Octavius's disposition in the case of Casca, who had been named by Cæsar to the tribunate, and was to enter upon it on the tenth of December: for, if Octavius did not oppose or disturb his admission, that would be a proof of his good intentions[2]. Oppius undertook for all this, on the part of Octavius, and Octavius himself confirmed it, and suffered Casca, who gave the first blow to Cæsar, to enter quietly into his office.

The new tribunes, in the mean time, in the absence of the superior magistrates, called a meeting of the senate on the nineteenth: Cicero had resolved not to appear there any more, till he should be supported by the new consuls: but happening to receive the day before the edict of D. Brutus, by which he prohibited Antony the entrance of his province, and declared that he would defend it against him by force, and preserve it in its duty to the senate, he thought it necessary, for the public

[1] Fugere festinans S. C. de supplicatione per discessionem fecit—. Præclara tamen S. Cta. eo ipso die vespertina; provinciarum religiosa sortitio—L. Lentulus et P. Naso —nullam se habere provinciam, nullam Antonii sortitionem fuisse judicarunt. Ibid. 3, 9, 10.

[2] Sed ut scribis, certissimum esse video discrimen Cascæ nostri Tribunatum: de quo quidem ipso dixi Oppio, cum me hortaretur, ut adolescentemque totamque causam, manumque veteranorum complecterer, me nullo modo facere posse, ni mihi exploratum esset, eum non modo non inimicum tyrannoctonis, verum etiam amicum fore; cum ille diceret, ita futurum. Quid igitur festinamus? inquam. Illi enim mea opera ante Kal. Jan. nihil opus est. Nos autem ante Id. Decemb. ejus voluntatem perspiciemus in Casca. Mihi valde assensus est. Ad Att. 16. 15.

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service, and the present encouragement of Brutus, to procure, as soon as possible, some public declaration in his favour: he went, therefore, to the senate very early, which, being observed by the other senators, presently drew together a full house, in expectation of hearing his sentiments in so nice and critical a situation of public affairs [1].

He saw the war actually commenced in the very bowels of Italy, on the success of which depended the fate of Rome: that Gaul would certainly be lost, and with it, probably, the republic, if Brutus was not supported against the superior force of Antony: that there was no way of doing it so ready and effectual, as by employing Octavius and his troops: and though the entrusting him with that commission would throw a dangerous power into his hands, yet it would be controlled by the equal power and superior authority of the two consuls, who were to be joined with him in the same command.

The senate being assembled, the tribunes acquainted them, that the business of that meeting was, to provide a guard for the security of the new consuls, and the protection of the senate, in the freedom of their debates; but that they gave a liberty withal of taking the whole state of the republic into consideration. Upon this Cicero opened the debate, and represented to them the danger of their present condition, and the necessity of speedy and resolute counsels against an enemy, who lost no time in attempting their ruin. That they had been ruined, indeed, before, had it not been for the courage and virtue of young Cæsar, who, contrary to all expectation, and without being even desired to do, what no man thought possible for him to do, had, by his private authority and expense, raised a strong army of veterans, and baffled the designs of Antony; that if Antony had succeeded at Brundisium, and prevailed with the legions to follow him, he would have filled the city, at his return, with blood and slaughter: that it was their part to authorize and confirm what Cæsar had done; and to empower him to do more, by employing his troops in the farther service of the state; and to make a special provision also for the two legions, which had declared for him against Antony [2]. As to D. Brutus, who had promised, by edict, to preserve Gaul in the obedience of the senate, that he was a

[1] Cum Tribuni pleb. edixissent, Senatus adesset a. d. 13 Kal. Jan. haberentque in animo de præsidio Consulum designatorum referre, quanquam statueram in Senatum ante Kal. Jan. non venire: tamen cum eo ipso die edictum tuum propositum esset, nefas esse duxi, aut ita haberi Senatum, ut de tuis divinis in Remp. meritis sileretur, quod factum esset, nisi ego venissem, aut etiam si quid de te non honorifice diceretur, me non adesse. Itaque in Senatum veni mane. Quod cum esset animadversum, frequentissimi Senatores convenerunt. Ep. Fam. 11. 6.

[2] Philip. 3. 1, 2, 3.

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citizen born for the good of the republic; the imitator of his ancestors; nay, had even exceeded their merit; for the first Brutus expelled a proud king—he a fellow subject, far more proud and profligate; that Tarquin, at the time of his expulsion, was actually making war for the people of Rome; but Antony, on the contrary, had actually begun a war against them. That it was necessary, therefore, to confirm by public authority, what Brutus had done by private, in preserving the province of Gaul, the flower of Italy, and the bulwark of the empire [1]. Then, after largely inveighing against Antony's character, and enumerating particularly all his cruelties and violences, he exhorts them, in a pathetic manner, to act with courage in defence of the republic, or die bravely in the attempt: that now was the time either to recover their liberty, or to live for ever slaves: that if the fatal day was come, and Rome was destined to perish, it would be a shame for them, the governors of the world, not to fall with as much courage as gladiators were used to do, and die with dignity, rather than live with disgrace. He puts them in mind of the many advantages which they had towards encouraging their hopes and resolution; the body of the people, alert and eager in the cause; young Cæsar in the guard of the city; Brutus of Gaul; two consuls of the greatest prudence, virtue, concord between themselves; who had been meditating nothing else, for many months past, but the public tranquillity: to all which he promises his own attention and vigilance, both day and night, for their safety [2]. On the whole, therefore, he gives his vote and opinion, that the new consuls, C. Pansa and A. Hirtius, should take care that the senate may meet with security on the first of January: that D. Brutus, emperor and consul elect, had merited greatly of the republic, by defending the authority and liberty of the senate and people of Rome: that his army, the towns and colonies of his province, should be publicly thanked and praised for their fidelity to him; that it should be declared to be of the last consequence to the republic, that D. Brutus and L. Plancus (who commanded the farther Gaul), emperor and consul elect, as well as all others who had the command of provinces, should keep them in their duty to the senate, till successors were appointed by the senate: and since, by the pains, virtue, and conduct of young Cæsar, and the assistance of the veteran soldiers who followed him, the republic had been delivered, and was still defended from the greatest dangers; and since the martial and fourth legions, under that excellent citizen and quæstor, Egnatuleius, had

[1] Ibid. 4, 5.

[2] Ibid. 14, &c.

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voluntarily declared for the authority of the senate, and the liberty of the people, that the senate should take special care that due honours and thanks be paid to them for their eminent services; and that the new consuls, on their entrance into office, should make it their first business to see all this executed in proper form: to all which the house unanimously agreed, and ordered a decree to be drawn conformably to his opinion.

From the senate he passed directly to the Forum, and, in a speech to the people, gave an account of what had passed; he begins, by signifying his joy to see so great a concourse about him, greater than he had ever remembered, a sure omen of their good inclinations, and an encouragement both to his endeavours and his hopes of recovering the republic. Then he repeats with some variation, what he had delivered in the senate, of the praises of Cæsar and Brutus, and the wicked designs of Antony: that the race of the Brutuses was given to them by the special providence of the gods, for the perpetual defenders and deliverers of the republic[1]: that, by what the senate had decreed, they had, in fact, though not in express words, declared Antony a public enemy: that they must consider him, therefore, as such, and no longer as consul: that they had to deal with an enemy, with whom no terms of peace could be made; who thirsted not so much after their liberty as their blood: to whom no sport was so agreeable, as to see citizens butchered before his eyes: that the gods, however, by portents and prodigies, seemed to foretel his speedy downfall, since such a consent and union of all ranks against him could never have been effected, but by a Divine influence[2], &c.

These speeches, which stand the third and fourth in the order of his Philippics, were extremely well received both by the senate and people: speaking afterwards of the latter of them to the same people, he says, "If that day had put an end to my life, I had reaped sufficient fruit from it, when you all, with one mind and voice, cried out, that I had twice saved the Republic[3]." As he had now broken all measures with Antony beyond the possibility of a reconciliation, so he published, probably, about this time, his second Philippic, which had hitherto been communicated only to a few friends, whose approbation it had received.

The short remainder of this turbulent year was spent in

[1] Philip. 4. 3. [2] Ibid. 4, &c.

[3] Quo quidem tempore, etiam si ille dies vitæ finem mihi allaturus esset, satis magnum ceperam fructum, cum vos universi una mente ac voce iterum a me conservatam esse Remp. conclamastis. Ibid. 6. 1.

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preparing arms and troops for the guard of the new consuls, and the defence of the state: and the new levies were carried on with the greater diligence, for the certain news that was brought to Rome, that Antony was actually besieging Modena, into which Brutus, unable to oppose him in the field, had thrown himself, with all his forces, as the strongest town of his province, and the best provided to sustain a siege. Young Cæsar, in the meanwhile, without expecting the orders of the senate, but with the advice of Cicero, by which he now governed himself in every step, marched out of Rome, at the head of his troops, and followed Antony into the province, in order to observe his motions, and take all occasions of distressing him: as well as to encourage Brutus to defend himself with vigour, till the consuls could bring up the grand army, which they were preparing for his relief.

SECTION X.

A. Urb. 710. Cic. 64. Coss.—C. Vibius Pansa. A. Hirtius.

On the opening of the year, the city was in great expectation to see what measures their new consuls would pursue: they had been at school, as it were, all the summer to Cicero, forming the plan of their administration, and taking their lessons of government from him, and seem to have been brought entirely into his general view, of establishing the peace and liberty of the republic, on the foundation of an amnesty. But their great obligations to Cæsar, and long engagements with that party, to which they owed all their fortunes, had left some scruples in them, which gave a check to their zeal, and disposed them to act with more moderation against old friends, than the condition of the times would allow; and, before the experiment of arms, to try the gentler method of a treaty. With these sentiments, as soon as they were inaugurated, they entered into a deliberation with the senate, on the present state of the republic, in order to perfect what had been resolved upon at their last meeting, and to contrive some farther means for the security of the public tranquillity. They both spoke with great spirit and firmness, offering themselves as leaders, in asserting the liberty of their country, and exhorting the assembly to courage and resolution in the defence of so good a cause[1]: and when they had done, they called upon Q. Fufius

[1] Ut oratio Consulum animum meum erexit, spemque attulit non modo salutis conservandæ, verum etiam dignitatis pristinæ recuperandæ. Ibid. 5. 1.

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Calenus, to deliver his sentiments the first. He had been consul four years before, by Cæsar's nomination, and was father-in-law to Pansa, which, by custom, was a sufficient ground for paying him that compliment: Cicero's opinion was already well known: he was for the shortest and readiest way of coming at their end, by declaring Antony a public enemy, and, without loss of time, acting against him by open force: but this was not relished by the consuls, who called, therefore, upon Calenus, to speak first, that, as he was a fast friend to Antony, and sure to be on the moderate side, he might instil some sentiments of that sort into the senate, before Cicero had made a contrary impression. Calenus's opinion, therefore, was, that before they proceeded to acts of hostility, they should send an embassy to Antony, to admonish him to desist from his attempt upon Gaul, and submit to the authority of the senate: Piso and several others were of the same mind, alleging it to be unjust and cruel to condemn a man, till they had first heard what he had to say for himself.

But Cicero opposed this motion with great warmth, not only as vain and foolish, but dangerous and pernicious: he declared it dishonourable to treat with any one, who was in arms against his country, until he laid them down, and sued for peace; in which case no man would be more moderate or equitable than himself: that they had in effect proclaimed him an enemy already, and had nothing left but to confirm it by a decree, when he was besieging one of the great towns of Italy, a colony of Rome, and in it their consul elect, and general, Brutus: he observed from what motives those other opinions proceeded; from particular friendships, relations, private obligations, but that a regard to their country was superior to them all: that the real point before them was, whether Antony should be suffered to oppress the republic; to mark out whom he pleased to destruction; to plunder the city, and enslave the citizens[1]. That this was his sole view, he shewed from a long detail, not only of his acts, but of his express declarations: for he had said, in the temple of Castor, in the hearing of the people, that whenever it came to blows, no man should remain alive who did not conquer: and, in another speech, that when he was out of his consulship, he would keep an army still about the city, and enter it whenever he thought fit: that in a letter, which Cicero himself had seen, to one of his friends, he bade him to mark out for himself what estate he would have, and whatever it was, he should certainly have it[2]: that, to talk of sending ambassadors to such an one, was to betray their igno-

[1] Philip. 5. 1, 2, 3. [2] Ibid. 8. 12.

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rance of the constitution of the republic, the majesty of the Roman people, and the discipline of their ancestors[1]: that whatever was the purpose of their message, it would signify nothing: if to beg him to be quiet, he would despise it; if to command him, he would not obey it: that, without any possible good, it would be a certain damage; would necessarily create delay and obstruction to the operations of the war: check the zeal of the army; damp the spirits of the people, whom they now saw so brisk and eager in the cause: that the greatest revolutions of affairs were effected often by trifling incidents; and, above all, in civil wars, which were generally governed by popular rumour: that how vigorous soever their instructions were to the ambassadors, that they would be little regarded: the very name of an embassy implied a diffidence and fear, which was sufficient to cool the ardour of their friends[2]: they might order him to retire from Modena; to quit the province of Gaul; but this was not to be obtained by words, but extorted by arms: that while the ambassadors were going and coming, people would be in doubt and suspense about the success of their negociation; and, under the expectation of a doubtful war, what progress could they hope to make in their levies? that his opinion, therefore, was, to make no farther mention of an embassy, but to enter instantly into action: that there should be a cessation of all civil business; public tumult proclaimed; the shops shut up; and that, instead of their usual gown, they should all put on the sagum, or habit of war: and that levies of soldiers should be made in Rome, and through Italy, without any exception of privilege or dismission from service: that the very fame of this vigour would restrain the madness of Antony, and let the world see that the case was not, as he pretended, a struggle only of contending parties, but a real war against the commonwealth: that the whole republic should be committed to the consuls, to take care that it received no detriment: that pardon should be offered to those of Antony's army, who should return to their duty before the first of February: that if they did not come to this resolution now, they would be forced to do it afterwards, when it would be too late, perhaps, or less effectual[3].

This was the sum of what he advised as to their conduct towards Antony: he next proceeded to the other subject of their debate—the honours which were ordered to be decreed at their last meeting, and began with D. Brutus, as consul elect; in favour of whom, besides many high expressions of praise, he proposed a decree to this effect:—Whereas D. Brutus, em-

[1] Ibid. 9. [2] Ibid. 10. [3] Ibid. 10. 12.

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peror, consul elect, now holds the province of Gaul in the power of the senate, and people of Rome; and by the cheerful assistance of the towns and colonies of his province, has drawn together a great army in a short time; that he has done all this rightly and regularly, and for the service of the state; and that it is the sense, therefore, of the senate and people, that the republic has been relieved, in a most difficult conjuncture, by the pains, counsel, virtue of D. Brutus, emperor, consul elect, and by the incredible zeal and concurrence of the province of Gaul. He moved also for an extraordinary honour to M. Lepidus, who had no pretension to it, indeed, from past services, but, being now at the head of the best army in the empire, was in condition to do the most good or ill to them of any man. This was the ground of the compliment; for his faith being suspected, and his union with Antony dreaded, Cicero hoped, by this testimony of their confidence, to confirm him in the interests of the senate; but he seems to be hard put to it, for a pretext of merit to ground his decree upon: he takes notice, that Lepidus was always moderate in power, and a friend to liberty: that he gave a signal proof of it, when Antony offered the diadem to Cæsar; for, by turning away his face, he publicly testified his aversion to slavery, and that his compliance with the times was through necessity, not choice: that, since Cæsar's death, he had practised the same moderation; and when a bloody war was revived in Spain, chose to put an end to it, by the methods of prudence and humanity, rather than by arms and the sword, and consented to the restoration of S. Pompey [1]; for which reason he proposed the following decree:—Whereas the republic has often been well and happily administered by M. Lepidus, the chief priest, and the people of Rome have always found him to be an enemy to kingly government; and whereas, by his endeavours, virtue, wisdom, and his singular clemency and mildness, a most dreadful civil war is extinguished; and S. Pompey the Great, the son of Cnæus, out of respect to the authority of the senate, has quitted his arms, and is restored to the city; that the senate and people, out of regard to the many and signal services of M. Lepidus, emperor, and chief priest, place great hopes of their peace, concord, liberty, in his virtue, authority, felicity; and from a grateful sense of his merits, decree, that a gilt equestrian statue shall be erected to him, by their order, in the rostra, or any other part of the Forum which he shall choose [2]. He comes next to young Cæsar, and, after enlarging on his praises, purposes, that they should grant him a proper

[1] Philip. 14. [2] Ibid. 15.

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commission and command over his troops, without which he could be of no use to them, and that he should have the rank and all the rights of a proprætor, not only for the sake of his dignity, but the necessary management of their affairs, and the administration of the war; and then offers the form of a decree: —Whereas C. Cæsar, the son of Caius, priest, proprætor, has, in the utmost distress of the republic, excited and enlisted veteran troops, to defend the liberty of the Roman people; and whereas the martial and fourth legions, under the leading and authority of C. Cæsar, have defended, and now defend the republic, and the liberty of the Roman people; and whereas C. Cæsar is gone, at the head of his army, to protect the province of Gaul; has drawn together a body of horse, archers, elephants, under his own and the people's power; and, in the most dangerous crisis of the republic, has supported the safety and dignity of the Roman people; for these reasons, the senate decrees, that C. Cæsar, the son of Caius, priest, proprætor, be henceforward a senator, and vote in the rank and place of a prætor; and that, in soliciting for any future magistracy, the same regard be had to him, as would have been had by law, if he had been quæstor the year before [1]. As to those who thought these honours too great for so young a man, and apprehended danger from his abuse of them, he declares their apprehensions to be the effect of envy rather than fear, since the nature of things was such that he, who had once got a taste of true glory, and found himself universally dear to the senate and people, could never think any other acquisition equal to it: he wishes that J. Cæsar had taken the same course, when young, of endearing himself to the senate and honest men; but, by neglecting that, he spent the force of his great genius in acquiring a vain popularity, and, having no regard to the senate, and the better sort, opened himself a way to power which the virtue of a free people could not bear: that there was nothing of this kind to be feared from the son, nor, after the proof of such admirable prudence in a boy, any ground to imagine that his riper age would be less prudent: for what greater folly could there be, than to prefer a useless power, an invidious greatness, the lust of reigning, always slippery and tottering, to true, weighty, solid glory? If they suspected him as an enemy to some of their best and most valued citizens, they might lay aside those fears; he had given up all his resentments to the republic: made her the moderatrix of all his acts; that he knew the most inward sentiments of the youth; would pawn his credit for him to the senate and

[1] Ibid. 17.

people; would promise, engage, undertake, that he would always be the same that he now was: such as they should wish and desire to see him [1]. He proceeded also to give a public testimonial of praise and thanks to L. Egnatuleius, for his fidelity to the republic, in bringing over the fourth legion from Antony to Cæsar; and moves, that it might be granted to him, for that piece of service, to sue for and hold any magistracy three years before the legal time [2]. Lastly, as to the veteran troops, which had followed the authority of Cæsar and the senate, and especially the martial and fourth legions, he moved, that an exemption from service should be decreed to them and their children, except in the case of a gallic or domestic tumult; and that the consuls C. Pansa and A. Hirtius, or one of them, should provide lands in Campania, or elsewhere, to be divided to them; and that, as soon as the present war was over, they should all be discharged, and punctually receive whatever sums of money C. Cæsar had promised to them when they first declared for him.

This was the substance of his speech, in the latter part of which, the proposal of honours, the senate readily agreed with him; and though those, which were decreed to Octavius, seemed so extraordinary to Cicero himself, that he thought it proper to make an apology for them, yet there were others, of the first rank, who thought them not great enough; so that Philippus added the honour of a statue; Ser. Sulpicius and Servilius the privilege of suing for any magistracy, still earlier than Cicero had proposed [3]. But the assembly was much divided about the main question, of sending a deputation to Antony; some of the principal senators were warmly for it: and the consuls themselves favoured it, and artfully avoided to put it to the vote [4]; which would otherwise have been carried by Cicero, who had a clear majority on his side. The debate being held on till night, was adjourned to the next morning, and kept up with the same warmth for three days successively, while the senate continued all the time in Cicero's opinion, and would have passed a decree conformable to it, had not Salvius, the tribune, put his negative upon them [5]. This firmness of Antony's friends prevailed, at last, for an embassy; and three consular senators were presently nominated to it,

[1] Philip. 18. [2] Ibid. 19.

[3] Statuam Philippus decrevit, celeritatem petitionis primo Servius, post majorem etiam Servilius: nihil tum nimium videbatur. Ad Brut. 15.

[4] Has in sententias meas si Consules discessionem facere voluissent, omnibus istis latronibus auctoritate ipsa Senatus jampridem de manibus arma cecidissent. Philip. 14. 7.

[5] Itaque hæc sententia per triduum sic valuit, ut quamquam discessio facta non est, tamen præter paucos, omnes mihi assensuri viderentur. Ibid. 6. 1. App. p. 559.

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S. Sulpicius, L. Piso, and L. Philippus: but their commission was strictly limited, and drawn up by Cicero himself: giving them no power to treat with Antony, but to carry to him only the peremptory commands of the senate, to quit the siege of Modena, and desist from all hostilities in Gaul; they had instructions, likewise, after the delivery of their message, to speak with D. Brutus in Modena, and signify to him and his army, that the senate and the people had a grateful sense of their services, which would one day be a great honour to them [1].

The unusual length of these debates greatly raised the curiosity of the city, and drew the whole body of the people into the Forum, to expect the issue; where, as they had done also not long before, they could not forbear calling out upon Cicero with one voice, to come and give them an account of the deliberations [2]. He went, therefore, directly from the senate into the rostra, produced by Appuleius, the tribune, and acquainted them, in a speech, with the result of their debates,—that the senate, excepting a few, after they had stood firm for three days to his opinion, had given it up at last, with less gravity, indeed, than became them, yet not meanly or shamefully, having decreed not so much an embassy as a denunciation of war to Antony, if he did not obey it; which carried, indeed, an appearance of severity; and he wished only that it had carried no delay: that Antony, he was sure, would never obey it, nor ever submit to their power, who had never been in his own: that he would do therefore, in that place, what he had been doing in the senate; testify, warn, and declare to them, beforehand, that Antony would perform no part of what their ambassadors were sent to require of him —that he would still waste the country, besiege Modena, and not suffer the ambassadors themselves to enter the town, or speak with Brutus: "Believe me," says he, "I know the violence, the impudence, the audaciousness of the man: let our ambassadors then make haste, which I know they are resolved to do: but do you prepare your military habit; for it is a part also of our decree, that, if he does not comply, we must all put on that garb: we shall certainly put it on: he will never obey: we shall lament the loss of so many days, which might have been employed in action [3]. I am not afraid,

[1] Quamquam non est illa legatio, sed denunciatio belli, nisi paruerit—mittuntur enim qui nuncient, ne oppugnet Consulem designatum, ne Mutinam obsideat, ne Provinciam depopuletur. Philip. 6. 2.
Dantur mandata legatis, ut D. Brutum, militesque ejus adeant, &c. Ibid. 3.

[2] Quid ego de universo populo R. dicam? qui pleno ac referto foro bis me una mente atque voce in concionem vocavit. Ibid. 7. 8.

[3] Ibid. 6. 1, 2, 3.

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when he comes to hear how I have declared this beforehand, that, for the sake of confuting me, he should change his mind and submit. He will never do it; will not envy me this glory; will choose rather, that you should think me wise than him modest." He observes, that though it would have been better to send no message, yet some good would flow from it to the republic; for when the ambassadors shall make the report, which they surely will make, of Antony's refusal to obey the people and senate, who can be so perverse, as to look upon him any longer as a citizen?—"Wherefore wait," says he, "with patience, citizens, the return of the ambassadors, and digest the inconvenience of a few days: if on their return they bring peace, call me prejudiced; if war, provident[1]." Then, after assuring them of his perpetual vigilance for their safety, and applauding their wonderful alacrity in the cause, and declaring, that of all the assemblies which he had seen, he had never known so full a one as the present, he thus concludes; "The season of liberty is now come, my citizens, much later, indeed, than became the people of Rome; but so ripe now, that it cannot be deferred a moment. What we have hitherto suffered was owing to a kind of fatality, which we have borne as well as we could: but if any such case should happen again, it must be owing to ourselves: it is not possible for the people of Rome to be slaves, whom the gods have destined to the command of all nations: the affair is now reduced to the last extremity; the struggle is for liberty: it is your part either to conquer, which will surely be the fruit of your piety and concord, or to suffer any thing rather than live slaves: other nations may endure slavery; but the proper end and business of the Roman people is liberty."

The ambassadors prepared themselves immediately to execute their commission, and the next morning, early, set forward towards Antony, though Ser. Sulpicius was in a very declining state of health. Various were the speculations about the success of this message: but Antony gained one certain advantage by it, of more time, either to press the siege of Modena, or to take such measures as fresh accidents might offer: nor were his friends without hopes of drawing from it some pretence for opening a treaty with him, so as to give room to the chiefs of the Cæsarian faction to unite themselves against the senate and republican party; which seemed to be inspired, by Cicero, with a resolution of extinguishing all the remains of the late tyranny. For this purpose, the partisans of that cause were endeavouring to obviate the offence which might be given by

[1] Philip. 4. 6.

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Antony's refusal to comply with what was enjoined; contriving specious answers for him, and representing them as a reasonable ground of an accommodation, in hopes to cool the ardour of the city for the prosecution of the war: Calenus was at the head of this party, who kept a constant correspondence with Antony, and took care to publish such of his letters as were proper to depress the hopes and courage of his adversaries, and keep up the spirits of his friends [1].

Cicero, therefore, at a meeting of the senate, called in this interval about certain matters of ordinary form, took occasion to rouse the zeal of the assembly, by warning them of the mischief of these insinuations. He observed, that the affairs then proposed to their deliberation were of little consequence, though necessary in the common course of public business, about the Appian way, the coin, the Luperci, which would easily be adjusted; but that his mind was called off from the consideration of them by the more important concerns of the republic: that he had always been afraid of sending the embassy: and now every body saw what a languor the expectation of it had caused in people's minds, and what a handle it had given to the practices of those, who grieved to see the senate recovering its ancient authority; the people united with them; all Italy on the same side; their armies prepared; their generals ready to take the field: who feign answers for Antony, and applaud them as if they had sent ambassadors not to give, but receive conditions from him. Then, after exposing the danger and iniquity of such practices, and rallying the principal abettor of them, Calenus, he adds, that he, who all his life had been the author and promoter of civil peace; who owed whatever he was, whatever he had to it; his honours, interest, dignity, nay, even the talents and abilities which he was master of; "Yet I," says he, "the perpetual adviser of peace, am for no peace with Antony:"—where, perceiving himself to be heard with attention, he proceeds to explain at large, through the rest of his speech, that such a peace would be dishonourable, dangerous, and could not possibly subsist: he exhorts the senate, therefore, to be attentive, prepared, and armed beforehand; so as not to be caught by a smooth or suppliant answer, and the false appearance of equity: that Antony must do every thing which was prescribed to him, before he could pretend to ask any thing: if not, that it was not the senate which proclaimed war against him, but he

[1] Ille litteras ad te mittat de spe sua secundarum rerum? eas tu lætus proferas?—describendas etiam des improbis civibus?—eorum augeas animos? bonorum spem, virtutemque debilites? Ibid. 7. 2.

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against the Roman people. "But for you, fathers, I give you warning," says he: "the question before you concerns the liberty of the people of Rome, which is entrusted to your care; it concerns the lives and fortunes of every honest man; it concerns your own authority; which you will for ever lose, if you do not retrieve it now. I admonish you too, Pansa; for though you want no advice, in which you excel, yet the best pilots, in great storms, are sometimes admonished by passengers: never suffer that noble provision of arms and troops, which you have made, to come to nothing: you have such an opportunity before you, as no man ever had: by this firmness of the senate, this alacrity of the equestrian order, this ardour of the people, you have it in your power to free the republic for ever from fear and danger [1]."

The consuls, in the mean while, were taking care that the expectation of the effect of the embassy should not supersede their preparations for war; and agreed between themselves, that one of them should march immediately to Gaul, with the troops which were already provided, and the other stay behind to perfect the new levies, which were carried on with great success, both in the city and the country: for all the capital towns of Italy were vying with each other in voluntary contributions of money and soldiers, and in decrees of infamy and disgrace to those who refused to list themselves into the public service [2]. The first part fell by lot to Hirtius [3]; who, though but lately recovered from a dangerous indisposition, marched away, without loss of time, at the head of a brave army; and particularly of the two legions, the martial and the fourth, which were esteemed the flower and strength of the whole, and now put themselves under the command and auspices of the consul. With these, in conjunction with Octavius, he hoped to obstruct all the designs of Antony, and prevent his gaining any advantage against Brutus, till Pansa could join them, which would make them superior in force, and enable them to give him battle, with good assurance of victory. He contented himself, in the mean while, with dispossessing Antony of some of his posts, and distressing him, by straitening his quarters and opportunities of forage, in which he had some success, as he signified in a letter to his colleague Pansa, which was communicated to the senate: "I have possessed myself," says he, "of Claterna, and driven out Antony's gar-

[1] Vid. Philip. 7.

[2] An cum municipiis pax erit, quorum tanta studia cognoscuntur in decretis faciendis, militibus dandis, pecuniis pollicendis—hæc jam tota Italia fiunt. Ibid. 7, 8, 9.

[3] Consul sortitu ad bellum profectus A. Hirtius. Ibid. 14. 2.

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rison; his horse were routed in the action, and some of them slain [1]." And in all his letters to Cicero, he assured him, that he would undertake nothing without the greatest caution; in answer, probably, to what Cicero was constantly inculcating, not to expose himself too forwardly, till Pansa could come up to him [2].

The ambassadors returned about the beginning of February, having been retarded somewhat longer than they intended, by the death of Ser. Sulpicius, which, happening when they were just arrived at Antony's camp, left the embassy maimed and imperfect, as Cicero says, by the loss of the best and ablest man of the three [3]. The report which they made to the senate, answered exactly, in every point, to what Cicero had foretold; —that Antony would perform no part of what was required, nor suffer them even to speak with Brutus, but continued to batter the town with great fury in their presence: he offered, however, some conditions of his own, which, contrary to their instructions, they were weak enough to receive from him, and lay before the senate: the purport of them was, that the senate should assign lands and rewards to all his troops, and confirm all the other grants which he and Dolabella had made in their consulship: that all his decrees, from Cæsar's books and papers, should stand firm: that no account should be demanded of the money taken from the temple of Opis, nor any inquiry made into the conduct of the seven commissioners, created to divide the lands to the veteran soldiers; and that his judiciary law should not be repealed. On these terms, he offered to give up Cisalpine Gaul, provided that he might have the greater Gaul in exchange for five years, with an army of six legions, to be completed out of the troops of D. Brutus [4].

Pansa summoned the senate to consider the report of the ambassadors, which raised a general indignation through the city, and gave all possible advantage to Cicero, towards bringing the house into his sentiments: but, contrary to expectation, he found Calenus's party still strong enough to give him much trouble, and even to carry some points against him; all tending to soften the rigour of his motions, and give them a

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[1] Dejeci præsidium, Claterna potitus sum, fugati equites, prælium commissum, occisi aliquot. Ibid. 8. 2.

[2] Hirtius nihil nisi considerate, ut mihi crebris litteris significat, acturus videbatur. Ep. Fam. 12. 5.

[3] Cum Ser. Sulpicius ætate illos anteiret, sapientia omnes, subito ereptus e caussa totam legationem orbam et debilitatam reliquit. Philip. 9. 1.

[4] Ante Consulis oculosque legatorum tormentis Mutinam verberavit—ne punctum quidem temporis, cum legati adessent, oppugnatio respiravit—cum illi contempti et rejecti revertissent, dixissentque Senatui, non modo illum e Gallia non discessisse, uti censuissemus, sed ne a Mutina quidem recessisse, potestatem sibi D. Bruti conveniendi non fuisse, &c. vid. Ibid. 8. 7, 8, 9.

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turn more favourable towards Antony. He moved the senate to decree, that a war or rebellion was actually commenced; they carried it for a tumult: he urged them to declare Antony an enemy; they carried it for the softer term of adversary [1]: he proposed that all persons should be prohibited from going to Antony; they excepted Varius Cotyla, one of his lieutenants, who was then in the senate, taking notes of every thing which passed. In these votes Pansa himself, and all the consular senators, concurred: even L. Cæsar, who, though a true friend to liberty, yet, being Antony's uncle, thought himself obliged, by decency, to vote on the milder side [2].

But Cicero, in his turn, easily threw out, what was warmly pressed on the other side, the proposal of a second embassy; and carried, likewise, the main question, of requiring the citizens to change their ordinary gown for the sagum, or habit of war: by which they decreed the thing, while they rejected the name. In all decrees of this kind, the consular senators, on the account of their dignity, were excused from changing their habit; but Cicero, to inculcate more sensibly the distress of the republic, resolved to waive his privilege, and wear the same robe with the rest of the city [3]. In a letter to Cassius, he gives the following short account of the state of things at this time:—"We have excellent consuls, but most shameful consulars: a brave senate, but the lower they are in dignity, the braver: nothing firmer and better than the people, and all Italy universally: but nothing more detestable and infamous than our ambassadors, Philip and Piso, who, when sent only to carry the orders of the senate to Antony, none of which he would comply with, brought back, of their own accord, intolerable demands from him; wherefore all the world now flock about me, and I am grown popular in a salutary cause [4]," &c.

The senate met again the next day, to draw into form and perfect what had been resolved upon in the preceding debate: when Cicero, in a pathetic speech, took occasion to expostulate with them for their imprudent lenity the day before: he shewed the absurdity of their scruples, about voting a civil

[1] Ego princeps Sagorum: ego semper hostem appellavi, cum alii adversarium: semper hoc bellum, cum alii tumultum, &c. Philip. 12. 7.

[2] Vid. ibid. 8. 1, 10.

[3] Equidem, P. C. quamquam hoc honore usi togati solent esse, cum est in sagis civitas; statui tamen a vobis, cæterisque civibus in tanta atrocitate temporis—non differre vestitu. Ibid. 8. 11.

[4] Egregios Consules habemus, sed turpissimos consulares: Senatum fortem, sed infimo quemque honore fortissimum. Populo vero nihil fortius, nihil melius, Italiaque universa. Nihil autem fœdius Philippo et Pisone legatis, nihil flagitiosius: qui cum essent missi, ut Antonio ex S. C. certas res nunciarent: cum ille earum rerum nulli paruisset, ultro ab illo ad nos intolerabilia postulata retulerunt. Itaque ad nos concurritur: factique jam in re salutari populares sumus. Ep. Fam. 12. 4.

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war: that the word tumult, which they had preferred, either carried in it no real difference, or if any, implied a greater perturbation of all things[1]: he proved, from every step that Antony had taken and was taking; from every thing which the senate, the people, the towns of Italy were doing and decreeing against him, that they were truly and properly in a state of civil war; the fifth which had happened in their memory, and the most desperate of them all; being the first which was ever raised, not by a dissension of parties, contending for a superiority in the republic, but against an union of all parties, to enslave and oppress the republic[2]. He proceeds to expostulate with Calenus, for his obstinate adherence to Antony, and exposes the weakness of his pretended plea for it—a love of peace, and concern for the lives of the citizens: he puts him in mind, that there was no juster cause of taking arms, than to repel slavery; that several other causes indeed were just, but this necessary; unless he did not take himself to be affected by it, for the hopes of sharing the dominion with Antony: if so, he was doubly mistaken; first, for preferring a private interest to the public; secondly, for thinking any thing secure, or worth enjoying in a tyranny; that a regard for the safety of citizens was a laudable principle; if he meant the good, the useful, the friends to their country: but if he meant to save those, who, though citizens by nature, were enemies by choice; what difference was there between him and such citizens? That their ancestors had quite another notion of the care of citizens; and when Scipio Nasica slew Tiberius Gracchus, when Opimius slew Caius Gracchus, when Marius killed Saturninus, they were all followed by the greatest and the best both of the senate and the people: that the difference between Calenus's opinion and his was not trifling, or about a trifling matter; the wishing well only to this or that man; that he wished well to Brutus, Calenus to Antony; he wished to see a colony of Rome preserved, Calenus to see it stormed: that Calenus could not deny this, who was contriving all sorts of delay, which could distress Brutus and strengthen Antony[3]. He then addressed himself to the other consulars, and reproached them for their shameful behaviour the day before, in voting for a second embassy, and said, that when the ambassadors were sent against his judgment, he comforted himself with imagining, that, as soon as they should return, despised and rejected by Antony, and inform the senate that he would neither retire from Gaul, nor quit the siege of Modena, nor even suffer them to speak with Brutus; that, out

[1] Philip. 8. 1. [2] Ibid. 3. [3] Ibid. 4—6.

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of indignation, they should all arm themselves immediately in the defence of Brutus; but, on the contrary, they were grown more dispirited, to hear of Antony's audaciousness; and their ambassadors, instead of courage, which they ought to have brought, had brought back nothing but fear to them [1]. "Good God," says he, "what is become of the virtue of our ancestors?—When Popilius was sent ambassador to Antiochus, and ordered him, in the name of the senate, to depart from Alexandria, which he was then besieging, upon the king's deferring to answer, and contriving delays, he drew a circle round him with his staff, and bade him give his answer instantly, before he stirred out of that place, or he would return to the senate without it." He then recites and ridicules the several demands made by Antony; their arrogance, stupidity, absurdity; and [2] reproves Piso and Philip, men of such dignity, for the meanness of bringing back conditions, when they were sent only to carry commands: he complains, that they paid more respect to Antony's ambassador, Cotyla, than he to their's: for, instead of shutting the gates of the city against him, as they ought to have done, they admitted him into that very temple, where the senate then sat; where, the day before, he was taking notes of what every man said, and was caressed, invited, and entertained, by some of the principal senators, who had too little regard to their dignity, too much to their danger. But what, after all, was the danger, which must end either in liberty or death? the one always desirable, the other unavoidable; while to fly from death basely was worse than death itself: that it used to be the character of consular senators, to be vigilant, attentive, always thinking, doing, or proposing something for the good of the public: that he remembered old Scævola in the Marsic war, how, in the extremity of age, oppressed with years and infirmities, he gave free access to every body; was never seen in his bed; always the first in the senate: he wished that they all would imitate such industry; or, at least, not envy those who did [3]: that, since the[illegible] had now suffered a six years' slavery, a longer term than honest and industrious slaves used to serve, what watchings, what solicitude, what pains ought they to refuse, for the sake of giving liberty to the Roman people? He concludes, by adding a clause to their last decree; to grant pardon and impunity to all who should desert Antony, and return to their duty, by the fifteenth of March; or, if any who continued with him, should do any service worthy of reward, that one or both the consuls should take the first opportunity to move the

[1] Philip. 7. [2] Ibid. 8, 9. [3] Ibid. 10.

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senate in their favour; but if any person, from this time, should go over to Antony, except Cotyla, that the senate would consider him as an enemy to his country.

The public debates being thus adjusted, Pansa called the senate together again the next day, to deliberate on some proper honours to be decreed to the memory of Ser. Sulpicius, who died upon the embassy: he spoke largely in his praise, and advised to pay him all the honours which had ever been decreed to any, who had lost their lives in the service of their country—a public funeral, sepulchre, and statue. Servilius, who spoke next, agreed to a funeral and monument, but was against a statue, as due only to those who had been killed by violence, in the discharge of their embassies. Cicero was not content with this, but out of private friendship to the man, as well as a regard to the public service, resolved to have all the honours paid to him, which the occasion could possibly justify: in answer, therefore, to Servilius, he shewed, with his usual eloquence, that the case of Sulpicius was the same with the case of those who had been killed on the account of their embassies: that the embassy itself had killed him: that he set out upon it in so weak a condition, that though he had some hopes of coming to Antony, he had none of returning: and when he was just arrived to the congress, expired in the very act of executing his commission[1]: that it was not the manner, but the cause of the death, which their ancestors regarded: if it was caused by the embassy, they granted a public monument, to encourage their fellow-citizens, in dangerous wars, to undertake that employment with cheerfulness: that several statues had been erected on that account; which none had ever merited better than Sulpicius: that there could be no doubt but that the embassy had killed him; and that he had carried out death along with him, which he might have escaped by staying at home, under the care of his wife and children[2]: but when he saw, that if he did not obey the authority of the senate, he should be unlike to himself, and, if he did obey, must necessarily lose his life, he chose, in so critical a state of the republic, rather to die than seem to decline any service which he could possibly do: that he had many opportunities of refreshing and reposing himself in the cities through which he passed, and was pressed to it by his colleagues; but, in spite of his distemper, persevered to death in the resolution of urging his journey, and hastening to perform the commands of the senate: that if they recollected how he endeavoured to excuse himself from the task, when it was first moved in the senate,

[1] Ibid. 9. 1. [2] Ibid. 3.

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they must needs think, that this honour to him, when dead, was but a necessary amends for the injury which they had done to him when living: for, though it was harsh to be said, yet he must say it, that it was they who had killed him, by overruling his excuse, when they saw it grounded, not on a feigned, but a real sickness; and when, to their remonstrance, the consul Pansa joined his exhortation, with a gravity and force of speech, which his ears had not learnt to bear; "Then," says he, "he took his son and me aside, and professed, that he could not help preferring your authority to his own life: we, through admiration of his virtue, durst not venture to oppose his will: his son was tenderly moved, nor was my concern much less; yet both of us were obliged to give way to the greatness of his mind, and the force of his reasoning: when, to the joy of you all, he promised that he would do whatever you prescribed, nor would decline the danger of that vote, of which he himself had been the proposer: restore life, therefore, to him from whom you have taken it: for the life of the dead is in the memory of the living: take care that he whom you unwillingly sent to his death, receive an immortality from you: for, if you decree a statue to him in the rostra, the remembrance of his embassy will remain to all posterity—[1]." Then, after illustrating the great virtues, talents, and excellent character of Sulpicius, he observes, that all these would be perpetuated by their own merit and effects, and that the statue was the monument rather of the gratitude of the senate, than of the fame of the man; of a public rather than of a private signification; an eternal testimony of Antony's audaciousness, of his waging an impious war against his country; of his rejecting the embassy of the senate[2]. For which reasons he proposed a decree, that a statue of brass should be erected to him in the rostra, by order of the senate, and the cause inscribed on the base, that he died in the service of the republic, with an area of five feet on all sides of it, for his children and posterity to see the shows of the gladiators: that a magnificent funeral should be made for him at the public charge, and the consul Pansa should assign him a place of burial in the Esquiline field, with an area of thirty feet every way, to be granted publicly, as a sepulchre for him, his children and posterity.—The senate agreed to what Cicero desired, and the statue itself, as we are told by a writer of the third century, remained, to his time, in the rostra of Augustus[3].

Sulpicius was of a noble and patrician family, of the same age, the same studies, and the same principles with Cicero, with

[1] Philip. 4. 5. [2] Ibid. 5. 6. [3] Pomponius de origine juris.

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whom he kept up a perpetual friendship. They went through their exercises together when young, both at Rome and at Rhodes, in the celebrated school of Molo: whence he became an eminent pleader of causes, and passed through all the great offices of the state, with a singular reputation of wisdom, learning, integrity; a constant admirer of the modesty of the ancients; and a reprover of the insolence of his own times. When he could not arrive at the first degree of fame as an orator, he resolved to excel in what was next to it, the character of a lawyer; choosing rather to be the first in the second art, than the second only in the first; leaving, therefore, to his friend Cicero the field of eloquence, he contented himself with such a share of it, as was sufficient to sustain and adorn the profession of the law. In this he succeeded to his wish, and was far superior to all who had ever professed it in Rome; being the first who reduced it to a proper science, or rational system; and added light and method to that, which all others before him had taught darkly and confusedly. Nor was his knowledge confined to the external forms or the effects of the municipal laws; but enlarged by a comprehensive view of universal equity, which he made the interpreter of its sanctions, and the rule of all his decisions; yet he was always better pleased to put an amicable end to a controversy, than to direct a process at law. In his political behaviour, he was always a friend to peace and liberty; moderating the violence of opposite parties, and discouraging every step towards civil dissension; and, in the late war, was so busy in contriving projects of an accommodation, that he gained the name of the peace-maker. Through a natural timidity of temper, confirmed by a profession and course of life averse from arms, though he preferred Pompey's cause as the best, he did not care to fight for it: but taking Cæsar to be the strongest, suffered his son to follow that camp, while he himself continued quiet and neuter: for this he was honoured by Cæsar, yet could never be induced to approve his government. From the time of Cæsar's death, he continued still to advise and promote all measures which seemed likely to establish the public concord; and died, at last, as he had lived, in the very act and office of peace-making[1].

[1] Non facile quem dixerim plus studii quam illum et ad dicendum, et ad omnes bonarum rerum disciplinas adhibuisse: nam et in iisdem exercitationibus ineunte ætate fuimus; et postea Rhodum una ille etiam profectus est, quo melior esset et doctior: et inde ut rediit, videtur mihi in secunda arte primus esse maluisse, quam in prima secundus—sed fortasse maluit, id quod est adeptus, longe omnium non ejusdem modo ætatis, sed eorum etiam qui fuissent in jure civili esse princeps—juris civilis magnum usum et apud Scævolam et apud multos fuisse, artem in hoc uno—hic enim attulit hanc artem—quasi lucem ad ea, quæ confuse ab aliis aut respondebantur aut agebantur.

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The senate had heard nothing of Brutus and Cassius, from the time of their leaving Italy, till Brutus now sent public letters to the consuls, giving a particular account of his success against Antony's brother, Caius, in securing Macedonia, Illyricum, and Greece, with all the several armies in those countries, to the interests of the republic: that C. Antony was retired to Apollonia, with seven cohorts, where a good account would soon be given of him: that a legion, under L. Piso, had surrendered itself to young Cicero, the commander of his horse: that Dolabella's horse, which was marching in two separate bodies towards Syria, the one in Thessaly, the other in Macedonia, had deserted their leaders, and joined themselves to him: that Vatinius had opened the gates of Dyrrachium to him, and given up the town with his troops into his hands; that in all these transactions, Q. Hortensius, the proconsul of Macedonia, had been particularly serviceable in disposing the provinces and their armies to declare for the cause of liberty [1].

Pansa no sooner received the letters, than he summoned the senate, to acquaint them with the contents, which raised an incredible joy through the whole city [2]. After the letters were read, Pansa spoke largely in the praises of Brutus; extolled his conduct and services; and moved, that public honours and thanks should be decreed to him: and then, according to his custom, called upon his father-in-law, Calenus, to declare his sentiments the first; who, in a premeditated speech, delivered from writing, acknowledged Brutus's letters to be well and properly drawn; but since what he had done was done without any commission and public authority, that he should be required to deliver up his forces to the orders of the senate, or the proper governors of the provinces [3]. Cicero spoke next,

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[Brut. 262, &c.] Neque ille magis Juris consultus, quam justitiæ fuit: ita ea quæ proficiscebantur a legibus et a jure civili semper ad facilitatem æquitatemque referebat: neque constituere litium actiones malebat, quam controversias tollere. [Philip. 9. 5.] Servius vero pacificator cum suo librariolo videtur obiisse legationem. [Ad Att. 15. 7.] Cognoram enim jam absens, te hæc mala multo ante providentem, defensorem pacis et in Consulatu tuo et post Consulatum fuisse. [Ep. Fam. 4. 1.]

N. B. The old lawyers tell a remarkable story of the origin of Sulpicius's fame and skill in the law: that going one day to consult Mucius Scævola about some point, he was so dull in apprehending the meaning of Mucius's answer, that, after explaining it to him twice or thrice, Mucius could not forbear saying, "It is a shame for a nobleman, and a patrician, and a pleader of causes, to be ignorant of that law which he professes to understand." The reproach stung him to the quick, and made him apply himself to his studies with such industry, that he became the ablest lawyer in Rome; and left behind him near a hundred and eighty books written by himself, on nice and difficult questions of law. Digest. l. 1. Tit. 2. parag. 43.

The Jesuits, Catrou and Rouille, have put this Sulpicius into the list of the conspirators who killed Cæsar: but a moderate acquaintance with the character of the man, or with Cicero's writings, would have shewn them their error, and that there was none of consular rank but Trebonius concerned in that affair. Hist. Rom. vol. 17. p. 343. Not. a.

[1] Vid. Philip. 10. 4, 5, 6.

[2] Dii immortales! qui ille nuncius, quæ illæ litteræ, quæ lætitia Senatus, quæ alacritas civitatis erat? Ad Brut. 2. 7.

[3] Philip. 10. 1, 2, 3.

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and began with giving the thanks of the house to Pansa, for calling them together on that day, when they had no expectation of it; and not deferring a moment to give them a share of the joy which Brutus's letters had brought. He observes, that Pansa, by speaking so largely in the praise of Brutus, had shewn that to be true, which he had always taken to be so, that no man ever envied another's virtue, who was conscious of his own: that he had prevented him, to whom, for his intimacy with Brutus, that task seemed particularly to belong, from saying so much as he intended on that subject. Then addressing himself to Calenus, he asks, what could be the meaning of that perpetual war which he declared against the Brutuses? why he alone was always opposing, when every one else was almost adoring them? that to talk of Brutus's letters being rightly drawn, was not to praise Brutus, but his secretary: when did he ever hear of a decree in that style, that letters were properly written? yet the expression did not fall from him by chance, but was designed, premeditated, and brought in writing [1]. He exhorts him to consult with his son-in-law, Pansa, oftener than with himself, if he would preserve his character: professes that he could not help pitying him, to hear it given out among the people that there was not a second vote on the side of him, who gave the first; which would be the case, he believed, in that day's debate. "You would take away," says he, "the legions from Brutus, even those which he has drawn off from the traitorous designs of C. Antony, and engaged by his own authority in the public service: you would have him sent once more, as it were, into banishment, naked and forlorn: but for you, fathers, if ever you betray or desert Brutus, what citizen will you honour? whom will you favour? unless you think those, who offer kingly diadems, worthy to be preserved; those who abolish the name of king, to be abandoned." He proceeds to display, with great force, the merit and praises of Brutus; his moderation, mildness, patience of injuries: how studiously he had avoided every step which could give a handle to civil tumults: quitting the city; living retired in the country; forbidding the resort of friends to him; and leaving Italy itself lest any cause of war should arise on his account: that as long as he saw the senate disposed to bear every thing, he was resolved to bear too; but when he perceived them inspired with a spirit of liberty, he then exerted himself to provide them succours to defend it [2]: that if he had not defeated the desperate attempts of C. Antony, they had lost Macedonia, Illyricum, and Greece; the last of which af-

[1] Ibid. 2.

[2] Ibid. 3, 4.

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forded either a commodious retreat for Antony, when driven out of Italy, or the best opportunity of invading it: which now, by Brutus's management, being strongly provided with troops, stretched out its arms, as it were, and offered its help to Italy [1]. That Caius's march through the provinces was to plunder the allies; to scatter waste and desolation wherever he passed; to employ the armies of the Roman people against the people themselves: whereas Brutus made it a law, wheresoever he came, to dispense light, hope, and security to all around him: in short, that the one gathered forces to preserve, the other to overturn the republic: that the soldiers themselves could judge of this, as well as the senate; as they had declared, by their desertion of C. Antony, who, by that time, either was, or would soon be, Brutus's prisoner [2], that there was no apprehension of danger from Brutus's power: that his legions, his mercenaries, his horse, and, above all, himself, was wholly theirs; formed for the service of the republic, as well by his own excellent virtue, as a kind of fatality derived from his ancestors, both on the father's and the mother's side: that none could ever blame him for any thing, unless for too great a backwardness and aversion to war; and his not humouring the ardour of all Italy in their thirst of liberty: that it was a vain fear which some pretended to entertain, that the veterans would be disgusted to see Brutus at the head of an army, as if there were any difference between his army, and the armies of Hirtius, Pansa, D. Brutus, Octavius; all of which had severally received public honours for their defence of the people of Rome: that M. Brutus could not be more suspected by the veterans than Decimus; for though the act of the Brutuses, and the praise of it, was common to them both; yet those who disapproved it, were more angry with Decimus, as thinking him, of all others, the last who ought to have done it: yet what were all their armies now doing, but relieving Decimus from the siege [3]?—that if there was any real danger from Brutus, Pansa's sagacity would easily find it out; but as they had just now heard, from his own mouth, he was so far from thinking his army to be dangerous, that he looked upon it as the firmest support of the commonwealth [4]: that it was the constant art of the disaffected to oppose the name of the veterans to every good design: that he was always ready to encourage their valour, but would never endure their arrogance. "Shall we," says he, "who are now breaking off the shackles of our servitude, be discouraged, if any one tells us that the veterans will not have it so?—let that then come out from me at last, which

[1] Philip. 10. 5. [2] Ibid. 6. [3] Ibid. 7. [4] Ibid. 8.

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is true, and becoming my character to speak; that if the resolutions of this body must be governed by the will of the veterans; if all our words and acts must be regulated by their humour, then it is high time to wish for death; which, to Roman citizens, was ever preferable to slavery[1]:" that since so many chances of death surrounded them all, both day and night, it was not the part of a man, much less of a Roman, to scruple the giving up that breath to his country, which he must necessarily give up to nature[2]: that Antony was the single and common enemy of them all; though he had, indeed, his brother Lucius with him, who seemed to be born on purpose that Marcus might not be the most infamous of all mortals: that he had a crew also of desperate villains gaping after the spoils of the republic: that the army of Brutus was provided against these; whose sole will, thought, and purpose, was to protect the senate and the liberty of the people; who, after trying in vain what patience would do, found it necessary, at last, to oppose force to force[3]: that they ought, therefore, to grant the same privilege to M. Brutus, which they had granted before to Decimus, and to Octavius; and confirm, by public authority, what he had been doing for them by his private counsel.—For which purpose he proposed the following decree:—Whereas by the pains, counsel, industry, virtue of Q. Cæpio Brutus[4], proconsul, in the utmost distress of the republic, the province of Macedonia, Illyricum, and Greece, with all their legions, armies, horse, are now in the power of the consuls, senate, and people of Rome; that Q. Cæpio Brutus, proconsul, has acted herein well, and for the good of the republic, agreeably to his character, the dignity of his ancestors, and to his usual manner of serving the commonwealth, and that his conduct is, and ever will be, acceptable to the senate and people of Rome. That Q. Cæpio Brutus, proconsul, be ordered to protect, guard, and defend the province of Macedonia, Illyricum, and all Greece, and command that army which he himself has raised; that whatever money he wants for military service he may use and take it from any part of the public revenue, where it can best be raised, or borrow it where he thinks proper, and impose contributions of grain and forage, and take care to draw all his troops as near to Italy as possible: and whereas it appears, by the letters of Q. Cæpio Brutus, proconsul, that the public service has been greatly advanced, by the endeavours and virtue of Q. Hortensius, proconsul; and that he concerted all his mea-

[1] Ibid. 9. [2] Ibid. 10. [3] Ibid. 11.

[4] M. Brutus, as appears from the style of this decree, had been adopted lately by his mother's brother, Q. Servilius Cæpio, whose name, according to custom, he now assumed, with the possession of his uncle's estate.

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sures with Q. Cæpio Brutus, proconsul, to the great benefit of the commonwealth; that Q. Hortensius, proconsul, has acted therein rightly, regularly, and for the public good; and that it is the will of the senate, that Q. Hortensius, proconsul, with his quæstors, proquæstors, and lieutenants, hold the province of Macedonia, till a successor be appointed by the senate.

Cicero sent this speech to Brutus, with that also which he made on the first of January: of which Brutus says, in answer to him, "I have read your two orations, the one, on the first of January, the other on the subject of my letters, against Calenus: you expect now, without doubt, that I should praise them: I am at a loss what to praise the most in them; your courage, or your abilities: I allow you now in earnest to call them Philippics, as you intimated, jocosely, in a former letter [1]." —Thus the name of Philippics, which seems to have been thrown out at first in gaiety and jest only, being taken up and propagated by his friends, became, at last, the fixed and standing title of these orations: which yet, for several ages, were called, we find, indifferently, either Philippics or Antonians [2]. Brutus declared himself so well pleased with these two, which he had seen, that Cicero promised to send him, afterwards, all the rest [3].

Brutus when he first left Italy, sailed directly for Athens, where he spent some time in concerting measures, how to make himself master of Greece and Macedonia, which was the great design that he had in view. Here he gathered about him all the young nobility and gentry of Rome, who, for the opportunity of their education, had been sent to this celebrated seat of learning: but, of them all, he took the most notice of young Cicero; and, after a little acquaintance, grew very fond of him; admiring his parts and virtue, and surprised to find, in one so young, such a generosity and greatness of mind, with such an aversion to tyranny [4]. He made him, therefore, one of his lieutenants, though he was but twenty years old; gave him the command of his horse; and employed him in several commissions of great trust and importance; in all which the young man signalized both his courage and conduct, and behaved with great credit to himself, great satisfaction to his general, and great benefit to the public service: as Brutus did him the

[1] Legi orationes tuas duas, quarum altera Kal. Jan. usus es; altera de litteris meis, quæ habita est abs te contra Calenum. Nunc scilicet hoc expectas, dum eas laudem. Nescio animi an ingenii tui major in illis libellis laus contineatur. Jam concedo, ut vel Philippici vocentur, quod tu quadam epistola jocans scripsisti. Ad Brut. 2. 5.

[2] M. Cicero in primo Antonianarum ita scriptum reliquit. A. Gell. 13. 1.

[3] Hæc ad te oratio perferetur, quoniam te video delectari Philippicis nostris. Ad Brut. 2. 4.

[4] Vid. Plut. in Brut.

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justice to signify, both in his private and public letters to Rome. In writing to Cicero, "Your son," says he, "recommends himself to me so effectually, by his industry, patience, activity, greatness of mind, and, in short, by every duty, that he seems never to drop the remembrance of whose son he is; wherefore, since it is not possible for me to make you love him more than you do already, yet allow thus much to my judgment, as to persuade yourself, that he will have no occasion to borrow any share of your glory, in order to obtain his father's honours [1]."—This account, given by one who was no flatterer, may be considered as the real character of the youth: which is confirmed, likewise, by what Lentulus wrote of him about the same time: "I could not see your son," says he, "when I was last with Brutus, because he was gone with the horse into winter quarters: but, by my faith, it gives me great joy, for your sake, for his, and especially my own, that he is in such esteem and reputation: for as he is your son, and worthy of you, I cannot but look upon him as my brother [2]."

Cicero was so full of the greater affairs, which were the subject of his letters to Brutus, that he had scarce leisure to take notice of what was said about his son: he just touches it, however, in one or two letters: "As to my son, if his merit be as great as you write, I rejoice at it as much as I ought to do: or if you magnify it, out of love to him, even that gives me an incredible joy, to perceive that he is beloved by you [3]." Again; "I desire you, my dear Brutus, to keep my son with you as much as possible: he will find no better school of virtue, than in the contemplation and imitation of you [4]."

Though Brutus intimated nothing in his public letters but what was prosperous and encouraging, yet, in his private accounts to Cicero, he signified a great want of money and recruits, and begged to be supplied with both from Italy, especially with recruits: either by a vote of the senate, or, if that could not be had, by some secret management, without the privity of Pansa: to which Cicero answered, "You tell me

[1] Cicero filius tuus sic mihi se probat, industria, patientia, labore, animi magnitudine, omni denique officio, ut prorsus nunquam dimittere videatur cogitationem, cujus sit filius. Quare quoniam efficere non possum, ut pluris facias eum, qui tibi est carissimus, illud tribuo judicio meo, ut tibi persuadeas, non fore illi abutendum gloria tua, ut adipiscatur honores paternos. Kal. Apr. Ad Brut. 2. 3.

[2] Filium tuum, ad Brutum cum veni, videre non potui, ideo quod jam in hiberna cum equitibus erat profectus. Sed medius fidius ea esse cum opinione, et tua et ipsius, et in primis mea causa gaudeo. Fratris enim loco mihi est, qui ex te natus, teque dignus est. Vale. IIII Kal. Jun. Ep. Fam. 12. 14.

[3] De Cicerone meo, et si tantum est in eo, quantum scribis, tantum scilicet, quantum debeo, gaudeo: et si, quod amas eum, eo majora facis; id ipsum incredibiliter gaudeo, a te eum diligi. Ad Brut. 2. 6.

[4] Ciceronem meum, mi Brute, velim quam plurimum tecum habeas. Virtutis disciplinam meliorem reperiet nullum, quam contemplationem atque imitationem tui. XIII Kal. Maii. Ibid. 7.

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that you want two necessary things, recruits and money; it is difficult to help you. I know no other way of raising money, which can be of use to you, but what the senate has decreed, of borrowing it from the cities. As to recruits, I do not see what can be done: for Pansa is so far from granting any share of his army or recruits to you, that he is even uneasy to see so many volunteers going over to you: his reason, I take it, is, that he thinks no forces too great for the demands of our affairs in Italy: for as to what many suspect, that he has no mind to see you too strong, I have no suspicion of it[1]."—Pansa seems to have been much in the right, for refusing to part with any troops out of Italy, where the stress of the war now lay, on the success of which the fate of the whole republic depended.

But there came news of a different kind, about the same time, to Rome, of Dolabella's successful exploits in Asia. He left the city, as it is said above, before the expiration of his consulship, to possess himself of Syria: which had been allotted to him by Antony's management: and taking his way through Greece and Macedonia, to gather what money and troops he could raise in those countries, he passed over into Asia, in hopes of inducing that province to abandon Trebonius, and declare for him: having sent his emissaries, therefore, before him, to prepare for his reception, he arrived before Smyrna, where Trebonius resided, without any show of hostility, or forces sufficient to give any great alarm, pretending to desire nothing more than a free passage through the country to his own province. Trebonius refused to admit him into the town; but consented to supply him with refreshments without the gates: where many civilities passed between them, with great professions, on Dolabella's part, of amity and friendship to Trebonius, who promised, in his turn, that if Dolabella would depart quietly from Smyrna, he should be received into Ephesus, in order to pass forward towards Syria. To this Dolabella seemingly agreed; and, finding it impracticable to take Smyrna by open force, contrived to surprise it by stratagem: embracing, therefore, Trebonius's offer, he set forward towards Ephesus; but, after he had marched several miles, and Trebonius's men, who were sent after to observe him, were retired, he turned back instantly in the night, and arriving again

[1] Quod egere te duabus necessariis rebus scribis, supplemento et pecunia, difficile consilium est. Non enim mihi occurrunt facultates, quibus uti te posse videam, præter illas, quas Senatus decrevit, ut pecunias a civitatibus mutuas sumeres. De supplemento autem non video, quid fieri possit. Tantum enim abest ut Pansa de exercitu suo aut delectu tibi aliquid tribuat, ut etiam moleste ferat, tam multos ad te ire voluntarios: quomodo equidem credo, quod his rebus quæ in Italia decernuntur, nullas copias nimis magnas arbitretur: quomodo autem multi suspicantur, quod ne te quidem nimis firmum esse velit; quod ego non suspicor. Ad Brut. 2. 6.

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at Smyrna before day, found it, as he expected, negligently guarded, and without any apprehension of an assault; so that his soldiers, by the help of ladders, presently mounting the walls, possessed themselves of it without opposition, and seized Trebonius himself in his bed, before he knew any thing of his danger [1].

Dolabella treated him with the utmost cruelty; kept him two days under torture, to extort a discovery of all the money in his custody; then ordered his head to be cut off, and carried about on a spear; and his body to be dragged about the streets, and thrown into the sea [2]. This was the first blood that was spilt on the account of Cæsar's death; which was now revenged in kind upon one of the principal conspirators, and the only one who was of consular rank. It had been projected, without doubt, in concert with Antony, to make the revenge of Cæsar's death the avowed cause of their arms, in order to draw the veterans to their side, or make them unwilling, at least, to act against them: and it gave a clear warning to Brutus and his associates, what they were to expect, if their enemies prevailed, as well as a sad presage to all honest men, of the cruel effects and merciless fury of the impending war.

On the news of Trebonius's death, the senate was summoned by the consul, where Dolabella was unanimously declared a public enemy, and his estate confiscated. Calenus himself first proposed the vote, and said, that if any thing more severe could be thought of, he would be for it: the indignation of the city was so inflamed, that he was forced to comply with the popular humour, and hoped, perhaps, to put some difficulty upon Cicero, who, for his relation to Dolabella, would, as he imagined, be for moderating the punishment. But though Calenus was mistaken in this, he was concerned in moving another question which greatly perplexed Cicero, about the choice of a general, to manage this new war against Dolabella. Two opinions were proposed: the one, that P. Servilius should be sent with an extraordinary commission; the other, that the two consuls should jointly prosecute that war, with the provinces of Syria and Asia allotted to them. This was very agreeable to Pansa, and pushed, therefore, not only by his

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[1] App. 3. p. 542.

[2] Consecutus est Dolabella, nulla suspicione belli.—Secutæ collocutiones familiares cum Trebonio; complexusque summæ benevolentiæ—nocturnus introitus in Smyrnam, quasi in hostium urbem; oppressus Trebonius—interficere captum statim noluit, ne nimis, credo, in victoria liberalis videretur. Cum verborum contumeliis optimum virum incesto ore lacerasset, tum verberibus ac tormentis quæstionem habuit pecuniæ publicæ, idque per biduum. Post cervicibus fractis caput abscidit, idque adfixum gestari jussit in pilo; reliquum corpus tractum ac laniatum abjecit in mare, &c. Philip. 11. 2, 3.

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friends, but by all Antony's party, who fancied that it would take off the attention of the consuls from the war of Italy; give Dolabella time to strengthen himself in Asia; raise a coldness between the consuls and Cicero, if he ventured to oppose it; and, above all, put a public affront upon Cassius; who, by his presence in those parts, seemed to have the best pretension to that commission. The debate continued through the first day, without coming to any issue; and was adjourned to the next. In the meanwhile, Cassius's mother-in-law, Servilia, and other friends, were endeavouring to prevail with Cicero to drop the opposition, for fear of alienating Pansa: but in vain; for he resolved, at all hazards, to defend the honour of Cassius; and when the debate was resumed the next morning, exerted all his interest and eloquence to procure a decree in his favour.

He began his speech by observing that, in their present grief for the lamentable fate of Trebonius, the republic, however, would reap some good from it, since they now saw the barbarous cruelty of those who had taken arms against their country: for of the two chiefs of the present war, the one, by effecting what he wished, had discovered what the other aimed at [1]. That they both meant nothing less than the death and destruction of all honest men; nor would be satisfied, it seemed, with simple death, for that was the punishment of nature, but thought the rack and tortures due to their revenge: that what Dolabella had executed, was the picture of what Antony intended: that they were a true pair, exactly matched, marching by concert and equal paces in the execution of their wicked purposes: this he illustrates by parallel instances from the conduct of each; and after displaying the inhumanity of Dolabella, and the unhappy fate of Trebonius, in a manner proper to excite indignation against the one, and compassion for the other; he shews, that Dolabella was still the more unhappy of the two, and must needs suffer more from the guilt of his mind, than Trebonius from the tortures of his body: "What doubt," says he, "can there be, which of them is the most miserable? he, whose death the senate and people are eager to revenge; or he, who is adjudged to be a traitor, by the unanimous vote of the senate? for, in all other respects, it is the greatest injury to Trebonius, to compare his life with Dolabella's. As to the one, every body knows his wisdom, wit, humanity, innocence, greatness of mind in freeing his country; but as to the other, cruelty was his delight from a boy, with a lewdness so shameless and abandoned, that he used to value himself for doing,

[1] Philip. 11. 1.

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what his very adversaries could not object to him with modesty. Yet, this man, good gods! was once mine: for I was not very curious to inquire into his vices: nor should I now, perhaps, have been his enemy, had he not shewn himself an enemy to you, to his country, to the domestic gods and altars of us all; nay, even to nature and humanity itself[1]." He exhorts them, from this warning given by Dolabella, to act with the greater vigour against Antony: for if he, who had about him but a few of those capital incendiaries, the ringleaders of rapine and rebellion, durst attempt an act so abominable, what barbarity were they not to expect from Antony, who had the whole crew of them in his camp? the principal of whom he describes by name and character; and adds, that as he had often dissented unwillingly from Calenus, so now, at last, he had the pleasure to agree with him, and to let them see, that he had no dislike to the man, but to the cause: that, in this case, he not only concurred with him, but thanked him for propounding a vote so severe and worthy of the republic, in decreeing Dolabella an enemy, and his estate to be confiscated[2]. Then, as to the second point, which was of greater delicacy, the nomination of a general to be sent against Dolabella, he proceeds to give his reasons for rejecting the two opinions proposed; the one, for sending Servilius, the other, for the two consuls: of the first, he says, that extraordinary commissions were always odious where they were not necessary, and wherever they had been granted, it was in cases very different from this: that if the commission in debate should be decreed to Servilius, it would seem an affront to all the rest of the same rank, that being equal in dignity, they should be thought unworthy of the same honour: that he himself, indeed, had voted an extraordinary commission to young Cæsar; but Cæsar had first given an extraordinary protection and deliverance to them: that they must either have taken his army from him, or decreed the command of it to him; which could not, therefore, be so properly said to be given, as not taken away: but that no such commission had ever been granted to any one, who was wholly idle and unemployed[3]. As to the second opinion, of decreeing that province to the consuls, he shews it to be both against the dignity of the consuls themselves, and against the public service: that when D. Brutus, a consul elect, was actually besieged, on the preservation of whom their common safety depended; and when a dreadful war was on foot, already entrusted to the two consuls, the very mention of Asia and Syria, would give a handle to jealousy and envy; and, though the decree was not

[1] Ibid. 4. [2] Ibid. 5, 6. [3] Ibid. 7, 8.

to take place till D. Brutus should first be relieved, yet a new commission would necessarily take off some part of their thoughts and attention from the old. Then addressing himself to Pansa, he says, that though his mind, he knew, was intent on delivering D. Brutus, yet the nature of things would force him to turn it sometimes towards Dolabella; and that, if he had more minds than one, they should all be directed and wholly fixed on Modena [1]: that, for his own part, he had resigned, in his consulship, a rich and well furnished province, that nothing might interrupt his endeavours to quench that flame which was then raised in his country: he wished that Pansa would imitate him, whom he used to commend: that if the consuls, however, desired to have provinces, as other great men had usually done, let them first bring D. Brutus safe home to them; who ought to be guarded with the same care as the image that fell from heaven, and was kept in the temple of Vesta, in the safety of which they were all safe: that this decree would create great delay and obstruction to the war against Dolabella; which required a general prepared, equipped, and already invested with command; one who had authority, reputation, an army, and a resolution, tried in the service of his country [2]: that it must, therefore, either be Brutus or Cassius, or both of them: that Brutus could not be spared from Macedonia, where he was quelling the last efforts of the faction, and oppressing C. Antony, who, with the remains of a broken army, was still in possession of some considerable places: that when he had finished that work, if he found it of use to the commonwealth to pursue Dolabella; he would do it of himself as he had hitherto done, without waiting for their orders; for both he and Cassius had, on many occasions, been a senate to themselves: that in such a season of general confusion, it was necessary to be governed by the times, rather than by rules: that Brutus and Cassius ever held the safety and liberty of their country to be the most sacred rule of acting [3]. "For by what law," says he, "by what right have they hitherto been acting, the one in Greece, the other in Syria, but by that which Jupiter himself ordained, that all things beneficial to the community should be esteemed lawful and just? for law is nothing else but right reason, derived to us from the gods, enjoining what is honest, prohibiting the contrary: this was the law which Cassius obeyed when he went into Syria; another man's province, if we judge by written law; but when these are overturned, his own, by the law of nature: but that Cassius's acts might be confirmed also by the authority of the senate, he pro-

[1] Philip. 11. 9. [2] Ibid. 10. [3] Ibid. 14.

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posed a decree to this effect: that whereas the senate has declared P. Dolabella to be an enemy of the Roman people, and ordered him to be pursued by open war; to the intent that he may suffer the punishment due to him, both from gods and men; it is the will of the senate, that C. Cassius, proconsul, shall hold the province of Syria, in the same manner as if he had obtained it by right of law; and that he receive the several armies from Q. Marcius Crispus, proconsul; L. Statius Marcus, proconsul; A. Allienus, lieutenant; which they are hereby required to deliver to him: that with these, and what other forces he can procure, he shall pursue Dolabella both by land and sea: that, for the occasions of the war, he shall have a power to demand ships, seamen, money, and all things useful to him, from whomsoever he thinks fit, in Syria, Asia, Bithynia, Pontus: and that, whatever province he comes into in prosecuting the war, he shall have an authority superior to that of the proper governor; that if king Deiotarus, the father, or the son, shall assist C. Cassius, proconsul, with their troops, as they have oft assisted the Roman people in other wars, their conduct will be acceptable to the senate and people; that if any of the other kings, tetrarchs, and potentates, shall do the like, the senate and people will not be unmindful of their services: that, as soon as the public affairs were settled, C. Pansa and A. Hirtius, the consuls, one or both of them, should take the first opportunity of moving the senate about the disposal of the consular and prætorian provinces; and that in the mean while, they should all continue in the hands of those who now held them, till successors were appointed by the senate [1].

From the senate, Cicero went directly into the Forum, to give the people an account of the debate, and recommend to them the interests of Cassius: hither Pansa followed him, and to weaken the influence of his authority, declared to the citizens, that what Cicero contended for, was against the will and advice of Cassius's nearest friends and relations: of which Cicero gives the following account in a letter to Cassius:—

"M. T. CICERO TO C. CASSIUS.

"WITH what zeal I defended your dignity, both in the senate and with the people, I would have you learn rather from your other friends than from me. My opinion would easily have prevailed in the senate, had not Pansa eagerly opposed it. After I had proposed that vote, I was produced to the people by Servilius, the tribune, and said every thing which I

[1] Ibid. 12, &c.

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could of you, with a strength of voice that filled the Forum, and with such a clamour and approbation of the people, that I had never seen the like before. You will pardon me, I hope, for doing it against the will of your mother-in-law. The timorous woman was afraid that Pansa would be disgusted. Pansa, indeed, declared to the assembly, that both your mother and brother were against it; but that did not move me, I had other considerations more at heart: my regard was to the republic, to which I have always wished well, and to your dignity and glory. But there is one thing which I enlarged upon in the senate, and mentioned also to the people, in which I must desire you to make my words good: for I promised, and in a manner assured them, that you neither had, nor would wait for our decrees; but would defend the republic yourself in your own way: and though we had heard nothing, either where you were, or what forces you had; yet I took it for granted, that all the forces in those parts were your's; and was confident, that you had already recovered the province of Asia to the republic: let it be your care to outdo yourself, in endeavouring still to advance your own glory. Adieu [1]."

As to the issue of the contest, some writers tell us that it ended as Cicero desired: but it is evident, from the letter just recited, and more clearly still from other letters, that Pansa's authority prevailed against him for granting the commission to the consuls [2]. Cassius, however, as Cicero advised and declared, had little regard to what they were decreeing at Rome; but undertook the whole affair himself, and soon put an end to Dolabella's triumphs, as will be mentioned hereafter in its proper place.

The statue of Minerva, which Cicero, upon his going into exile, had dedicated in the capitol, by the title of the Guardian of the city, was about the end of the last year, thrown down and shattered to pieces by a tempest of thunder and lightning. This the later writers take notice of, as ominous, and portending the fall of Cicero himself: though neither Cicero, nor any of that time, made any such reflection upon it. The senate, however, out of respect to him, passed a decree, in a full house, on the eighteenth of March, that the statue should be repaired and restored to its place [3]. So that it was now made by public authority, what he himself had

[1] Ep. Fam. 12. 7.

[2] Quum Consulibus decreta est Asia, et permissum est iis, ut dum ipsi venirent, darent negotium qui ipsam obtineant, &c. Ibid. 14.

[3] Eo die Senatus decrevit, ut Minerva nostra, Custos Urbis quam turbo dejecerat, restitueretur. Ibid. 25. Dio, l. 45, p. 278.

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designed it to be, a standing monument to posterity, that the safety of the republic had been the constant object of his counsels.

D. Brutus was reduced by this time to such straits in Modena, that his friends began to be greatly alarmed for him; taking it for granted, that if he fell into Antony's hands, he would be treated no better than Trebonius. The mention, therefore, of a pacification being revived in the senate, and recommended by Pansa himself, upon an intimation given by Antony's friends, that he was now in a disposition to submit to reason, Cicero, out of a concern for Brutus's safety, consented to the decree of a second embassy, to be executed by himself and Servilius, together with three other consular senators: but finding, upon recollection, that there appeared no symptoms of any change in Antony, and that his friends produced no proofs of it, nor any thing new in his conduct, he was convinced that he had made a false step, and that nothing more was intended than to gain time; which was of great use to Antony, as it would retard the attempts of relieving Modena, and give an opportunity to Ventidius to join him, who was marching towards him at that time, with three legions. At the next meeting, therefore, of the senate, he retracted his opinion, and declared against the late decree, as dangerous and insidious; and, in a warm and pathetic speech, pressed them to rescind it. He owns that it was indecent for one, whose authority they had so often followed in the most important debates, to declare himself mistaken and deceived; yet his comfort was, that it was in common with them all, and with a consul of the greatest wisdom: that when Piso and Calenus, who knew Antony's secret, the one of whom entertained his wife and children at his house, the other was perpetually sending and receiving letters from him, began to renew, what they had long intermitted, their exhortations to peace; and when the consul thought fit to exhort the same thing, a man whose prudence could not easily be imposed upon, whose virtue approved no peace, but on Antony's submission, whose greatness of mind preferred death to slavery, it was natural to imagine, that there was some special reason for all this, some secret wound in Antony's affairs, which the public was unacquainted with; especially when it was reported, that Antony's family was under some unusual affliction, and his friends in the senate betrayed a dejection in their looks: for if there was nothing in it, why should Piso and Calenus, above all others; why at that time; why so unexpectedly, so suddenly, move for peace? yet now, when they had entangled the senate in a pacific embassy, they both denied that there was any thing new or particular, which

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induced them to it[1]: that there could be no occasion, therefore, for new measures, when there was nothing new in the case itself: that they were drawn in, and deceived by Antony's friends, who were serving his private, not the public interest: that he had seen it from the first, though but darkly, his concern for Brutus having dazzled his eyes, for whose liberty, if a substitute could be accepted, he would freely offer himself to be shut up in his place: that if Antony would humble himself, and sue to them for any thing, he should, perhaps, be for hearing him; but while he stood to his arms, and acted offensively, their business was to resist force by force. But they would tell him, perhaps, that the thing was not in their power, since an embassy was actually decreed. "But what is it," says he, "that is not free to the wise, which it is possible to retrieve? it is the case of every man to err, but the part only of a fool to persevere in error: if we have been drawn away by false and fallacious hopes, let us turn again into the way; for the surest harbour to a penitent is a change of his conduct[2]." He then shows how the embassy, so far from being of service, would certainly hurt, nay, had already hurt the republic, by checking the zeal of the towns and colonies of Italy, and the courage of the legions, which had declared for them, who could never be eager to fight, while the senate was sounding a retreat[3]. That nothing was more unjust, than to determine any thing about peace, without the consent of those who were carrying on the war; and not only without, but against their consent: that Hirtius and Cæsar had no thoughts of peace; from whom he had letters then in his hands, declaring their hopes of victory; for their desire was to conquer, and to acquire peace—not by treaty, but by victory[4]. That there could not possibly be any peace with one to whom nothing could be granted: they had voted him to have forged several decrees of the senate;—would they vote them again to be genuine? they had annulled his laws, as made by violence;—would they now consent to restore them? they had decreed him to have embezzled five millions of money;—could such a waste be absolved from a charge of fraud? that immunities, priesthoods, kingdoms, had been sold by him;—could those bargains be confirmed, which their decrees had made void[5]? That if they should grant him the farther Gaul, and an army, what would it be else, but to defer the war, not to make peace; nay, not only to prolong the war, but to yield him the victory[6]? "Was it for this," says he, "that we have put on the

[1] Philip. 12. 1. [2] Ibid. 2. [3] Ibid. 3. [4] Ibid. 4. [5] Ibid. 5. [6] Ibid. 6.

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robe of war, taken arms, sent out all the youth of Italy; that, with a most flourishing and numerous army, we should send an embassy at last for peace; and must I bear a part in that embassy, or assist in that council, where, if I differ from the rest, the people of Rome can never know it? so that, whatever concessions are made to Antony, or whatever mischief he may do hereafter, it must be at the hazard of my credit." He then shows, that if an embassy must needs be sent, he, of all men, was the most improper to be employed in it: that he had ever been against any embassy; was the mover of their taking the habit of war; was always for the severest proceedings both against Antony and his associates; that all that party looked upon him as prejudiced, and Antony would be offended at the sight of him [1]. That if they did not trouble themselves how Antony might take it, he begged them at least to spare him the pain of seeing Antony, which he should never be able to bear; who, in a speech, lately, to his parricides, when he was distributing rewards to the boldest of them, had promised Cicero's estate to Petissius: that he should never endure the sight of L. Antony, whose cruelty he could not have escaped, but by the defence of his walls and gates, and the zeal of his native town: that though he might be able to command himself, and dissemble his uneasiness at the sight of Antony and his crew, yet some regard should be had to his life; not that he set any value upon it himself, but it ought not to be thought despicable by the senate and people of Rome; since, if he did not deceive himself, it was he who, by his watchings, cares, and votes, had managed matters so, that all the attempts of their enemies had not hitherto been able to do them any harm [2]. That if his life had been oft attempted at home, where the fidelity of his friends, and the eyes of all Rome were his guard; what might he not apprehend from so long a journey? that there were three roads from Rome to Modena; the Flaminian, along the upper sea; the Aurelian, along the lower; the Cassian, in the middle: that they were all of them beset by Antony's allies, his own utter enemies: the Cassian, by Lento: the Flaminian, by Ventidius; the Aurelian, by the whole Clodian family [3]. That he would stay, therefore, in the city, if the senate would give leave, which was his proper seat, his watch, and station: that others might enjoy camps, kingdoms, military commands; he would take care of the city, and the affairs at home, in partnership with them: that he did not refuse the charge, but it was the people who refused it for him; for no man was less timorous, though none more cautious

[1] Ibid. 7. [2] Ibid. 8. [3] Ibid. 9.

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than he: that a statesman ought to leave behind him a reputation of glory in dying, not the reproach of error and folly: "Who," says he, "does not bewail the death of Trebonius? yet there are some who say, though it is hard indeed to say it, that he is the less to be pitied, for not keeping a better guard against a base and detestable villain: for wise men tell us, that *he who professes to guard the lives of others, ought, in the* first place, to keep a guard upon his own[1]." That, if he should happen to escape all the snares of the road, Antony's rage was so furious, that he would never suffer him to return alive from the congress: that, when he was a young volunteer, in the wars of Italy, he was present at a conference of Cn. Pompey, the consul, and P. Vettius, the general of the Marsi, held between the two camps; there was no fear, no suspicion, nor any violent hatred, on either side: that there was an interview, likewise, between Sylla and Scipio, in their civil wars, where, though faith was not strictly observed, yet no violence was offered[2]: but the case was different in treating with Antony, where, if others could be safe, he, at least, could not: that Antony would never come into their camp, much less they into his: that, if they transacted affairs by letter, his opinion would always be one and the same; to reduce every thing to the will of the senate: that this would be misrepresented to the veterans, as severe and perverse; and might excite them, perhaps, to some violence. "Let my life, therefore," says he, "be reserved to the service of my country, as long as either dignity or nature will allow: let my death fall by the necessary course of fate; or if I must meet it sooner, let me meet it with glory. Since the republic, then, to speak the most moderately, has no occasion for this embassy, yet, if I can undertake it with safety, I will go; and, in this whole affair, will govern myself entirely, fathers, not by a regard to my own danger, but to the service of the state; and, after the most mature deliberation, will resolve to do that which I shall judge to be most useful to the public interest."

Though he did not absolutely refuse the employment, yet he dissuaded it so strongly, that the thing was wholly dropped; and Pansa, about the end of the month, marched away towards Gaul, at the head of his newly raised army, in order to join Hirtius and Octavius, and without farther delay, to attempt a decisive battle with Antony for the delivery of D. Brutus.

Antony, at the same time, while he was perplexing the counsels of the senate, by the intrigues of his friends, was en-

[1] Philip. 10. [2] Ibid. 11.

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deavouring also, by his letters, to shake the resolution of Hirtius and Octavius, and draw them off from the cause which they were now serving: but their answers seem to have been short and firm; referring him constantly to the authority of the senate: yet, as things were now drawing towards a crisis, he made one effort more upon them; and, in the following expostulatory letter, reproached them, with great freedom, for deserting their true interest, and suffering themselves to be duped, and drawn in by Cicero, to revive the Pompeian cause, and establish a power, which, in the end, would destroy them.

"ANTONIUS TO HIRTIUS AND CÆSAR.

"UPON the news of Trebonius's death, I was equally affected both with joy and with grief. It was matter of real joy to me, to see a villain suffer the vengeance due to the ashes of the most illustrious of men; and that, within the circle of the current year, the Divine providence has displayed itself, by the punishment of parricide, inflicted already on some, and ready to fall upon the rest. But, on the other hand, it is a subject of just grief to me, that Dolabella should be declared an enemy, because he has killed a murderer; and that the son of a buffoon should be dearer to the people of Rome than Cæsar, the father of his country: but the cruellest reflection of all is, that you, Hirtius, covered with Cæsar's favours, and left by him in a condition which you yourself wonder at; and you too, young man, who owe every thing to his name, are doing all which is in your power, that Dolabella may be thought justly condemned; that this wretch be delivered from the siege; and Cassius and Brutus be invested with all power. You look upon the present state of things as people did upon the past; call Pompey's camp the senate; have made the vanquished Cicero your captain; are strengthening Macedonia with armies; have given Africa to Varus, twice a prisoner; have sent Cassius into Syria; suffered Casca to act as tribune; suppressed the revenues of the Julian Luperci; abolished the colonies of veterans, established by law and the decree of the senate; promise to restore to the people of Marseilles, what was taken from them by right of war; forget that a Pompeian was made incapable of any dignity by Hirtius's law; have supplied Brutus with Appuleius's money; applaudcd the putting to death Poetus and Menedemus, Cæsar's friends, whom he made free of the city; took no notice of Theopompus, when, stripped and banished by Trebonius, he fled to Alexandria: you see Ser. Galba in your camp, armed with the same poignard with which he stabbed Cæsar; have enlisted my

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soldiers, and other veterans, on pretence of destroying those who killed Cæsar; and then employ them, before they know what they are doing, against their quæstor, or their general, or their comrades: what have you not done, which Pompey himself, were he alive, or his son, if he could, would not do? In short, you deny that any peace can be made, unless I set Brutus at liberty, or supply him with provisions: can this please those veterans, who have not yet declared themselves? for as to your part, you have sold yourselves to the flatteries and poisoned honours of the senate. But you come, you say, to preserve the troops which are besieged. I am not against their being saved, or going wherever you please: if they will but leave him to perish, who has deserved it. You write me word, that the mention of concord has been revived in the senate, and five consular ambassadors appointed; it is hard to believe, that those, who have driven me to this extremity when I offered the fairest conditions, and was willing to remit some part of them, should do any thing with moderation or humanity: nor is it probable, that the same men, who voted Dolabella an enemy for a most laudable act, can ever forgive me, who am in the same sentiments with him. Wherefore, it is your business to reflect, which of the two is the more eligible, or more useful to our common interest; to revenge the death of Trebonius, or of Cæsar: and which the more equitable; for us to act against each other, that the Pompeian cause, so often defeated, may recover itself; or to join our forces lest we become, at last, the sport of our enemies; who, which of us soever may happen to fall, are sure to be gainers. But fortune has hitherto prevented that spectacle; unwilling to see two armies, like members of the same body, fighting against each other; and Cicero, all the while, like a master of gladiators, matching us, and ordering the combat: who is so far happy, as to have caught you with the same bait, with which he brags to have caught Cæsar. For my part, I am resolved to suffer no affront either to myself or my friends; nor to desert the party which Pompey hated; nor to see the veterans driven out of their possessions, and dragged one by one to the rack; nor to break my word with Dolabella; nor to violate my league with Lepidus, a most religious man; nor to betray Plancus, the partner of all my counsels. If the immortal gods support me, as I hope they will, in the pursuit of so good a cause, I shall live with pleasure; but if any other fate expects me, I taste a joy, however, beforehand, in the sure foresight of your punishment: for if the Pompeians are so insolent, when conquered, how much more they will be so, when conquerors, it will be your lot to feel. In a word, this is the sum of my resolution:

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I can forgive the injuries of my friends, if they themselves are disposed either to forget them, or prepared, in conjunction with me, to revenge the death of Cæsar: I cannot believe that any ambassadors will come; when they do, I shall know what they have to demand[1]." Hirtius and Cæsar, instead of answering this letter, sent it directly to Cicero, at Rome, to make what use of it he thought fit with the senate, or the people.

In this interval, Lepidus wrote a public letter to the senate, to exhort them to measures of peace, and to save the effusion of civil blood, by contriving some way of reconciling Antony and his friends to the service of their country; without giving the least intimation of his thanks for the public honours, which they had lately decreed to him. This was not at all agreeable to the senate, and confirmed their former jealousy of his disaffection to the republic, and good understanding with Antony. They agreed, however, to a vote proposed by Servilius, that Lepidus should be thanked for his love of peace, and care of the citizens, yet should be desired, not to trouble himself any farther about it, but to leave that affair to them; who thought there could be no peace, unless Antony should lay down his arms, and sue for it. This letter gave Antony's friends a fresh handle to renew their instances for a treaty, for the sake of obliging Lepidus, who had it in his power, they said, to force them to it; which put Cicero once more to the trouble of confuting and exposing all their arguments. He told them, that he was ever afraid, from the first, lest an insidious offer of peace should damp the common zeal, for the recovery of their liberty: that, whoever delighted in discord, and the blood of citizens, ought to be expelled from the society of human kind: yet it was to be considered, whether there were not some wars, wholly inexpiable; where no peace could be made, and where a treaty of peace was but a stipulation of slavery[2]: that the war now on foot was of this sort; undertaken against a set of men who were natural enemies to society; whose only pleasure it was to oppress, plunder, and murder their fellow-creatures; and to restore such to the city, was to destroy the city itself[3]. That they ought to remember what decrees they had already made against them, such as had never been made against a foreign enemy, or any with whom there could be peace: that since wisdom, as well as fortitude, was expected from men of their rank, though these indeed could hardly be separated, yet he was willing to consider them separately, and follow what wisdom, the more cautious and guarded of the two, prescribed.

[1] Vid. Philip. 10. 13, &c. [2] Ibid. 13. 1. [3] Ibid. 2.

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—"If wisdom, then," says he, "should command me to hold nothing so dear as life; to decree nothing at the hazard of my head; to avoid all danger, though slavery was sure to be the consequence; I would reject that wisdom, be it ever so learned: but if it teaches us to preserve our lives, our fortunes, our families, yet so as to think them inferior to liberty; to wish to enjoy them no longer than we can do it in a free republic; not to part with our liberty for them, but to throw them all away for liberty, as exposing us only to greater mischief without it; I would then listen to her voice, and obey her as a god[1]." That no man had a greater respect for Lepidus than himself; and though there had been an old friendship between them, yet he valued him, not so much for that, as his services to the public, in prevailing with young Pompey to lay down his arms, and free his country from the misery of a cruel war: that the republic had many pledges of fidelity from Lepidus; his great nobility, great honours, high-priesthood, many parts of the city adorned by him and his ancestors, his wife, children, great fortunes, pure from any taint of civil blood, no citizen ever hurt, many preserved by him: that such a man might err in judgment, but could never wilfully be an enemy to his country. That his desire of peace was laudable, if he could make such a peace for them now, as when he restored Pompey to them. That for this they had decreed him greater honours than had been given before to any man, a statue with a splendid inscription, and a triumph even in absence[2].—That, by good fortune, they had managed matters so, that Pompey's return might consist with the validity of Cæsar's acts, which, for the sake of peace, they had confirmed; since they had decreed to Pompey the five millions and a half, which were raised by the sale of his estates, to enable him to buy them again: he desired, that the task of replacing him in the possessions of his ancestors, might be committed to him for his old friendship with his father: that it should be his first care to nominate him an augur, and repay the same favour to the son, which he himself received from the father[3]: that those who had seen him lately at Marseilles, brought word that he was ready to come with his troops to the relief of Modena, but that he was afraid of giving offence to the veterans; which shewed him to be the true son of that father, who used to act with as much prudence as courage. That it was Lepidus's business to take care, not to be thought to act with more arrogance than became him: that if he meant to frighten them with his army, he should remember that it was the army of the senate and people of Rome, not

[1] Philip. 13. 3. [2] Ibid. 4. [3] Ibid. 5.

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his own [1]. That if he interposed his authority without arms, that was indeed the more laudable, but would hardly be thought necessary: for, though his authority was as great with them as that of the noblest citizen ought to be, yet the senate was not unmindful of their own dignity; and there never was a graver, firmer, stouter senate than the present. That they were all so incensed against the enemies of their liberty, that no man's authority could repress their ardour, or extort their arms from them. That they hoped the best, but would rather suffer the worst than live slaves [2]. That there was no danger to be apprehended from Lepidus, since he could not enjoy the splendour of his own fortunes, but with the safety of all honest men. That nature first makes men honest, but fortune confirms them: for though it was the common interest of all to promote the safety of the public, yet it was more particularly of those who were happy in their fortunes. That nobody was more so than Lepidus, and nobody, therefore, better disposed: of which the people saw a remarkable instance, in the concern which he expressed, when Antony offered a diadem to Cæsar, and chose to be his slave rather than his colleague; for which single act, if he had been guilty of nothing else, he had richly deserved the worst punishment [3]. Then, after inveighing, as usual, against Antony, through several pages, he declared all thoughts of peace with him to be vain; and, for a fresh proof of it, produced his last letter to Hirtius and Octavius, and read it publicly to the assembly: not that he thought it worth reading, he says, but to let them see his traitorous views openly avowed and confessed by himself. He read it to them paragraph by paragraph, with his own comment and remarks upon it; rallying all along, with great wit and spirit, the rage, the extravagance, the inconsistency, the folly, and the inaccuracy of each sentence. On the whole, he says, that if Lepidus had seen it, he would neither have advised, or thought any peace with him possible. That fire and water would sooner unite, than the Antonies be reconciled to the republic. That the first and best thing, therefore, was to conquer; the second, to decline no danger for the liberty of their country: that there was no third thing, but the last and worst of all, to submit to the utmost baseness, through a desire of living. For which reasons, he declared his concurrence with Servilius, in the vote upon Lepidus's letters; and proposed an additional decree, either to be joined to the other, or published separately.—That Pompey the Great, the son of Cnæus, in offering his service and his troops to the senate and people of Rome, had acted agreeably

[1] Ibid. 6. [2] Ibid. 7. [3] Ibid. 8.

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to the courage and zeal of his father and ancestors; and to his own virtue, industry, and good disposition to the republic: and that the thing was grateful and acceptable to the senate and people, and would hereafter be an honour to himself.

After the debate, which ended as Cicero wished, he sent the following short letter to Lepidus, which, by the coldness and negligence with which it was drawn, seems to be designed to let Lepidus see, that they were perfectly easy and secure at Rome, whatever measures he might think fit to take.

"CICERO TO LEPIDUS.

"WHILE out of the great respect which I bear to you, I am making it my particular care to advance your dignity as much as possible, it was a concern to me, to see that you did not think it worth while to return your thanks to the senate, for the extraordinary honours which they have lately conferred upon you. I rejoice, however, that you are so desirous of making peace among citizens: if you can separate that peace from slavery, you will consult both the good of the republic, and your own dignity: but if the effect of it be, to restore a desperate man to an arbitrary dominion, I would have you to know, that all men of sense have taken a resolution to prefer death to servitude. You will act more wisely, therefore, in my judgment, if you meddle no farther with that affair of peace; which is not agreeable either to the senate or the people, or to any honest man: but you will hear enough of this from others, or be informed of it by letters, and will be directed by your own prudence, what is the best for you to do [1]."

Plancus, too, who commanded in Gaul, and now resided near Lyons, at the head of a brave army, enforced Lepidus's advice, by a letter likewise to the senate on the same subject of peace; to which Cicero wrote the following answer:

"CICERO TO PLANCUS.

"The account which our friend Furnius brought of your affection to the republic was highly agreeable both to the senate and people of Rome: but your letter, when read in the senate, did not seem to agree with Furnius's report; for you advised us to peace, when your colleague, a man of the greatest eminence, was besieged by most infamous plunderers; who ought either to sue for peace, by laying down their arms, or, if they demand it, with sword in hand, it must be procured by victory, not treaty. But in what manner your letters, as well

[1] Ep. Fam. 10. 27.

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as Lepidus's also, were received, you will understand from that excellent man your brother, and from Furnius[1]," &c.

C. Antony, whom we mentioned above to have retreated with seven cohorts to Apollonia, not daring to wait for Brutus's arrival, who was now advancing towards him, marched out to Buthrotum, to seek his fortune elsewhere, in quarters more secure and remote: but being overtaken and attacked on his march by a part of Brutus's army, he lost three of his cohorts in the action; and in a second engagement with another body of troops, which young Cicero commanded, was entirely routed and taken prisoner: which made Brutus absolute master of the country, without any further opposition[2]. This fresh success gave occasion for a second letter from Brutus to the senate; of which Cicero makes the following mention: "Your letter," says he, "which was read in the senate, shews the counsel of the general, the virtue of your soldiers, the industry of your officers, and in particular of my Cicero. If your friends had been willing to move the senate upon it, and if it had not fallen into most turbulent times, since the departure of Pansa, some just and proper honour would have been decreed for it to the gods[3]."

The taking C. Antony prisoner put Brutus under some difficulty in what manner he should treat him: if he set him at liberty, to which he was inclined, he had reason to apprehend fresh trouble from him, both to himself and the republic: if he kept him prisoner in his camp, he was afraid, lest some sedition might be raised on his account, and, by his intrigues, in his own army: or, if he put him to death, that it would be thought an act of cruelty, which his nature abhorred. He consulted Cicero, therefore, upon it, by letter. "C. Antony," says he, "is still with me; but, in truth, I am moved with the prayers of the man, and afraid lest the madness of some should make him the occasion of some mischief to me. I am wholly at a loss what to do with him. If I knew your mind, I should be at ease: for I should think that the best which you advised[4]." Cicero's advice was, to keep him under a safe guard, till they knew the fate of D. Brutus in Modena[5]. Brutus,

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[1] Ibid. 6.

[2] Plut. in Brut.

[3] Tuæ litteræ, quæ in Senatu recitatæ sunt, et Imperatoris consilium et militum virtutem, et industriam tuorum, in quibus Ciceronis mei, declarant. Quod si tuis placuisset de his litteris referri, et nisi in tempus turbulentissimum post discessum Pansæ incidissent, honos quoque justus ac debitus Diis immortalibus decretus esset. Ad Brut. 2. 7.

[4] Antonius adhuc est nobiscum: sed medius fidius et moveor hominis precibus, et timeo ne illum aliquorum furor excipiat. Plane æstuo. Quod si scirem quid tibi placeret, sine sollicitudine essem. Id enim optimum esse persuasum esset mihi. Ad Ibid. 5.

[5] Quod me de Antonio consulis: quoad Bruti exitum cognorimus, custodiendum puto. Ibid. 4.

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however, treated him with great lenity, and seemed much disposed to give him his liberty: for which purpose he not only wrote to the senate about it himself, but permitted Antony to write too, and with the style of proconsul; which surprised and shocked all his friends at Rome, and especially Cicero, who expostulates with him for it in the following terms:

"On the thirteenth of April," says he, "your messenger, Pilus, brought us two letters, the one in your name, the other in Antony's, and gave them to Servilius, the tribune; he to Cornutus, the prætor. They were read in the senate. Antony, proconsul, raised as much wonder as if it had been Dolabella, emperor; from whom also there came an express; but nobody, like your Pilus, was so hardy as to produce the letters, or deliver them to the magistrates. Your letter was read; short indeed, but extremely mild towards Antony: the senate was amazed at it. For my part, I did not know how to act. Should I affirm it to be forged—what if you should own it? Should I admit it to be genuine—that was not for your honour. I chose, therefore, to be silent that day. On the next, when the affair had made some noise, and Pilus's carriage had given offence, I began the debate; said much of proconsul Antony: Sextius performed his part, and observed to me, afterwards, in private, what danger his son and mine would be liable to, if they had really taken up arms against a proconsul.—You know the man: he did justice to the cause. Others also spoke, but our friend Labeo took notice that your seal was not put to the letter; nor any date added; nor had you written about it, as usual, to your friends: from which he maintained the letter to be forged, and, in short, convinced the house of it. It is now your part, Brutus, to consider the whole state and nature of the war: you are delighted, I perceive, with lenity, and think it the best way of proceeding: this, indeed, is generally right; but the proper place of clemency is in cases and seasons very different from the present: for what are we doing now, Brutus?—we see a needy and desperate crew threatening the very temples of the gods; and that the war must necessarily decide whether we are to live or not. Who is it, then, whom we are sparing? or what is it that we mean? Are we consulting the safety of those, who, if they get the better, are sure not to leave the least remains of us?—for what difference is there between Dolabella and any of the three Antonies?—if we spare any of these, we have been too severe to Dolabella. It was owing chiefly to my advice and authority, that the senate and people are in this way of thinking, though the thing itself, indeed, also obliged them to it; if you do not approve this policy, I shall defend your

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opinion, but cannot depart from my own; the world expects from you nothing either remiss or cruel: it is easy to moderate the matter, by severity to the leaders,—generosity to the soldiers [1]."

Cicero had now done every thing that human prudence could do towards the recovery of the republic: for all that vigour, with which it was making this last effort for itself, was entirely owing to his counsels and authority. As Antony was the most immediate and desperate enemy who threatened it, so he had armed against him the whole strength of Italy, and raised up a force sufficient to oppress him. Young Octavius, next to Antony, was the most formidable to the friends of liberty; but, from the contrast of their personal interests, and their jealousy of each other's views, Cicero managed the opportunity to employ the one to the ruin of the other; yet so as to provide, at the same time, against any present danger from Octavius, by throwing a superiority of power into the hands of the consuls; whom, from being the late ministers of Cæsar's tyranny, he had gained over to the interests of liberty. But besides the difficulties, which he had to struggle with at home, in bringing matters to this point, he had greater discouragements abroad, from the commanders of the several provinces: they were all promoted to those governments by Cæsar, the proper creatures of his power, and the abettors of his tyranny [2]; and were now full of hopes, either of advancing themselves to dominion, or to a share of it, at least, by espousing the cause of some more powerful pretender. Men of this turn, at the head of great and veteran armies, would not easily be persuaded to submit to a senate which they had been taught to despise, or to reduce the military power, which had long governed all, to a dependance on the civil. Yet Cicero omitted no pains of exhorting them, by letters, and inviting them, by honours, to prefer the glory of saving their country, to all other views whatsoever. Those, whom he most distrusted, and for that reason most particularly pressed, were Lepidus, Pollio, and Plancus; who by the strength of their armies, and their possession of Gaul and Spain, were the best qualified to serve or to distress the republican cause. He had little hopes of the two first; yet managed them so well, by representing the strength of the honest party, the unanimity of the senate, of the consuls, and all Italy, that he forced them, at least, to dissemble their disaffection, and make great professions of their duty; and, above all, to stand neuter till the affairs of Italy

[1] Ad Brut. 2. 7.

[2] Vides Tyranni Satellites in Imperiis: vides ejusdem exercitus; vides in latere veteranos. Ad Att. 14. 5.

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were decided, on which the fate of the republic seemed chiefly to depend. Nay, he seems to have drawn Plancus entirely into his measures: as appears from his account of him to Brutus [1], and from Plancus's own letters, in which he gives the strongest assurance of his fidelity, and offers to lead his troops to the relief of Modena; and was actually upon his march towards it, when he heard upon the road of Antony's defeat.—Not long before which, Cicero sent him the following letter:

"CICERO TO PLANCUS.

"THOUGH I understand, from the account of my friend Furnius, what your design and resolution was, with regard to the republic; yet after reading your letters, I was able to form a clearer judgment of your whole purpose. Wherefore, though the fate of the commonwealth depends wholly on one battle, which will be decided, I believe, when you are reading this letter, yet you have acquired great applause, by the very fame, which was every where spread, of your good intentions: and if there had been a consul at Rome, the senate by decreeing some considerable honour to you, would have declared how acceptable your endeavours and preparations were. But that time is not only not yet past, but was not in my judgment even ripe: for after all, that alone passes with me for honour, which is conferred on great men, not for the hopes of future, but the experience of past services. If, then, there be any republic, in which honour can have its proper lustre, take my word for it, you shall have your share of the greatest: though that, which can truly be called honour, is not an invitation to a temporary, but the reward of an habitual virtue. Wherefore, my dear Plancus, turn your whole thoughts towards glory: help your country; fly to the relief of your colleague; support this wonderful consent and concurrence of all nations: you will ever find me the promoter of your counsels, the favourer of your dignity, and on all occasions, most friendly and faithful to you: for to all the other motives of our union, our mutual affection, good offices, old acquaintance, the love of our country, which is now added, makes me prefer your life to my own. May 29th [2]."

Plancus, in the mean time, sent a second letter to the senate, to assure them of the zeal and resolution to adhere to them; and to acquaint them with the steps which he had already taken for their service: upon which they decreed him

[1] Planci animum in Rempub. egregium, legiones, auxilia, copias ex litteris ejus, quarum exemplum tibi missum arbitror, perspicere potuisti. Ad Brut. 2. 2.
[2] Ep. Fam. 10. 10.

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some extraordinary honours, at the motion of Cicero, who sent him the following account of it.

"CICERO TO PLANCUS.

"THOUGH, out of regard to the republic, my greatest joy ought to be, for your bringing such relief and help to it, in a time almost of extremity; yet, may I so embrace you after victory and the recovery of our liberty, as it is your dignity, that gives me the chief part of my pleasure; which already is, and ever will be, I perceive, as great as possible. For I would not have you think that any letters were ever read in the senate of greater weight than your's; both for the eminent merit of your services, and the gravity of your words and sentiments: which was not at all new to me, who was so well acquainted with you, and remembered the promises of your letters to me, and understood the whole purpose of your counsels, from our Furnius: but they appeared greater to the senate than was expected; not that they ever had any doubt of your inclinations, but did not fully understand how much you were able to do, or how far you would expose yourself in the cause. When M. Varisidius, therefore, brought me your letters, very early on the seventh of April, I was transported with joy upon reading them; and, as a great multitude of excellent citizens were then waiting to attend my going abroad, I instantly gave them all a part of my pleasure. In the mean while, our friend Munatius, according to custom, came to join me: I presently shewed him your letter, of which he knew nothing before; for Varisidius came first to me, as you, he said, had ordered him; soon after, the same Munatius returned to me with the other two letters; that which you had sent to him, and that to the senate: we resolved to carry the last directly to the prætor, Cornutus, who, by the custom of our ancestors, supplies the place of the consuls in their absence. The senate was immediately called, and, upon the fame and expectation of your letters, made up a full house. After they were read, a scruple of religion was objected to Cornutus, from the report of the guardians of the Chickens, that he had not duly consulted the auspices; which was confirmed likewise by our college: so that the affair was adjourned to the next day. On that day I had a great contest about your dignity, with Servilius, who procured, by his interest, to have his opinion declared the first: but the senate left him, and all went the contrary way: but when they were coming into my opinion, which was delivered the second, the tribune, Titius, at his request, interposed his negative: and so the debate was put off again to the day following. Servilius came prepared to support his opposition,

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though against Jupiter himself, in whose temple the thing passed: in what manner I handled him, and what a struggle I had to throw off Titius's negative, I would have you learn rather from other people's letters: take this, however, from mine, that the senate could not possibly act with more gravity, firmness, and regard to your honour, than it did on this occasion; nor is the senate more friendly to you than the whole city; for the body of the people, and all ranks and orders of men, are wonderfully united in the defence of the republic. Go on, therefore, as you have begun, and recommend your name to immortality: and for all these things, which from the vain badges of outward splendour, carry a shew of glory—despise them; look upon them as trifling, transitory, perishing. True honour is placed singly in virtue; which is illustrated with most advantage by great services to our country. You have the best opportunity for this in the world: which, since you have embraced, persevere and go through with it, that the republic may not owe less to you, than you to the republic: you will find me not only the favourer, but the advancer of your dignity: this I take myself to owe both to the republic, which is dearer to me than my life, and to our friendship, &c. April the eleventh [1]."

Plancus answered him, not long after, to the following effect.

"PLANCUS TO CICERO.

"It is a pleasure to me to reflect, that I have never promised any thing rashly of myself to you; nor you for me, to others. In this you have the clearer proof of my love: that I desire to make you acquainted with my designs, before any man else. You already see, I hope, that my services to the public will grow greater every day: I promise that you shall soon be convinced of it. As for me, my dear Cicero, may the republic be so delivered, by my help, from its present dangers, as I esteem your honours and rewards equal to an immortality; yet, were I still without them, I would remit nothing of my present zeal and perseverance. If, in the multitude of excellent citizens, I do not distinguish myself by a singular vigour and industry, I desire no accession to my dignity from your favour: but, in truth, I desire nothing at all for myself at present; nay, am even against it, and willingly make you the arbiter both of the time and the thing itself: a citizen can think nothing late or little, which is given by his country. I passed the Rhone with my army by great journeys, on the

[1] Ep. Fam. 10. 12.

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twenty-sixth of April; sent a thousand horse before me, by a shorter way from Vienna. As for myself, if I am not hindered by Lepidus, none shall complain of my want of expedition: if he opposes me on my road, I shall take my measures from the occasion: the troops which I bring, are, for number, kind, and fidelity, extremely firm. I beg the continuance of your affection, as long as you find yourself assured of mine. Adieu [1]."

Pollio, likewise, who now commanded the farther Spain, with three good legions, though he was Antony's particular friend, yet made the strongest professions to Cicero, of his resolution to defend the republic against all invaders. In one of his letters, after excusing himself, for not having written earlier and oftener, he says, "Both my nature and studies draw me to the desire of peace and liberty; for which reason I always lamented the occasion of the late war; but as it was not possible for me to be of no party, because I had great enemies every where, I ran from that camp, where I could not be safe from the treachery of an enemy; and being driven whither I least desired, freely exposed myself to dangers, that I might not make a contemptible figure among those of my rank. As for Cæsar himself, I loved him with the utmost piety and fidelity, because he treated me on the foot of his oldest friends, though known to him only in the height of his fortunes. When I was at liberty to act after my own mind, I acted so, that the best men should most applaud me: what I was commanded to do, I did so as to shew that it was done by command, and not by inclination. The unjust odium, which I suffered on that account, has sufficiently convinced me, how sweet a thing liberty is, and how wretched is life under the dominion of another. If the contest then be, to bring us all again under the power of one, whoever that one be, I profess myself his enemy: nor is there any danger which I would decline, or wish to avoid, for the sake of liberty. But the consuls have not, either by decree or letters, given me any orders what to do; I have had but one letter from Pansa, since the Ides of March; in which he exhorts me to signify to the senate, that I and my army would be in their power; but when Lepidus was declaring openly to his army, and writing to every body, that he was in the same sentiments with Antony, that step would have been wholly absurd and improper for me: for how could I get forage for my troops against his will, in marching through his province? or, if I had surmounted all other difficulties, could I fly over the Alps, which

[1] Ep. Fam. 10. 9.

were possessed by his garrisons? Nobody will deny, that I declared publicly to my soldiers, at Corduba, that I would not deliver the province to any man, unless he were commissioned by the senate: wherefore you are to look upon me as one, who, in the first place, am extremely desirous of peace, and the safety of all the citizens; in the second, prepared to assert my own and my country's liberty. I am more pleased than you can imagine, that my friend Gallus is so dear to you: I envy him for walking and joking with you: you will ask, perhaps, at what rate I value that privilege; you shall know by experience, if ever it be in our power to live in quiet; for I will never stir one step from you. I am surprised that you never signified, in your letters, how I should be able to do the most service, by staying in the province, or bringing my army into Italy. For my part, though to stay be more safe, and less troublesome; yet, since I see that, in such a time as this, there is more want of legions than of provinces, which may easily be recovered; I am resolved, as things now stand, to come away with my army—from Corduba, the fifteenth of March [1]."

There are several letters also still extant, written at this time, from Cicero to Cornificius, who governed Afric; exhorting him, in the same manner, to firmness in the defence of the republic, and to guard his province from all invaders, who should attempt to extort it from him: and this man, after all, was the only commander, who kept his word with him, and performed his part to his country; and lost his life, at last, in maintaining that province in its allegiance to the republic [2].

P. Servilius, who has often been mentioned in the debates of the senate, was a person of great rank and nobility; had been consul with J. Cæsar, in the beginning of the civil war; the son of that Servilius, who, by his conquests near mount Taurus, obtained the surname of Isauricus. He affected the character of a patriot, but having had a particular friendship with Antony, was much courted by that party; who took the advantage of his vanity, to set him up as a rival to Cicero in the management of public affairs; in which he frequently obstructed Cicero's measures, and took a pride to thwart and disappoint whatever he proposed; Cicero had long suffered this with patience, out of a regard to the public service; till provoked by his late opposition in the affair of Plancus, he could not forbear treating him with an unusual severity and resentment; of which he gives an account in a letter to Brutus.

[1] Ep. Fam. 10. 31. [2] Vid. ibid. 12. 24, &c. App. 1. 621. Dio, 1. 48. 307.

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"CICERO TO BRUTUS.

"FROM Plancus's letters, of which a copy, I imagine, has been sent to you, you will perceive his excellent disposition towards the republic, with the condition of his legions, auxiliaries, and whole forces. Your own people have informed you, I guess, by this time, of the levity, inconstancy, and perpetual disaffection of your friend Lepidus; who, next to his own brother, hates you, his near relations, the most. We are anxious with an expectation, which is now reduced to the last crisis: all our hopes are fixed on the delivery of D. Brutus, for whom we have been in great apprehension. For my part, I have business enough on my hands at home, with the madman Servilius; whom I have endured longer then became my dignity: but I did it for the sake of the republic, lest I should give the disaffected a leader, not well affected, indeed, himself, yet noble, to resort to; which, nevertheless, they still do. But I was not for alienating him wholly from the republic; I have now put an end to my forbearance of him: for he began to be so insolent, that he looked upon no man as free. But, in Plancus's debate, he was strangely mortified; and, after two days' contest, was so roughly handled by me, that he will be the modester, I dare say, for the future. In the midst of our contention, on the nineteenth of April, I had letters delivered to me, in the senate, from our friend Lentulus in Asia, with an account of Cassius, the legions, and Syria; which, when I read presently in public, Servilius sunk, and many more besides; for there are some of eminent rank, who think most wickedly; but Servilius was most sensibly chagrined, for the senate's agreeing to my motion about Plancus. The part which he acts is monstrous [1]."

The news, which is mentioned in this letter to have been sent by Lentulus of Cassius's success, was soon after confirmed by particular letters to Cicero from Brutus and Cassius themselves, signifying that Cassius had possessed himself of Syria before Dolabella arrived there; that the generals, L. Murcus, and Q. Crispus, had given up their armies to him; that a separate legion, under Cæcilius Bassus, had submitted to him against the will of their leader: that four other legions, sent by Cleopatra from Egypt, to the assistance of Dolabella, under his lieutenant Allienus, had declared for him: and, lest the first letter should miscarry, as they often did from such a distance, by passing through the enemy's quarters, Cassius

[1] Ad Brut. 2. 2.

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sent him a second, with a more full and distinct account of all particulars.

"CASSIUS, PROCONSUL, TO HIS FRIEND CICERO.

"IF you are in health, it is a pleasure to me; I am also very well. I have read your letter, in which I perceived your wonderful affection for me; for you not only wish me well, which indeed you have always done, both for my own sake and the republic's; but entertain an uncommon concern and solicitude for me. Wherefore, as I imagined, in the first place, that you would think it impossible for me to sit still, and see the republic oppressed; and, in the second, that, whenever you supposed me to be in action, you would be solicitous about my safety and success; so, as soon as I was master of the legions which Allienus brought from Egypt, I immediately wrote to you, and sent several expresses to Rome: I wrote letters also to the senate, but forbade the delivery of them till they had been first shewn to you. If these letters have not reached you, I make no doubt but that Dolabella, who by the wicked murder of Trebonius, is master of Asia, has seized my messengers, and intercepted them. I have all the armies which were in Syria under my command; and having been forced to sit still a while, till I had discharged my promises to them, am now ready to take the field. I beg of you to take my honour and interests under your special care: for you know that I have never refused any danger or labour for the service of my country: that by your advice and authority, I took arms against these infamous robbers: that I have not only raised armies for the defence of the republic and our liberty, but have snatched them from the hands of the most cruel tyrants; which if Dolabella had seized before me, he would have given fresh spirit to Antony's cause; not only by the approach, but by the fame and expectation of his troops; for which reasons, take my soldiers, I beseech you, under your protection, if you think them to have deserved well of the state; and let none of them have reason to repent that they have preferred the cause of the republic to the hopes of plunder and rapine. Take care, also, as far as it is in your power, that due honour be paid to the emperors, Murcus and Crispus; for Bassus was miserably unwilling to deliver up his legion; and, if his soldiers had not sent a deputation to me, in spite of him, would have held out Apamea against me, till it could be taken by force. I beg this of you, not only for the sake of the republic, which, of all things, was ever the dearest to you, but of our friendship also, which I am confident has a great

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weight with you. Take my word for it, the army which I have is the senate's, and every honest man's, and, above all, your's: for, by hearing perpetually of your good disposition, they have conceived a wonderful affection for you; and, when they come to understand that you make their interests your special care, they think themselves indebted to you for every thing. Since I wrote this, I have heard that Dolabella is come into Cilicia with all his forces: I will follow him thither, and take care that you shall soon be informed of what I have done. I wish only that my success may be answerable to my good intentions. Continue the care of your health, and your love to me [1]."

Brutus, who had sent this good news before to Cicero, as well as to his mother, and sister Tertia, charged the latter not to make it public till they had first consulted Cicero, whether it was proper to do so or not [2]. He was afraid lest the great prosperity of Cassius might give umbrage to the Cæsarian party, and raise a jealousy in the leaders, who were acting against Antony, that the republican interest would grow too strong for them. But Cicero sent him word that the news was already known at Rome, before his letters arrived; and though there was some ground for his apprehensions, yet on the whole, they thought it more advisable to publish than to suppress it [3].

Thus Cicero, as he declared to the senate, by his letters, expresses, and exhortations, was perpetually exciting all, who had power or command in any part of the empire, to the common defence of their liberty [4]; and, for his pains, had all the rage and malice of the factious to struggle with at home. These were particularly troublesome to him at this time, by spreading false reports every day from Modena, of Antony's success, or, what was more to be apprehended, of his union with the consuls against D. Brutus: which raised such a terror through the city, that all honest men were preparing to run away to Brutus or Cassius [5]. Cicero, however, was not disheartened at it, but in the general consternation, appeared cheerful and easy; and, as he sends word to Brutus, had a perfect confidence in the consuls, while the majority of his

[1] Ep. Fam. 12. 12. vid. ib. 11.

[2] Ego scripsi ad Tertiam sororem et matrem, ne prius ederent hoc, quod optime ac felicissime gessit Cassius, quam tuum consilium cognovissent. Ad Brut. 2. 5.

[3] Video te veritum esse, id quod verendum fuit, ne animi partium Cæsaris—vehementer commoverentur. Sed antequam tuas litteras accepimus, audita res erat et pervulgata. Ibid. 6.

[4] Meis litteris, meis nunciis, meis cohortationibus, omnes, qui ubique essent, ad patriæ præsidium excitatos. Philip. 14. 7.

[5] Triduo vero aut quatriduo—timore quodam perculsa civitas tota ad te se cum conjugibus et liberis effundebat. Ad Brut. 3. vid. it. Ep. Fam. 12. 2.

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friends distrusted them; and, from the number and firmness of their troops, had but little doubt of their victory, if ever they came to a battle with Antony [1]. But what touched him more sensibly, was a story kept up for some days with great industry, that he had formed a design to make himself master of the city, and declare himself dictator, and would appear publicly with the fasces within a day or two. The report, as groundless as it was, seems to have disturbed him; but when Appuleius, the tribune, one of his warm friends, was taking pains to confute it, and justify him in a speech to the people, they all cried out, with one voice, that Cicero had never done, nor designed to do, any thing, but what was the best and most beneficial to the republic [2]: this gave him some comfort; but what brought him much greater was, the certain news of a victory gained over Antony, at Modena, which arrived within a few hours after Appuleius's speech [3].

The siege of Modena, which lasted near four months, was one of the most memorable in all antiquity, for the vigonr both of the attack and the defence. Antony had invested it so closely, and posted himself so advantageously, that no succours could be thrown into it; and Brutus, though reduced to the utmost straits, defended it still with the greatest resolution. The old writers have recorded some stratagems, which are said to have been put in practice on this occasion, how Hirtius provided men skilled in diving, with letters written on lead, to pass into the towns under the river which runs through it; till Antony obstructed that passage, by nets and traps placed under water; which gave occasion to another contrivance, of sending their intelligence backwards and forwards by pigeons [4].

Pansa was now upon the point of joining Hirtius, with four legions of new levies, which he brought from Rome; but when he was advanced within a few miles of Hirtius's camp, Antony privately drew out some of his best troops, with design to surprise him on the road, before that union, and to draw him, if possible, to an engagement against his will. We have a particular account of the action, in a letter to Cicero from Ser.

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[1] Tristes enim de Bruto nostro litteræ, nunciique afferebantur. Me quidem non maxime conturbabant. His enim exercitibus, ducibusque quos habemus nullo modo poteram diffidere. Neque assentiebar majori parti hominum. Fidem enim consulum non condemnabam, quæ suspecta vehementer erat. Desiderabam nonnullis in rebus prudentiam et celeritatem. Ad Brut. 2. 1.

[2] Itaque P. Appuleius—doloris mei concionem habuit maximam—in qua, cum me—liberare suspicione fascium vellet, una voce cuncta concio declaravit, nihil esse a me unquam de Repub. nisi optime cogitatum. Philip. 14. 6.

[3] Post hanc concionem duabus tribusve horis optatissimi nuntii et litteræ venerunt. Ibid.

[4] Frontin. de Stratagem. 1. 3. 13. Plin. Hist. Nat. 1. 10. 37. Dio, p. 315.

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Galba, one of the conspirators against Cæsar, who bore a principal part and command in it.

" GALBA TO CICERO.

" On the fifteenth of April, the day on which Pansa was to arrive in Hirtius's camp (in whose company I was, for I went a hundred miles to meet him, on purpose to hasten his march), Antony drew out two of his legions, the second, and thirty-fifth, and two prætorian cohorts; the one his own, the other Silanus's with part of the Evocati[1], and came forward to us, imagining that we had nothing but four legions of new levies. But in the night, to secure our march to the camp, Hirtius had sent us the martial legion, which I used to command, and two prætorian cohorts. As soon as Antony's horse appeared in sight, neither the martial legion nor the prætorian cohorts could be restrained from attacking them; so that when we could not hold them in, we were obliged to follow them against our wills. Antony kept his forces within Castel Franco[2]: and, being unwilling to have it known that he had his legions with him, shewed only his horse and light-armed foot. When Pansa saw the martial legion running forward against his orders, he commanded two of the new raised legions to follow him. As soon as we got through the straits of the morass and the woods, we drew up the twelve cohorts in order of battle. The other two legions were not yet come up. Antony immediately brought all his troops out of the village, ranged likewise in order of battle, and, without delay, engaged us. At first they fought so briskly on both sides, that nothing could possibly be fiercer; though the right wing, in which I was, with eight cohorts of the martial legion, put Antony's thirty-fifth legion to flight at the first onset, and pursued it above five hundred paces from the place where the action began: wherefore, observing the enemy's horse attempting to surround our wing, I began to retreat, and ordered the light-armed troops to make head against the Moorish horse and prevent their coming upon us behind. In the mean while, I perceived myself in the midst of Antony's men, and Antony himself but a little way behind me; upon which, with my shield thrown over my shoulder, I pushed on my horse with all speed towards the new legion that was coming towards us from the camp: and, whilst Antony's men were pursuing me, and our's, by mistake, throwing javelins at me,

[1] The Evocati were a choice body of veteran soldiers, who after their dismission from service, being yet vigorous and fit for war, were invited to it again, as a sort of volunteers, by the consul or general, and distinguished from the rest by peculiar privileges.

[2] Ad Forum Gallorum: now called Castel Franco, a small village on the Æmilian way, between Modena and Bologna. Cluver. Ital. Ant. l. 1. c. 28.

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I was preserved, I know not how, by being presently known to our soldiers. Cæsar's prætorian cohort sustained the fight a long time on the Æmilian road: but our left wing, which was the weaker, consisting of two cohorts of the martial legion, and the prætorian of Hirtius, began to give ground, being surrounded by Antony's horse, in which he is very strong. When all our ranks had made good their retreat, I retreated myself the last to our camp. Antony, as the conqueror, fancied that he could take it; but upon trial, lost many of his men in the attempt, without being able to do us any hurt. Hirtius, in the mean time, hearing of the engagement, marched out with twenty veteran cohorts, and meeting Antony on his return, entirely routed and put to flight his whole army, in the very same place where they had fought before at Castel Franco. About ten at night, Antony regained his camp at Modena, with all his horse. Hirtius retired to that camp which Pansa had quitted in the morning, and where he left the two legions, which Antony attacked. Thus Antony has lost the greater part of his veteran troops, yet not without some loss of our prætorian cohorts, and the martial legion: we took two of Antony's eagles, and sixty standards; and have gained a considerable advantage[1]."

Besides this letter from Galba, there came letters also severally from the two consuls and Octavius; confirming the other account, with the addition of some farther particulars: that Pansa fighting bravely at the head of his troops, had received two dangerous wounds, and was carried off the field to Bologna: that Hirtius had scarce lost a single man: and that to animate his soldiers the better, he took up the eagle of the fourth legion, and carried it forward himself: that Cæsar was left to the guard of their camp; where he was attacked likewise by another body of the enemy, whom he repulsed with great loss[2]. Antony reproached him, afterwards, with running away from this engagement in such a fright, that he did not appear again till two days after, and without his horse or general's habit; but the account just mentioned was given by Cicero, from letters, that were read to the senate, in which Hirtius declared him to have acted with the greatest courage[3].

[1] Ep. Fam. 10. 30.

[2] Cum—ipse in primis Pansa pugnaret, duobus periculosis vulneribus acceptis, sublatus e prælio. Philip. 14. 9.

Hirtius ipse, aquilam quartæ Legionis cum inferret, qua nullius pulchriorem speciem Imperatoris accepimus, cum tribus Antonii Legionibus, equitatuque conflixit. Ibid. 10.

Cæsar—adolescens maximi animi, ut verissime scribit Hirtius, castra multarum Legionum paucis cohortibus tutatus est, secundumque prælium fecit. Ibid. Vid. App. l. 3. 571.

[3] Priore prælio Antonius eum fugisse scribit, ac sine paludamento equoque post biduum demum apparuisse. Sueton. Aug. 10.

A. Urb. 710. Cic. 64. Cos.—C. Vibius Pansa. A. Hirtius.

The news reached Rome on the twentieth of April, where it raised an incredible joy, and the greater we may imagine, for the late terrors, which they had suffered from contrary reports. The whole body of the people assembled presently about Cicero's house, and carried him in a kind of triumph to the capitol, whence, on their return, they placed him in the rostra, to give them an account of the victory; and then conducted him home with infinite acclamations: so that, in a letter upon it to Brutus, he says, that he reaped, on that day, the full fruit of all his toils, if there be any fruit in true and solid glory [1].

The day following the senate was summoned by Cornutus, the prætor, to deliberate on the letters of the consuls and Octavius: Servilius's opinion was, that the city should now quit the sagum, and take the common gown again: and that a public thanksgiving should be decreed jointly to the honour of the consuls and Octavius. Cicero spoke next, and declared strongly against quitting the sagum, till D. Brutus was first delivered from the siege: that it would be ridiculous to put it off, till they should see him in safety, for whose sake they had put it on: that the motion for quitting it, flowed from envy to D. Brutus; to deprive him of the glory that it would be to his name, to have it delivered to posterity, that the people of Rome had put on the sagum for the danger, and resumed the gown for the preservation of one citizen: he advised them, therefore, to continue in their former mind, of thinking the whole danger and stress of the war to depend on D. Brutus; and though there was reason to hope, that he was already safe, or would shortly be so, yet they should reserve the fruit of that hope to fact and the event, lest they should be found too hasty in snatching the favour of the gods, or foolish in contemning the power of fortune [2]. Then, as to the decree of the thanksgiving, he urges Servilius with omitting two things in his vote, which ought necessarily to have accompanied it; the giving Antony the title of enemy, and their own generals of emperors. "The swords of our soldiers are dyed," says he, "or rather moistened only, as yet, with blood: if it was the blood of enemies it was an act of the utmost piety; if of citizens, the most detestable wickedness; how long then shall he, who has outdone all enemies in villany, go without the name of enemy? he is now waging an inexpiable war with four consuls, with the

[1] Cum hesterno die me ovantem ac prope triumphantem populus Romanus in Capitolium domo tulerit, domum inde reduxerit? Philip. 14. 5.
Quo quidem die magnorum meorum laborum,—fructum cepi maximum; si modo est aliquis fructus ex solida veraque gloria, &c. Ad Brut. 3.
[2] Philip. 14. 1. 2.

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senate and people of Rome; denounces plagues, devastation, the rack and tortures to us all: confesses that Dolabella's horrid act, which no barbarians would own, was done by his advice: declares what he would have done to this city, by the calamity of the people of Parma; honest and excellent men, firm to the interests of the senate and people; whom L. Antony, the portent and disgrace of his species, put to death by all the methods of cruelty[1]." That Hannibal was never so barbarous to any city, as Antony to Parma. He conjures them to remember how much they had all been terrified, for two days past, by villanous reports spread about the city; and were expecting, either a wretched death, or lamentable flight; and could they scruple to call those men enemies, from whom they feared such dreadful things? He then proposed to enlarge the number of days of the thanksgiving, since it was not to be decreed to one, but to three generals jointly: to whom, in the first place, he would give the title of emperors, since there had not been a supplication decreed without it for twenty years past: so that Servilius should either not have decreed it at all, or allowed the usual honour to those, to whom even new and unusual honours were due[2]. That if, according to the present custom, the title of emperor was commonly given, for killing a thousand or two of Spaniards, Gauls, or Thracians; how could they refuse it now, when so many legions were routed, and such a multitude slain? "For with what honours," says he, "and congratulations should our deliverers themselves be received into this temple, when yesterday, on the account of what they have done, the people of Rome carried me into the capitol in a kind of triumph? for that, after all, is a just and real triumph, when, by the general voice of the city, a public testimony is given to those who have deserved well of the commonwealth. For if, in the common joy of the whole city, they congratulated me singly, it is a great declaration of their judgment: if they thanked me, still greater: if both, nothing can be imagined more glorious." That he was forced to say so much of himself against his will, by the strange envy and injuries which he had lately suffered: that the insolence of the factious, as they all know, had raised a report and suspicion upon him, of his aiming at a tyranny; though his whole life had been spent in defending the republic from it: as if he, who had destroyed Catiline, for that very crime, was of a sudden become a Catiline himself[3]. That if the report had found credit in the city, their design was, by a sudden assault upon his person, as upon a tyrant, to have taken away his life: that

[1] Philip. 3. [2] Ibid. 4. [3] Ibid. 5.

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the thing itself was manifest, and the whole affair should be laid open in proper time. That he had said all this, not to purge himself to them, to whom he should be sorry to want an apology, but to admonish certain persons, of jejune and narrow minds, to look upon the virtue of excellent citizens, as the object of their imitation, not of their envy; since the republic was a wide field, where the course of glory was open to many [1]: that if any man contested with him the first place in the government, he acted foolishly if he meant to do it by opposing vice to virtue: that as the race was gained by running the fastest, so virtue was only to be conquered by a superior virtue: that they could never get the better of him by bad votes; by good ones, perhaps, they might, and he himself should be glad of it: that the people of Rome were perpetually inquiring, how men of their rank voted and acted, and formed their judgment of them accordingly: that they all remembered how in December last, he was the author of the first step towards recovering their liberty: how from the first of January, he had been continually watching over the safety of the commonwealth: how his house and his ears were open day and night to the advices and informations of all who came to him: how his opinion always was against an embassy to Antony: how he had always voted him an enemy, and their present state a war: but as oft as he mentioned an enemy or a war, the consuls had always dropped his motion, from the number of those that were proposed [2]; which could not, however, be done in the present case, because he, who had already voted a thanksgiving, had unwarily voted Antony an enemy; since a thanksgiving had never been decreed but against enemies, and never asked or granted in what was properly a civil war: that they should either have denied it, or must of course decree those to be enemies, for whose defeat it was granted. Then, after flourishing on the particular merit of the three generals, Pansa, Hirtius, Octavius, and shewing how well they had each deserved the name of emperor, he decrees a thanksgiving of fifty days in the name of the three jointly [3]. In the last place he proceeds to speak of the rewards due to the soldiers, and especially of the honours to be paid to those who had lost their lives in the defence of their country. For these he proposes a splendid monument to be erected in common to them all, at the public charge, with their names and services inscribed; and, in recommending it, breaks out into a kind of funeral eulogium upon them:—"O happy death," says he, "which, when due to nature, was paid to your country! for I cannot but look

[1] Ibid. 6. [2] Ibid. 7. [3] Ibid. 8, 9, 10, 11.

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upon you as born for your country! whose name is even derived from Mars; as if the same God, who gave birth to this city, for the good of nations, had given birth also to you, for the good of this city. Death in flight is scandalous; in victory glorious; wherefore, whilst those impious wretches, whom you slew, will suffer the punishment of their parricide in the infernal regions, you who breathed your last in victory, have obtained the place and seat of the pious. The life given to us by nature is short, but the memory of a life well spent everlasting; if it were not longer than this life, who would be so mad, at the expense of the greatest pains and dangers, to contend for the prize of glory? your lot, therefore, is happy, O you, while you lived, the bravest, now the holiest of soldiers; for the fame of your virtue can never be lost, either by the forgetfulness of those who are now alive, or the silence of those who shall come hereafter; since the senate and people of Rome have raised to you as it were, with their own hands, an immortal monument. There have been many great and famous armies in the Punic, Gallic, Italic wars; yet no such honour was ever done to any of them. I wish that we could still do greater, since you have done the greatest services to us; you drove Antony, mad with rage, from the city; you repulsed him when he attempted to return: a fabric, therefore, shall be erected, or magnificent work, and letters engraved upon it, the eternal witnesses of your Divine virtue; nor will those who see or hear of your monument ever cease talking of you: so that instead of this frail and mortal condition of life you have now acquired an immortality[1]." He then renews their former assurances to the old legions, of the full and punctual payment of all which had been promised to them, as soon as the war should be over: and for those, in the mean time, who had lost their lives for their country, he proposes that the same rewards which would have been given to them, if they had lived, should be given immediately to their parents, children, wives, or brothers. All which he includes, as usual, in the form of a decree, which was ratified by the senate.

Antony being cruelly mortified by this defeat, kept himself close within his camp, and resolved to hazard nothing farther, but to act only on the defensive, except by harassing the enemy with his horse, in which he was far superior. He still hoped to make himself master of Modena, which was reduced to extremity, and, by the strength of his works, to prevent their throwing any relief into it. Hirtius and Octavius, on the other hand, elate with victory, were determined at all

[1] Philip. 12.

A. Urb. 710. Cic. 64. Coss.—C. Vibius Pansa. A. Hirtius.

hazards, to relieve it: and, after two or three days spent in finding the most likely place of breaking through the intrenchments, they made their attack with such vigour, that Antony, rather than suffer the town to be snatched at last out of his hand, chose to draw out his legions, and come to a general battle. The fight was bloody and obstinate; and Antony's men, though obliged to give ground, bravely disputed every inch of it, till D. Brutus, taking the opportunity, at the same time, to sally out of the town, at the head of his garrison, helped greatly to determine and complete the victory. Hirtius pushed his advantage with great spirit, and forced his way into Antony's camp; but, when he had gained the middle of it, was unfortunately killed near the general's tent: Pontius Aquila, one of the conspirators, was killed likewise in the same place: but Octavius, who followed to support them, made good their attempt, and kept possession of the camp, with the entire defeat and destruction of Antony's best troops: while Antony himself, with all his horse, fled with great precipitation towards the Alps. Some writers give a different relation of this action, but, from the facts and circumstances of it, delivered by Cicero, this appears to be the genuine account. The consul Pansa died the day following, of his wounds, at Bologna [1].

SECTION XI.

A. Urb. 710. Cic. 64.

THE entire defeat of Antony's army made all people presently imagine that the war was at an end, and the liberty of Rome established: which would, probably, have been the case, if Antony had either perished in the action, or the consuls survived it: but the death of the consuls, though not felt so sensibly at first, in the midst of their joy for the victory, gave the fatal blow to all Cicero's schemes; and was the immediate cause of the ruin of the republic [2]. Hirtius was a man of letters and politeness; intimately entrusted with Cæsar's counsels, and employed to write his acts: but as he was the proper creature of Cæsar, and strongly infected with party, so his views

[1] Cum alia laudo, et gaudeo accidisse, tum quod Bruti eruptio non solum ipsi salutaris fuit, sed etiam maximo ad victoriam adjumento. Ad Brut. 4.
Ibi Hirtium quoque periisse et Pontium Aquilam, &c. Ep. Fam. 10. 33. vid. it. ibid. 11. 13. et App. l. 3. p. 372.

[2] Hirtium quidem et Pansam—in Consulatu Reip. salutares, alieno sane tempore amisimus. Ep. Fam. 12. 25.
Pansa amisso, quantum detrimenti Respub. acceperit, non te præterit. Ibid. 11. 9. Quanto sit in periculo Respub. quam potero brevissime exponam. Primum omnium, quantam perturbationem rerum urbanarum afferat obitus Consulum, &c. Ibid. 10.

were all bent on supporting the power that had raised him, and serving his patron, not the public. In the beginning, therefore, of the civil war, when he was tribune of the people, he published a law, to exclude all who were in arms with Pompey, from any employment or office in the state [1]: which made him particularly obnoxious to the Pompeians, who considered him as their most inveterate enemy. Pansa, whose father had been proscribed by Sylla [2], was attached with equal zeal to Cæsar, as to the head and reviver of the Marian cause, and served him in all his wars, with singular affection and fidelity: he was a grave, sincere, and worthy man; and being naturally more moderate and benevolent than Hirtius, was touched with the ruin of his country, and the miseries of the oppressed Pompeians: many of whom he relieved by his humanity, and restored, by his interest, to the city and their estates [3]. This made him very popular, and gained him the esteem of all the honest: so that Cassius, in defending his Epicureanism to Cicero, alleges Pansa as an example of those genuine Epicureans, who placed their pleasure or chief good in virtuous acts [4]. Before their entrance into the consulship, Quintus Cicero gave a most wretched account of them both, as of a lewd, luxurious pair; not fit to be trusted with the command of a paltry town, much less of the empire; and says, that if they were not removed from the helm, the republic would certainly be lost; since Antony would easily draw them into a partnership of his crimes: for, when he served with them in Gaul, he, "had seen incredible instances of their effeminacy and debauchery, in the face even of the enemy [5]." But we must charge a great part of this character to the peevishness and envy of Quintus; for, whatever they had been before, they were certainly good consuls; and, out of their affection to Cicero, and regard to his authority, governed themselves, generally, in all great affairs by his maxims. They were persuaded, that the design of revenging Cæsar's death would throw the republic again into convulsions, and flowed from no other motive than the ambition of possessing Cæsar's place; and resolved, therefore, to quell, by open force, all attempts against the public peace. From their long adherence to Cæsar, they retained, indeed, some prejudices in favour of that party, and were loth

[1] Neminem Pompeianum qui vivat tenere lege Hirtia dignitates. Philip. 13. 16.
[2] Dio, l. 45. 278.
[3] Pansa, gravis homo et certus. Ep. Fam. 6. 12.
Quod multos miseriis levavit, et quod se in his malis hominem præbuit, mirabilis cum virorum bonorum benevolentia prosecuta est. Ibid. 15. 17.
[4] Itaque et Pansa, qui ἡδονὴν sequitur, virtutem retinet, &c. Ibid. 19.
[5] Quos ego penitus novi libidinum et languoris effeminatissimi animi plenos: qui nisi a gubernaculis recesserint, maximum ab universo naufragio periculum est, &c. Ibid. 16. 27.

to proceed to extremities, till pacific measures were found ineffectual. This gave Cicero some reason to blame, but never to distrust them; to complain of their phlegm and want of vigour, as detrimental to the common cause: yet, while they were generally suspected by others, he always thought them sincere, though they did not, in all cases, act up to his wishes. The event confirmed his judgment of them; for they both not only exposed, but lost their lives, with the greatest courage, in the defence of the republic, and shewed themselves to be the very men which Cicero had constantly affirmed them to be; and though he imputes some little blame to Hirtius, yet of Pansa he declares, that he wanted neither courage from the first, nor fidelity to the last [1].

If they had lived to reap the fruits of their victory, their power and authority would have been sufficient to restrain Octavius within the bounds of his duty, and sustain the tottering republic, till Brutus and Cassius could arrive to their assistance, and Plancus and D. Brutus unite themselves in the same cause, and give it a firm establishment in their consulship in the next year; all whose armies, together with the African legions, were far superior to any force that could have been brought against them. But the death of the two consuls placed Octavius at once above control, by leaving him master of both their armies, especially of all the veterans, who were disaffected to D. Brutus, and could not be induced to follow him; and it fell out so lucky and apposite to all Octavius's views, as to give birth to a general persuasion, that they had received foul play, and were both of them killed by his contrivance: for he was observed to be the first man who took up Hirtius's body in the camp, where some imagined him to have been killed by his own soldiers; and Pansa's physician, Glyco, was actually thrown in prison, by Torquatus, Pansa's quæstor, upon a suspicion of having poisoned his wounds [2]. But the chief ground of that notion seems to have lain in the fortunate coincidence of the fact with the interests of Octavius:

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[1] Quales tibi sæpe scripsi Consules, tales extiterunt. [Ad Brut. 3.] Erat in Senatu satis vehemens et acer Pansa; cum in cæteros hujus generis, tum maxime in socerum; cui Consuli non animus ab initio, non fides ad extremum defuit. Bellum ad Mutinam gerebatur; nihil ut in Cæsare reprehenderes, nonnulla in Hirtio. Ibid. 10.

N. B.—Several medals were struck by the senate, on the occasion of this victory, particularly one in honour of Pansa, exhibiting the head of the Goddess Liberty crowned with laurel, and the inscription, LIBERTATIS; and on the reverse, Rome sitting upon the spoils of enemies, holding a spear in her right hand, and a dagger in her left, with her foot upon the globe, and victory flying towards her, to crown her with laurel; and the inscription, C. PANSA. C. F. C. N. See Morel. Fam. Rom.

[2] Rumor increbuit, ambos opera ejus occisos: ut Antonio fugato, Repub. Consulibus orbata, solus victores exercitus occuparet. Pansæ quidem adeo suspecta mors fuit, ut Glyco medicus custoditus sit, quasi venenum vulneri indidisset. Sueton. Aug. 11. Dio, l. 46. 317. App. p. 572.

for M. Brutus thought it incredible, and in the most pressing manner, begged of Cicero to procure Glyco's enlargement, and protect him from any harm, as being a worthy, modest man, incapable of such a villany, and who, of all others, suffered the greatest loss by Pansa's death [1].

Cicero was soon aware of the dangerous turn which this event was likely to give to their affairs; and within a day or two after the news, intimates his apprehension of it to Brutus: "Young Cæsar" says he, "has a wonderful disposition to virtue; I wish that I may govern him as easily, in all this height of honour and power, as I have hitherto done: the thing is now much harder,; yet I do not despair of it; for the youth is persuaded, and chiefly by me, that we owe our present safety to him; and, in truth, if he had not at first driven Antony from the city, all had been lost [2]." But as he found Octavius grow daily more and more untractable, so he began to exhort and implore Brutus, in every letter, to bring his army into Italy, as the only thing which could save them in their present circumstances: and to enforce his own authority, he procured a vote also of the senate, to call him home, with his legions, to the defence of the republic [3].

At Rome, however, the general rejoicings stifled all present attention to the loss of their consuls; and Antony's friends were so dejected, for some time, that they gave Cicero no more opposition in the senate: where he poured out all imaginable honours on the deceased, Hirtius, Pansa, and Aquila; decreed an ovation to Cæsar, and added a number of days to their thanksgiving, in honour of D. Brutus; whose deliverance happening to fall upon his birth-day, he decreed, likewise, that his name should be ascribed ever after to that day, in the fasti, or public kalendars, for a perpetual memorial of the victory. Antony's adherents were also declared enemies: in which number Servilius himself included Ventidius; and moved to give Cassius the command of the war against Dollabella: to whom Cicero joined Brutus, in case that he should find it useful to the republic [4].

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[1] Tibi Glycona medicum Pansæ—diligentissime commendo; audimus eum venisse in suspicionem Torquato de morte Pansæ, custodirique ut parricidam Nihil minus credendum, &c. Rogo te, et quidem valde rogo, eripias eum ex custodia. Ad Brut. 6.

[2] Cæsaris vero pueri mirifica indoles virtutis. Utinam tam facile eum florentem et honoribus et gratia regere ac tenere possimus, ut adhuc tenuimus! est omnino illud difficilius: sed non diffidimus. Persuasum est enim adolescenti, et maxime per me, ejus opera nos esse salvos: et certe, nisi is Antonium ab urbe avertisset, periissent omnia. Ibid. 10.

[3] Te, cognita Senatus auctoritate, in Italiam adducere exercitum: quod ut faceres, idque maturares, magnopere desiderabat Respublica. Ibid.

[4] A. d. v. Kalend. Maias cum de iis, qui hostes judicati sunt, bello persequendis, sententiæ dicerentur, dixit Servilius etiam de Ventidio, et ut Cassius persequeretur Dola-

A. Urb. 710. Cic. 64.

The decree of an ovation to Octavius was blamed by Brutus and his friends [1]; yet seems to have been wisely and artfully designed: for, while it carried an appearance of honour, it would regularly have stripped him of his power, if he had made use of it: since his commission was to expire of course, and his army to be dissolved, upon his first entrance into the city: but the confusion of the times made laws and customs of little effect with those who had the power to dispense with them.

The commanders abroad were so struck with Antony's defeat, that they redoubled their assurances to Cicero of their firmness and zeal for the common cause. Lepidus especially, who had suffered two of his lieutenants, Silanus and Culleo, to carry succours to Antony, at Modena, labours to excuse it in a civil and humble strain, and to persuade Cicero, that they had done it against his orders; and though, for their former relation to him, he was unwilling to punish them with the last severity, yet he had not since employed them, or received them even into his camp. He acquaints him that Antony was arrived in his province with one legion, and a great multitude of men unarmed, but with all his horse, which was very strong; and that Ventidius had joined him with three legions: that he was marching out against him with all his forces, and that many of Antony's horse and foot daily deserted him. That, for himself, he would never be wanting in his duty to the senate and the republic: thanks him for not giving credit to the false reports which were spread of him, and above all for the late honours that he had decreed to him: begs him to expect every thing from him which could be expected from an honest man, and to take him under his special protection [2].

Pollio, still more explicitly: that there was no time now for loitering, or expecting the orders of the senate: that all who wished to preserve the empire, and the very name of the Roman people, ought to lend their present help: that nothing was more dangerous, than to give Antony leisure to recollect himself: that for his part, he would neither desert nor survive the republic; was grieved only for his being at such a distance, that he could not come so soon as he wished to its relief [3], &c.

Plancus sent word, that he was taking all possible care to oppress Antony, if he came into that country. That if he came without any considerable body of troops, he should be able to give a good account of him, though he should be re-

bellam. Cui cum essem assensus, decrevi hoc amplius, ut tu, si arbitrarere utile—persequerere bello Dolabellam, &c. Ibid. 5. it. 15.

[1] Suspicor illud minus tibi probari, quod ab tuis familiaribus—non probatur, quod ut ovanti introire Cæsari liceret, decreverim. Ibid. 15.

[2] Ep. Fam. 10. 34. [3] Ibid. 33.

ceived by Lepidus; or, if he brought any force with him, would undertake that he should do no harm in those parts, till they could send him succours sufficient to destroy him: that he was then in a treaty with Lepidus, about uniting their forces in the same cause, by the mediation of Laterensis and Furnius; nor would be hindered, by his private quarrel to the man, from concurring with his greatest enemy in the service of the commonwealth [1]. In another letter, he speaks with great contempt of Antony's shattered forces, though joined with those of Ventidius, the mule-driver as he calls him; and is confident, that, if he could have met with them, they would not have stood an hour before him [2].

The conquerors, at Modena, were much censured in the mean time, for giving Antony leisure to escape; but Octavius, from the beginning, had no thoughts of pursuing him: he had already gained what he aimed at; had reduced Antony's power so low, and raised his own so high, as to be in condition to make his own terms with him in the partition of the empire, of which he seems to have formed the plan from this moment; whereas, if Antony had been wholly destroyed, together with the consuls, the republican party would have probably been too strong for him and Lepidus; who, though master of a good army, was certainly a weak general [3]: when he was pressed, therefore, to pursue Antony, he contrived still to delay it till it was too late; taking himself to be more usefully employed in securing to his interests the troops of the consuls.

Cicero was particularly disgusted at Antony's escape, and often expostulates upon it with D. Brutus; he tells him, that if Antony should ever recover strength again, all his great services to the republic would come to nothing. "It was reported," says he, "at Rome, and all people believed it, that he was fled with a few unarmed, dispirited men, and himself almost broken-hearted; but if it be so with him, as I hear it is, that you cannot fight him again without danger, he does not seem to have fled from Modena, but to have changed only the seat of the war. Wherefore, men are now quite different from what they were; some even complain that you did not pursue him; and think that he might have been destroyed, if diligence had been used: such is the temper of people, and above all of our's, to abuse their liberty against those by whom they obtained it: it is your part, however, to take care that there be

[1] Ep. Fam. 10. 11.

[2] Mihi enim si contigisset, ut prior occurrerem Antonio, non mehercules horam constitisset: tantum ego et mihi confido, et sic perculsas illius copias, Ventidiique mulionis castra despicio. Ibid. 18.

[3] Cum et Lepido omnes imperatores forent meliores, et multis Antonius, dum erat sobrius. Vell. Pat. 2. 63.

no real ground of complaint. The truth of the case is, he who oppresses Antony puts an end to the war. What the force of that is, it is better for you to consider, than for me to write more explicitly [1]."

D. Brutus, in his answer, gives him the reasons, why he could not follow Antony so soon as he wished: "I had no horse," says he, "no carriages; did not know that Hirtius was killed; had no confidence in Cæsar before I met and talked with him: thus the first day passed. The next morning early I was sent for by Pansa to Bologna; but, on the road, met with an account of his death: I ran back to my little army, for so I may truly call it: it is extremely reduced, and in sad condition for want of all things: so that Antony gained two days of me, and made much greater journeys in flying, than I could in pursuing; for his troops went straggling, mine in order. Wherever he passed he opened all the prisons, carried away the men, and stopped no where till he came to the Fords. This place lies between the Apennine and the Alps; a most difficult country to march through: when I was thirty miles from him, and Ventidius had already joined him, a copy of his speech was brought to me, in which he begs of his soldiers to follow him across the Alps; and declares, that he acted in concert with Lepidus: but the soldiers cried out, especially those of Ventidius, for he has a very few of his own, that they would either conquer or perish in Italy, and began to beg, that he would go to Pollentia: when he could not over-rule them, he put off his march to the next day. Upon this intelligence, I presently sent five cohorts before me to Pollentia, and followed them myself with the army: my detachment came to the place an hour before Trebellius, with Antony's horse; this gave me an exceeding joy; for I esteem it equal to a victory [2]," &c.

In another letter he says, that if Cæsar would have been persuaded by him to cross the Apennine, he could have reduced Antony to such straits, that he must have been destroyed by want, rather than the sword; but that they could neither command Cæsar, nor Cæsar his own troops; both which circumstances were very bad [3], &c. This authentic account from D. Brutus confutes two facts, which are delivered by an old historian, and generally received by all the moderns: first, that Octavius, after the victory, refused to have any conference with D. Brutus; and that Brutus for that reason, forbade him

[1] Ep. Fam. 11. 12. [2] Ibid. 13.

[3] Quod si me Cæsar audisset, atque Apenninum transisset, in tantas angustias Antonium compulissem, ut inopia potius quam ferro conficeretur. Sed neque Cæsari imperari potest, nec Cæsar exercitui suo: quod utrumque pessimum est. Ibid. 10.

to enter his province, or to pursue Antony; secondly, that Pansa, in his last moments, sent for Octavius, and advised him to an union with Antony, against the senate [1]. For it is evident, that, on the very day of the victory, there was actually a conference between the two first; which passed in so amicable a manner, as to ease Brutus of the jealousy which he had before conceived of Octavius: and Pansa's death happened so early the next morning, that it left no room for the pretended advice and speech, which is made for him to Octavius: especially since it appears, on the contrary, that, instead of Octavius, Pansa really sent for D. Brutus, when he found himself dying, as if disposed rather to communicate something for the service of that cause, in which he had lost his life. But both the stories were, undoubtedly, forged afterwards, to save Octavius's honour, and give a better colour to that sudden change of measures, which, from this hour, he was determined to pursue [2].

C. Antony was still a prisoner with M. Brutus, whose indulgence gave him an opportunity of practising upon the soldiers, and raising a sedition in the camp, which created no small trouble to Brutus. The soldiers, however, soon repented of their rashness, and killed the authors of it; and would have killed Antony too, if Brutus would have delivered him into their hands: but he could not be induced to take his life, though this was the second offence of the same kind: but, pretending that he would order him to be thrown into the sea, sent him to be secured on ship board, either from doing or suffering any farther mischief [3]: of which he wrote an account to Cicero, who returned the following answer:

"As to the sedition in the fourth legion, about C. Antony, you will take what I say in good part; I am better pleased with the severity of the soldiers, than with your's. I am extremely glad that you have had a trial of the affection of your legions, and the horse: as to what you write, that I am pursuing the Antonies much at my ease, and praise me for it, I suppose you really think so: but I do not, by any means, approve your distinction, when you say, that our animosity ought

[1] Vid. Appian. l. 3. p. 573. it. Hist. Rom. par Catrou et Rouille. T. 17. l. 4. p. 433, &c.

[2] There is an original medal still remaining, that gives no small confirmation to this notion; and was struck, probably at Rome, either by Pansa himself, upon his marching out towards Modena, or by the senate soon after Pansa's death, in testimony of the strict union that subsisted between him and D. Brutus Albinus. For on the one side there is the head of a Silenus, as it is called, or rather of Pan, which is frequent on Pansa's coins, with the inscription also of his name, C. PANSA: and on the other, ALBINVS. BRVTI. F. with two right hands joined, holding a Caduceus as an emblem of the strictest amity and concord. See Famil. Vibia. in Vaillant or Morel.

[3] Dio, l. 47. p. 340.

to be exerted rather in preventing civil wars, than in revenging ourselves on the vanquished. I differ widely from you, Brutus; not that I yield to you in clemency; but a salutary severity is always preferable to a specious show of mercy. If we are so fond of pardoning, there will be no end of civil wars: but you are to look to that; for I can say of myself, what Plautus's old man says in the Trinummus,—life is almost over with me; it is you who are the most interested in it. You will be undone, Brutus, believe me, if you do not take care: for you will not always have the people, nor the senate, nor a leader of the senate, the same as now. Take this, as from the Pythian oracle; nothing can be more true [1]."

Brutus's wife, Porcia, notwithstanding the tragical story, which the old writers have dressed up, of the manner of her killing herself upon the news of her husband's unhappy fate [2], died, most probably, about this time at Rome, of a lingering illness. She seems to have been in a bad state of health when Brutus left Italy; where she is said to have parted from him with the utmost grief and floods of tears, as if conscious that she was taking her last leave of him: and Plutarch says, that there was a letter of Brutus extant in his days, if it was genuine, in which he lamented her death, and complained of his friends for neglecting her in her last sickness: this, however, is certain, that in a letter to Atticus, he gives a hint of Porcia's indisposition, with a slight compliment to Atticus for his care of her [3]: and the following letter of condolence to him from Cicero, can hardly be applied to any other occasion, but that of her death.

"CICERO TO BRUTUS.

"I SHOULD perform the same office which you formerly did in my loss, of comforting you by letter, did I not know, that you cannot want those remedies in your grief, with which you relieved mine. I wish only, that you may now cure yourself more easily, than at that time you cured me: for it would be strange, in so great a man as you, not to be able to practise, what he had prescribed to another. As for me, not only the reasons, which you then collected, but your very authority deterred me from indulging my sorrow to excess. For when you thought me to behave myself with greater softness than became a man; especially one, who used to comfort others, you chid me with more severity than it was usual for you to express; so that, out of a reverence to your judgment, I roused

[1] Ad Brut. 2.
[2] App. l. iv. 669. Dio, l. 47. 356. Val. Max. 4. 6.
[3] Valetudinem Porciæ meæ tibi curæ esse, non miror. Ad Brut. 17.

myself; and, by the accession of your authority, took every thing that I had learnt or read, or heard on that subject, to have the greater weight. Yet my part, Brutus, at that time, was only to act agreeably to duty and to nature; but your's, as we say, is to be acted on the stage, and before the people. For when the eyes not only of your army, but of all the city, nay, of all the world, are upon you, it is wholly indecent for one, by whom we other mortals are made the stouter, to betray any dejection or want of courage. You have suffered, indeed, a great loss (for you have lost that, which has not left its fellow on earth); and must be allowed to grieve under so cruel a blow; lest to want all sense of grief should be thought more wretched than grief itself; but to do it with moderation, is both useful to others, and necessary to yourself. I would write more, if this was not already too much: we expect you and your army: without which, though all other things succeed to our wishes, we shall hardly ever be free [1]."

As the time of choosing magistrates now drew on, and particularly of filling up the colleges of priests, in which there were many vacancies, so Brutus was sending home many of his young nobles to appear as candidates at the election; the two Bibuluses, Domitius, Cato, Lentulus; whom he severally recommends to Cicero's protection. Cicero was desirous, that his son also should come with them to be elected a priest; and wrote to Brutus, to know his mind about it; and, if he thought proper, to send him away immediately; for though he might be chosen in absence, yet his success would be much easier if he was present [2]. He touches this little affair in several of his letters; but, finding the public disorders increase still every day, he procured the election of priests to be thrown off to the next year: and Brutus having sent him word, in the mean while, that his son had actually left him, and was coming towards Rome, he instantly dispatched a messenger, to meet him on the road, with orders to send him back again, though he found him landed in Italy: since nothing, he says, could be more agreeable either to himself, or more honourable to his son, than his continuance with Brutus [3].

Not long after the battle of Modena, the news of Dolabella's defeat and death, from Asia, brought a fresh occasion of joy to

[1] Ad Brut. 9.

[2] Sed quamvis liceat absentis rationem haberi, tamen omnia sunt præsentibus faciliora. Ibid. 5.

[3] Ego autem, cum ad me de Ciceronis abs te discessu scripsisses, statim extrusi tabellarios litterasque ad Ciceronem; ut etiam si in Italiam venisset, ad te rediret. Nihil enim mihi jucundius, illi honestius. Quamquam aliquoties ei scripseram, Sacerdotum comitia, mea summa contentione; in alterum annum esse rejecta, &c. Ad Brut. 14. vid. it. 5, 6, 7.

A. Urb. 710. Cic. 64.

Cicero, and his friends at Rome. Dolabella, after his success against Trebonius, having pillaged that province of its money, and of all things useful for war, marched forward to execute his grand design upon Syria, for which he had been making all this preparation: but Cassius was beforehand with him, and having got possession of that country, and of all the armies in it, was much superior to him in force. Dolabella, however, made his way, with some success through Cilicia, and came before Antioch in Syria, but was denied admittance into it; and, after some vain attempts to take it, being repulsed with loss, marched to Laodicea; which had before invited, and now opened its gates to him. Here Cassius came up with him, and presently invested the place; where, after he had destroyed Dolabella's fleet, in two or three naval engagements, he shut him up closely by sea as well as land; till Dolabella, seeing no way to escape, and the town unable to hold out any longer, killed himself, to prevent his falling alive into Cassius's hands, and suffering the same treatment which he had shewn to Trebonius: but Cassius generously ordered his body to be buried, with that of his lieutenant Octavius, who killed himself also with him [1].

D. Brutus was now at last pursuing Antony, or rather observing the motions of his flight: he had with him, besides his own forces, the new legions of the late consuls, while all the veterans put themselves under the command of Octavius; so that, after Antony was joined by Ventidius, with three legions, Brutus was hardly strong enough either to fight with him, or, what he rather aimed at, to hinder his crossing the Alps to Lepidus. He desired Cicero, therefore, to write to Lepidus, not to receive him, though he was sure, he says, that Lepidus would never do any thing that was right; and wishes, likewise, that Cicero would confirm Plancus; since, by some of Antony's papers, which fell into his hands, he perceived that Antony had not lost all hopes of him, and thought himself sure of Lepidus and Pollio: of which he gave Plancus immediate notice, and signified that he was coming forward with all expedition to join with him [2]. But he complains much, in all his letters, of his want of money and the sad condition of his army, which was not contemptible for the number, but the kind of his troops; being, for the most part, new-raised men, bare, and

[1] Ep. Fam. 12, 13. 15. App. l. 4. 625. Dio, l. 47. 344.

[2] In primis rogo te, ad hominem ventosissimum Lepidum mittas, ne bellum nobis redintegrare possit, Antonio sibi conjuncto.—Mihi persuasissimum est, Lepidum recte facturum nunquam—Plancum quoque confirmetis, oro; quem spero, pulso Antonio, Reipub. non defuturum. Ep. Fam. 11. 9.

Antonius ad Lepidum proficiscitur, ne de Planco quidem spem adhuc abjecit, ut ex libellis suis animadverti, qui in me inciderunt. Ibid. 11.

needy of all things[1]. "I cannot," says he, "maintain my soldiers any longer. When I first undertook to free the republic, I had above three hundred thousand pounds of my own in money; but am now so far from having any thing, that I have involved all my friends in debt for me. I have seven legions to provide for:—consider with what difficulty. Had I the treasures of Varro, I could not support the expense[2]." He desired, therefore, a present supply of money, and some veteran legions, especially the fourth and martial, which continued still with Octavius. This was decreed to him readily by the senate, at the motion of Drusus and Paullus, Lepidus's brother[3]; but Cicero wrote him word, that all who knew those legions the best, affirmed, that they would not be induced, by any terms, to serve under him: that money, however, should certainly be provided for him: and concludes by observing, that if Lepidus should receive Antony, it would throw them again into great difficulties; but that it was Brutus's part to take care that they should have no cause to fear the event: for, as to himself, that he could not possibly do more than he had already done, but wished to see D. Brutus the greatest and most illustrious of men[4].

Plancus, as it is hinted above, was carrying on a negociation with Lepidus, to unite their forces against Antony: it was managed, on Plancus's side, by Furnius; on Lepidus's by Laterensis, one of his lieutenants, a true friend to the republic, and zealous to engage his general to its interests; and Lepidus himself dissembled so well, as to persuade them of his sincerity: so that Plancus was marching forward, in great haste, to join with him, of which he gave Cicero a particular account.

"PLANCUS TO CICERO.

"AFTER I had written my letters, I thought it of service to the public, that you should be informed of what has since happened. My diligence, I hope, has been of use both to myself and to the commonwealth: for I have been treating with Lepidus, by perpetual messages; that, laying aside all former quarrels, he would be reconciled, and succour the republic in common with me, and shew more regard to himself, his child-

[1] Cum sim cum tironibus egentissimis. Ep. Fam. 11. 19.

[2] Alere jam milites non possum. Cum ad Rempub. liberandam accessi, H. S. mihi fuit pecuniæ c c c c amplius. Tantum abest ut meæ rei familiaris liberum sit quidquam, ut omnes jam meos amicos ære alieno obstrinxerim. Septenum numerum nunc legionum alo, qua difficultate, tu arbitrare. Non, si Varronis thesauros haberem, subsistere sumptui possem. Ibid. 10.

[3] Ibid. 19.

[4] Legionem Martiam et quartam negant, qui illas norunt, ulla conditione ad te posse perduci. Pecuniæ, quam desideras, ratio potest haberi, eaque habebitur—ego plus quam feci, facere non possum. Te tamen, id quod spero, omnium maximum et clarissimum videre cupio. Ibid. 14.

ren, and the city, than to a desperate abandoned robber; in which case he might depend on my service and assistance for all occasions: I transacted the affair by Laterensis. He pawned his faith, that, if he could not keep Antony out of his province, he would pursue him by open war: begged that I would come and join forces with him; and, so much the more, because Antony was said to be strong in horse, whereas Lepidus's could hardly be called indifferent: for, not many days before, even out of his small number, ten, who were reckoned his best, came over to me. As soon as I was informed of this, I resolved, without delay, to support Lepidus in the execution of his good intentions. I saw of what benefit my joining him would be, either for pursuing and destroying Antony's horse with mine, or for correcting and restraining, by the presence of my army, the corrupt and disaffected part of Lepidus's. Having made a bridge, therefore, in one day, over the Isere, a very great river, in the territory of the Allobroges, I passed with my army on the 12th of May: but having been informed that L. Antony was sent before, with some horse and cohorts, to Forum Julii, I had sent my brother, the day before, with four thousand horse, to meet with him, intending to follow myself, by great journeys, with four legions, and the rest of my horse, without the heavy baggage. If we have any tolerable fortune for the republic, we shall here put an end to the audaciousness, of the desperate, and to all our own trouble: but if the robber, upon hearing of my arrival, should run back again into Italy, it will be Brutus's part to meet with him there: who will not be wanting, I know, either in counsel or courage: but if that should happen, I will send my brother also with the horse, to follow and preserve Italy from being ravaged by him. Take care of your health, and love me as I love you [1]."

But Lepidus was acting, all the while, a treacherous part, being determined at all hazards to support Antony; and though he kept him at a distance for some time, and seemed to be constrained, at last, by his own soldiers, to receive him: yet, that was only to save appearances, till he could do it with advantage and security to them both: his view in treating with Plancus was, probably, to amuse and draw him so near to them, that when he and Antony were actually joined, they might force him into the same measures, without his being able to help it, or to retreat from them. When he was upon the point, therefore, of joining camps with Antony, he sent word to Plancus, who was within forty miles of him, to stay where he then was, till he should come up to him: but Plancus, sus-

[1] Ibid. 10. 15.

pecting nothing, thought it better still to march on; till Laterensis, perceiving how things were turning, wrote him word in all haste, that neither Lepidus nor his army were to be trusted; and that he himself was deserted; exhorting Plancus to look to himself, lest he should be drawn into a snare, and to perform his duty to the republic; for that he had discharged his faith, by giving him this warning [1], &c.

Plancus gave Cicero a particular account of all these transactions: he acquaints him, that Lepidus and Antony joined their camps on the twenty-eighth of May, and the same day marched forward towards him: of all which he knew nothing, till they were come within twenty miles of him: that, upon the first intelligence of it, he retreated in all haste, repassed the Isere, and broke down the bridges which he had built upon it, that he might have leisure to draw all his forces together, and join them with his colleague D. Brutus, whom he expected in three days: that Laterensis, whose singular fidelity he should ever acknowledge, when he found himself duped by Lepidus, laid violent hands upon himself; but, being interrupted in the act, was thought likely to live: he desires, that Octavius might be sent to him with his forces; or if he could not come in person, that his army, however, might be sent, since his interest was so much concerned in it: that, as the whole body of the rebels was now drawn into one camp, they ought to act against them with the whole force of the republic [2], &c.

The day after this union with Antony, Lepidus wrote a short letter to the senate, wherein he calls the gods and men to witness, that he had nothing so much at heart as the public safety and liberty; of which he should shortly have given them proofs had not fortune prevented him; for that his soldiers, by a general mutiny and sedition, had plainly forced him to take so great a multitude of citizens under his protection. He beseeches them, that, laying aside all their private grudges, they would consult the good of the whole republic; nor, in a time of civil dissension, treat his clemency and that of his army as criminal and traitorous [3].

D. Brutus, on the other hand, joined his army with Plancus, who acted with him for some time with great concord, and the affection of the whole province on their side: which being signified in their common letters to Rome, gave great hopes still and courage to all the honest there. In a letter of Plancus to Cicero, "You know," says he, "I imagine, the state of our

[1] At Laterensis, vir sanctissimus, suo chirographo mittit mihi litteras, in eisque desperans de se, de exercitu, de Lepidi fide, querensque se destitutum; in quibus aperte denuntiat, videam ne fallar; suam fidem solutam esse; Reipub. ne desim. Ep. Fam. 10. 21.
[2] Ibid. 23. [3] Ibid. 35.

forces: in my camp, there are three veteran legions, with one new, but the best of all others of that sort: in Brutus's, one veteran legion, another of two years standing, eight of new levies: so that our whole army is great in number, little in strength: for what small dependance there is on a fresh soldier we have oft experienced to our cost. If the African troops, which are veteran, or Cæsar's should join us, we should willingly put all to the hazard of a battle: as I saw Cæsar's to be the nearest, so I have never ceased to press him, nor he to assure me, that he would come instantly, though I perceive that he had no such thought, and is quite gone off into other measures: yet, I have sent our friend Furnius again to him, with letters and instructions, if he can possibly do any good with him. You know, my dear Cicero, that, as to the love of young Cæsar, it belongs to me in common with you: for, on the account either of my intimacy with his uncle, when alive, it was necessary for me to protect and cherish him; or because he himself, as far as I have been able to observe, is of a most moderate and gentle disposition; or that, after so remarkable a friendship with C. Cæsar, it would be a shame for me not to love him, even as my own child, whom he had adopted for his son. But what I now write, I write out of grief, rather than ill-will: that Antony now lives; that Lepidus is joined with him; that they have no contemptible army; that they have hopes, and dare pursue them, is all entirely owing to Cæsar. I will not recal what is long since passed: but if he had come at the time, when he himself declared that he would, the war would have been either now ended, or removed, to their great disadvantage, into Spain, a province utterly averse to them. What motive, or whose counsels drew him off from a part so glorious, nay, so necessary too, and salutary to himself, and turned him so absurdly to the thoughts of a two months' consulship, to the terror of all people, I cannot possibly comprehend. His friends seem capable of doing much good on this occasion, both to himself and the republic; and, above all others, you, to whom he has greater obligations than any man living, except myself; for I shall never forget, that I am indebted to you for the greatest. I have given orders to Furnius to treat with him on these affairs; and if I had as much authority with him as I ought, should do him great service. We, in the mean time, have a very hard part to sustain in the war: for we neither think it safe to venture a battle, nor yet, by turning our backs, to give the enemy an opportunity of doing greater mischief to the republic: but if either Cæsar would regard his honour, or the African legions come quickly, we shall make you all easy from this quarter. I beg you to continue

your affection to me, and assure yourself that I am strictly your's [1]."

Upon the news of Lepidus's union with Antony, the senate, after some little time spent in considering the effects of it, being encouraged by the concord of D. Brutus and Plancus, and depending on the fidelity of their united forces, voted Lepidus an enemy, on the thirtieth of June; and demolished the gilt statue which they had lately erected to him; reserving still a liberty to him and his adherents, of returning to their duty by the first of September [2]. Lepidus's wife was M. Brutus's sister; by whom he had sons, whose fortunes were necessarily ruined by this vote, which confiscated the father's estate: for which reason Servilia, their grandmother, and Cassius's wife, their aunt, solicited Cicero very earnestly, either that the decree itself might not pass, or that the children should be excepted out of it: but Cicero could not consent to oblige them: for since the first was thought necessary, the second followed of course: he gave Brutus, however, a particular account of the case by letter.

"CICERO TO BRUTUS.

"THOUGH I was just going to write to you by Messala Corvinus, yet I would not let our friend Vetus come without a letter. The republic, Brutus, is now in the utmost danger, and after we had conquered, we are forced again to fight, by the perfidy and madness of M. Lepidus. On which occasion, when, for the care with which I have charged myself of the republic, I had many things to make me uneasy, yet nothing vexed me more, than that I could not yield to the prayers of your mother and sister; for I imagined that I should easily satisfy you, on which I lay the greatest stress. For Lepidus's case could not, by any means, be distinguished from Antony's; nay, in all people's judgment, was even worse: since, after he had received the highest honours from the senate, and but a few days before had sent an excellent letter to them; on a sudden, he not only received the broken remains of our enemies, but now wages a most cruel war against us by land and sea; the event of which is wholly uncertain. When we are desired, therefore, to extend mercy to his children, not a word is said why, if their father should conquer (which the gods forbid,) we are not to expect the last punishment from him. I am not ignorant how hard it is, that children should suffer for the

[1] Ep. Fam. 10. 24.

[2] Lepidus tuus affinis, meus familiaris prid. Kal. Quint. sententiis omnibus hostis a Senatu judicatus est; cæterique qui una cum illo a Repub. defecerunt: quibus tamen ad sanitatem redeundi ante Kal. Sept. potestas facta est. Ibid. 12. 10.

crimes of their parents: but it was wisely contrived by the laws, that the love of their children, should make parents more affectionate to their country. Wherefore, it is Lepidus who is cruel to his children, not he who adjudges Lepidus an enemy; for if, laying down his arms, he were to be condemned only of violence, in which no defence could be made for him, his children would suffer the same calamity by the confiscation of his estate. Yet, what your mother and sister are now soliciting against, in favour of the children, the very same, and much worse, Lepidus, Antony, and our other enemies, are, at this very moment, threatening to us all. Wherefore, our greatest hope is in you and your army; it is of the utmost consequence, both to the republic in general, and to your honour and glory in particular, that, as I wrote to you before, you come as soon as possible into Italy, for the republic is in great want, not only of your forces, but of your counsels. I served Vetus, with pleasure, as you desired me, for his singular benevolence and duty to you: I found him extremely zealous and affectionate both to you and the republic: I shall see my son, I hope, very soon; for I depend on his coming with you quickly to Italy [1]."

Brutus, before he had received this letter, having heard from other friends, what they were designing at Rome against Lepidus, wrote about the same time, and on the same subject, to Cicero.

"BRUTUS TO CICERO.

"OTHER people's fears oblige me to entertain some apprehensions, myself, on Lepidus's account: if he should withdraw himself from us (which will prove, I hope, a rash and injurious suspicion of him), I beg and beseech you, Cicero, conjuring you, by our friendship, and your affection to me, to forget that my sister's children are Lepidus's sons, and to consider me in the place of their father. If I obtain this of you, you will not scruple, I am sure to do whatever you can for them. Other people live differently with their friends; but I can never do enough for my sister's children to satisfy either my inclination or my duty. But what is there in which honest men can oblige me (if in reality I have deserved to be obliged in any thing), or in which I can be of service to my mother, sister, and the boys, if their uncle Brutus has not as much weight with you and the senate to protect, as their father Lepidus to hurt them? I feel so much uneasiness and indignation, that I neither can nor ought to write more fully to you: for if, in a case so important and so necessary, there could be

[1] Ad Brut. 12.

any occasion for words to excite and confirm you, there is no hope that you will do what I wish, and what is proper. Do not expect, therefore, any long prayers from me: consider only what I am, and that I ought to obtain it, either from Cicero, a man the most intimately united with me; or, without regard to our private friendship, from a consular senator of such eminence: pray send me word as soon as you can what you resolve to do. July the first[1]."

Cicero perceiving, from this letter, what he had no notion of before, how great a stress Brutus laid on procuring this favour for his nephews, prevailed with the senate to suspend the execution of their act, as far as it related to them, till the times were more settled[2].

Lepidus and Antony were no sooner joined, than a correspondence was set on foot between them and Octavius; who, from the death of the consuls, shewed but little regard to the authority of Cicero, or the senate; and wanted only a pretence for breaking with them. He waited, however, a while, to see what became of Antony, till finding him received and supported by Lepidus, he began to think it his best scheme to enter into the league with them; and to concur in what seemed to be more peculiarly his own part, the design of revenging the death of his uncle. Instead, therefore, of prosecuting the war any farther, he was persuaded by his friends to make a demand of the consulship, though he was not yet above twenty years old. This step shocked and terrified the city; not that the consulship could give him any power which his army had not already given, but as it indicated a dangerous and unseasonable ambition, grounded on a contempt of the laws, and the senate; and, above all, raised a just apprehension of some attempt against the public liberty: since, instead of leading his army where it was wanted and desired, against their enemies abroad, he chose to march with it towards Rome, as if he intended to subdue the republic itself.

There was a report spread, in the mean while, through the empire, that Cicero was chosen consul: Brutus, mentioning it in a letter to him says, "If I should ever see that day, I should begin to figure to myself the true form of a republic, subsisting by its own strength[3]." It is certain, that he might have been declared consul by the unanimous suffrage of the people, if he had desired it: but, in times of such violence, the title of supreme magistrate, without a real power to support it,

[1] Ad Brut. 13.

[2] Sororis tuæ filiis quam diligenter consulam, spero te ex matris et ex sororis litteris cogniturum, &c. Ib. 15. it. 18.

[3] His litteris scriptis te Consulem factum audivimus; tum vero incipiam proponere mihi Rempub. justam et jam suis nitentem viribus, si isthuc videro. Ad Brut. 4.

A. Urb. 710. Cic. 64.

would have exposed him only to more immediate danger and insults from the soldiers, whose fastidious insolence in their demands, was grown, as he complains, insupportable [1]. Some old writers say, what the moderns take implicitly from them, that he was duped, and drawn in by Octavius, to favour his pretensions to the consulship, by the hopes of being made his colleague, and governing him in the office [2]. But the contrary is evident from several of his letters; and that of all men, he was the most averse to Octavius's design, and the most active in dissuading him from pursuing it. Writing upon it to Brutus: "As to Cæsar," says he, "who has been governed hitherto by my advice, and is indeed of an excellent disposition, and wonderful firmness, some people, by most wicked letters, messages, and fallacious accounts of things, have pushed him to an assured hope of the consulship. As soon as I perceived it, I never ceased admonishing him in absence, nor reproaching his friends who are present, and who seem to encourage his ambition; nor did I scruple to lay open the source of those traitorous counsels in the senate; nor do I ever remember the senate or the magistrates to have behaved better on any occasion: for, it never happened before, in voting an extraordinary honour to a powerful, or rather most powerful man (since power is now measured by force and arms), that no tribune, or any other magistrate, nor so much as a private senator, would move for it: yet, in the midst of all this firmness and virtue, the city is greatly alarmed: for we are abused, Brutus, both by the licentiousness of the soldiers, and the insolence of the general. Every one demands to have as much power in the state, as he has means to extort it: no reason, no moderation, no law, no custom, no duty is at all regarded, no judgment or opinion of the citizens, no shame of posterity [3]," &c.

A. Urb. 710. Cic. 64. Coss.—C. Cæsar Octavianus. Q. Pedius.

WHAT Cicero says in this letter, is very remarkable, that, in all this height of young Cæsar's power, there was not a magistrate, not so much as a single senator, who would move for the decree of his consulship: the demand of it, therefore, was made by a deputation of his officers; and when the senate received it more coldly than they expected, Cornelius, a centurion, throwing back his robe, and shewing them his sword, boldly declared, that if they would not make him consul, that should. But Octavius himself soon put an end to their scru-

[1] Illudimur, Brute, cum militum deliciis, tum Imperatoris insolentia. Ibid. 10.
[2] Plut. in Cic. [3] Ad Brut. 10.

A. Urb. 710. Cic. 64. Coss.—C. Cæsar Octavianus. Q. Pedius.

ples, by marching with his legions in an hostile manner to the city [1]; where he was chosen Consul, with Q. Pedius, his kinsman, and coheir in part of his uncle's estate, in the month of Sextilis; which, on the account of this fortunate beginning of his honours, was called afterwards, from his own surname, Augustus [2].

The first act of his magistracy was to secure all the public money, which he found in Rome, and make a dividend of it to his soldiers. He complained loudly of the senate, that, instead of paying his army the rewards which they had decreed to them, they were contriving to harass them with perpetual toils, and to engage them in fresh wars against Lepidus and Antony; and, likewise, that in the commission granted to ten senators, to provide lands for the legions after the war, they had not named him [3]. But there was no just ground for any such complaints: for those rewards were not decreed, nor intended to be distributed, till the war was quite ended; and the leaving Cæsar out of the commission was not from any particular slight, but a general exception of all, who had the command of armies, as improper to be employed in such a charge; though Cicero, indeed, was of a different opinion, and pressed for their being taken in. D. Brutus and Plancus were excluded as well as Cæsar; and both of them seem, likewise, to have been disgusted at it: so that Cicero, who was one of the number, in order to retrieve the imprudence of a step which gave such offence, would not suffer his colleagues to do any thing of moment, but reserved the whole affair to the arrival of Cæsar and the rest [4].

But Cæsar, being now wholly bent on changing sides and measures, was glad to catch at every occasion of quarrelling with the senate: he charged them with calling him a boy, and treating him as such [5]; and found a pretext also against Cicero himself, whom, after all the services received from him, his present views obliged him to abandon: for some busy informers had told him that Cicero had spoken of him in certain ambiguous terms, which carried a double meaning, either of advancing, or taking him off; which Octavius was desirous to

[1] Consulatum vigesimo ætatis anno invasit, admotis hostiliter ad urbem legionibus missisque, qui sibi exercitus nomine deposcerent. Cum quidem, cunctante Senatu, Cornelius centurio, princeps legationis, rejecto sagulo, ostendens gladii capulum, non dubitasset in curia dicere; hic faciet, si vos non feceritis. Sueton. Aug. c. 26.

[2] Sextilem mensem e suo cognomine nominavit, magis quam Septembrem, in quo erat natus, quia hoc sibi et primus Consulatus, &c. Ibid. 31.

[3] Appian. 3. 581.

[4] Cum ego sensissem, de iis qui exercitus haberent, sententiam ferri oportere, iidem illi, qui solent, reclamarunt. Itaque excepti etiam estis, me vehementer repugnante—itaque cum quidem de Collegis nostris agrariam curationem ligurirent, disturbavi rem, totamque integram vobis reservavi. Ep. Fam. 11. 21. it. 20, 23.

[5] Dio. l. 46. 318. Sueton. Aug. 12.

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have reported every where, and believed in the worse sense. D. Brutus gave Cicero the first notice of it in the following letter:—

"D. BRUTUS, EMPEROR, CONSUL-ELECT, TO M. T. CICERO.

"WHAT I do not feel on my own account, my love and obligations to you make me feel on your's: that is, fear. For after I had been often told, what I did not wholly slight, Labeo Segulius, a man always like himself, just now informs me, that he has been with Cæsar, where there was much discourse on you: that Cæsar himself had no other complaint against you, but for a certain saying, which he declared to have been spoken by you; that the young man was to be praised, adorned, taken off[1]; but he would not be so silly, he said, as to put it into any man's power to take him off. This, I dare say, was first carried to him, or forged by Segulius himself, and did not come from the young man. Segulius had a mind, likewise, to persuade me, that the veterans talk most angrily against you; and that you are in danger from them; and that the chief cause of their anger is, because neither Cæsar nor I am in the commission of the ten, but all things transacted by your will and pleasure: upon hearing this, though I was then upon my march, I did not think it proper to pass the Alps, till I could first learn how matters were going amongst you[2]," &c.

To this Cicero answered.

"The gods confound that Segulius, the greatest knave that is, or was, or ever will be. What! do you imagine, that he told his story only to you and to Cæsar? he told the same to every soul that he could speak with: I love you, however, my Brutus, as I ought, for acquainting me with it, how trifling soever it be: it is a sure sign of your affection. For as to what Segulius says, of the complaint of the veterans, because you and Cæsar were not in the commission, I wish that I was not in it myself; for what can be more troublesome?—but when I proposed that those who had the command of armies should be included in it, the same men, who used to oppose every thing, remonstrated against it; so that you were excepted, wholly against my vote and opinion[3]," &c.

As for the story of the words, he treats it, we see, as too contemptible to deserve an apology, or the pains of disclaiming it; and it seems, indeed, incredible, that a man of his prudence could ever say them. If he had harboured such a thought, or

[1] Laudandum adolescentem, ornandum, tollendum. Which last word signifies, either to raise to honours, or to take away life.

[2] Ep. Fam. 11. 20. [3] Ibid. 21.

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had been tempted, on any occasion, to throw out such a hint, we might have expected to find it in his letters to Brutus; yet on the contrary, he speaks always of Octavius in terms highly advantageous, even where he was likely to give disgust by it. But nothing was more common than to have sayings forged for his, which he had never spoken: and this was one of that sort; contrived to instil a jealousy into Octavius, or to give him a handle, at least, for breaking with Cicero, which, in his present circumstances, he was glad to lay hold of: and when the story was once become public, and supposed to have gained credit with Octavius, it is not strange to find it taken up by the writers of the following ages, Velleius and Suetonius, though not without an intimation from the latter of its suspected credit[1].

While the city was in the utmost consternation, on Cæsar's approach, with his army, two veteran legions from Afric happened to arrive in the Tiber, and were received as a succour sent to them from Heaven; but this joy lasted not long; for presently after their landing, being corrupted by the other soldiers, they deserted the senate, who sent for them, and joined themselves to Cæsar. Pollio, likewise, about the same time, with two of his best legions from Spain, came to the assistance of Antony and Lepidus; so that all the veterans of the western part of the empire were now plainly forming themselves into one body, to revenge the death of their old general. The consent of all these armies, and the unexpected turn of Antony's affairs, staggered the fidelity of Plancus, and induced him, also, at last, to desert his colleague, D. Brutus, with whom he had hitherto acted with much seeming concord: Pollio made his peace, and good terms for him, with Antony and Lepidus, and soon after brought him over to their camp, with all his troops.

D. Brutus, being thus abandoned, and left to shift for himself, with a needy, mutinous army, eager to desert, and ready to give him up to his enemies, had no other way to save himself, than by flying to his namesake in Macedonia: but the distance was so great, and the country so guarded, that he was often forced to change his road, for fear of being taken; till, having dismissed all his attendants, and wandered for some time alone, in disguise and distress, he committed himself to the protection of an old acquaintance and host, whom he had formerly obliged; where, either through treachery or accident, he was surprised by Antony's soldiers, who immediately killed him, and returned with his head to their general[2].

[1] Vell. Pat. 2. 62. Sueton. Aug. c. 12. [2] Vell. Pat. 2. 64. App. l. 3. 588.

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Several of the old writers have reproached his memory with a shameful cowardice, in the manner of suffering his death, unworthy of the man who had killed Cæsar, and commanded armies. But their accounts are so various, and so inconsistent with the character of his former life, that we may reasonably suspect them to be forged by those who were disposed to throw all kinds of contumely on the murderers of Cæsar [1].

But what gave the greatest shock to the whole republican party, was a law contrived by Cæsar, and published by his colleague, Pedius, to bring to trial and justice all those who had been concerned either in advising or effecting Cæsar's death: in consequence of which, all the conspirators were presently impeached, in form, by different accusers; and, as none of them ventured to appear to their citations, they were all condemned, of course; and, by a second law interdicted from fire and water: Pompey, also, though he had borne no part in that act, was added to the number, as an irreconcileable enemy to the Cæsarian cause: after which, Cæsar to make amends for the unpopularity of his law, distributed to the citizens the legacies which his uncle had left them by will [2].

Cicero foresaw that things might possibly take this turn, and Plancus himself prove treacherous; and for that reason, was constantly pressing Brutus and Cassius to hasten to Italy as the most effectual means to prevent it; every step that Cæsar took confirmed his apprehensions, and made him more importunate with them to come, especially after the union of Antony and Lepidus. In his letters to Brutus, "Fly to us," says he, "I beseech you, and exhort Cassius to the same; for there is no hope of liberty, but from your troops [3]. If you have any regard for the republic, for which you were born, you must do it instantly; for the war is renewed by the inconstancy of Lepidus; and Cæsar's army, which was the best, is not only of no service to us, but even obliges us to call for your's; as soon as ever you touch Italy, there is not a man, whom we can call a citizen, who will not immediately be in your camp. We have D. Brutus, indeed, happily united with Plancus: but you are not ignorant how changeable men's minds are, and how infected with party, and how uncertain the events of war: nay, should we conquer, as I hope we shall, there will be a want of your advice and authority, to settle all affairs. Help us, therefore, for God's sake, and as soon as possible; and assure yourself that you did not do a greater service to your country on

[1] Senec. Ep. 82. 543. Dio, l. 16. 325. Val. Max. 9. 13.
[2] App. l. 3. 586. Dio, 46. 322.
[3] Quamobrem advola, obsecro—hortare idem per litteras Cassium. Spes libertatis nusquam nisi in vestrorum castrorum principiis est. Ad Brut. 10.

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the Ides of March, when you freed it from slavery, than you will do by coming quickly[1]."

After many remonstrances of the same kind, he wrote also the following letter:—

"CICERO TO BRUTUS.

"AFTER I had often exhorted you by letters, to come as soon as possible to the relief of the republic, and bring your army into Italy, and never imagined that your own people had any scruples about it, I was desired by that most prudent and diligent woman, your mother, all whose thoughts and cares are employed on you, that I would come to her on the twenty-fourth of July; which I did, as I ought, without delay. When I came, I found Casca, Labeo, and Scaptius with her. She presently entered into the affair, and asked my opinion, whether we should send for you to Italy; and whether I thought it best for you to come, or to continue abroad. I declared, what I took to be the most for your honour and reputation, that, without loss of time, you should bring present help to the tottering and declining state. For what mischief may not one expect from that war, where the conquering armies refused to pursue a flying enemy? where a general, unhurt, unprovoked, possessed of the highest honours, and the greatest fortunes, with a wife, children, and near relation to you, has declared war against the commonwealth? I may add, where in so great a concord of the senate and people, there resides still so much disorder within the walls? But the greatest grief which I feel, while I am now writing, is to reflect, that when the republic had taken my word for a youth, or rather a boy, I shall hardly have it in my power to make good what I promised for him. For it is a thing of much greater delicacy and moment, to engage one's self for another's sentiments and principles, especially in affairs of importance, than for money: for money may be paid, and the loss itself be tolerable: but how can you pay what you are engaged for to the republic, unless he, for whom you stand engaged, will suffer it to be paid? Yet I am still in hopes to hold him; though many are plucking him away from me: for his disposition seems good, though his age be flexible, and many always at hand to corrupt him; who, by throwing in his way the splendour of false honour, think themselves sure of dazzling his good sense and understanding. Wherefore, to all my other labours, this new one is added, of setting all en-

[1] Subveni igitur, per Deos, idque quam primum: tibique persuade, non te Idibus Martiis, quibus servitutem a tuis civibus repulisti, plus profuisse patriæ, quam, si mature veneris, profuturum. Ad Brut. 14.

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gines at work to hold fast the young man, lest I incur the imputation of rashness. Though what rashness is it after all? for, in reality, I bound him, for whom I was engaged, more strongly than myself: nor has the republic, as yet, any cause to repent that I was his sponsor: since he has, hitherto, been the more firm and constant in acting for us, as well from his own temper as for my promise. The greatest difficulty in the republic, if I mistake not, is the want of money: for honest men grow every day more and more averse to the name of tribute; and what was gathered from the hundredth penny, where the rich are shamefully rated, is all spent in rewarding the two legions. There is an infinite expense upon us, to support the armies, which now defend us; and also yours; for our Cassius seems likely to come sufficiently provided. But, I long to talk over this, and many other things, with you in person; and that quickly. As to your sister's children, I did not wait, Brutus, for your writing to me: the times themselves, since the war will be drawn into length, reserve the whole affair to you: but from the first, when I could not foresee the continuance of the war, I pleaded the cause of the children in the senate, in a manner, which you have been informed of I guess by your mother's letters: nor can there ever be any case, where I will not both say and do, even at the hazard of my life, whatever I think agreeable either to your inclination, or to your interest. The twenty-sixth of July[1]."

In a letter, likewise, to Cassius, he says, "We wish to see you in Italy, as soon as possible; and shall imagine, that we have recovered the republic, when we have you with us. We had conquered nobly, if Lepidus had not received the routed, disarmed, fugitive Antony: wherefore Antony himself was never so odious to the city, as Lepidus is now: for he began a war upon us, from a turbulent state of things; this man from peace and victory. We have the consuls elect to oppose him: in whom indeed we have great hopes; yet not without an anxious care for the uncertain events of battles. Assure yourself, therefore, that all our dependance is on you and your Brutus; that you are both expected, but Brutus immediately[2]," &c.

But, after all these repeated remonstrances of Cicero, neither Brutus nor Cassius seem to have entertained the least thought of coming with their armies to Italy. Cassius, indeed, by being more remote, could not come so readily, and was not so much expected as Brutus; who, before the battle of Modena, had drawn down all his legions to the sea-coast, and kept them at

[1] Ibid. 18. [2] Ep. Fam. 12. 10.

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Apollonia and Dyrrachium, waiting the event of that action, and ready to embark for Italy if any accident had made his assistance necessary; for which Cicero highly commends him [1]. But, upon the news of Antony's defeat, taking all the danger to be over, he marched away directly to the remotest parts of Greece and Macedonia, to oppose the attempts of Dolabella; and from that time, seemed deaf to the call of the senate, and to all Cicero's letters, which urged him so strongly to come to their relief. It is difficult, at this distance, to penetrate the motives of his conduct: he had a better opinion of Lepidus than the rest of his party had; and, being naturally positive, might affect to slight the apprehensions of Lepidus's treachery, which was the chief ground of their calling so earnestly for him. But he had other reasons, also, which were thought to be good; since some of his friends at Rome, as we may collect from Cicero's letter, were of a different mind from Cicero on the subject of his coming. They might suspect the fidelity of his troops; and that they were not sufficiently confirmed and attached to him, to be trusted in the field against the veterans in Italy; whose example and invitation, when they came to face each other, might possibly induce them to desert, as the other armies had done, and betray their commanders. But whatever was their real motive, D. Brutus, who was the best judge of the state of things at home, was entirely of Cicero's opinion: he saw himself surrounded with veteran armies, disaffected to the cause of liberty: knew the perfidy of Lepidus; the ambition of young Cæsar; and the irresolution of his colleague, Plancus; and admonished Cicero, therefore, in all his letters, to urge his namesake to hasten his march to them [2]. So that, on the whole, it seems reasonable to believe, that, if Brutus and Cassius had marched with their armies towards Italy, at the time when Cicero first pressed it, before the defection of Plancus and the death of Decimus, it must have prevented the immediate ruin of the republic.

The want of money, of which Cicero complains at this time, as the greatest evil that they had to struggle with, is expressed also very strongly in another letter to Cornificius, the proconsul of Afric, who was urging him to provide a fund for the support of his legions: "As to the expense," says he, "which you have made, and are making, in your military preparations, it is not in my power to help you; because the senate is now

[1] Tuum consilium vehementer laudo, quod non prius exercitum Apollonia Dyrrhachioque movisti, quam de Antonii fuga audisti, Bruti eruptione, populi Romani victoria. Ad Brut. 2.

[2] De Bruto autem nihil adhuc certi. Quem ego, quemadmodum præcipis, privatis litteris ad bellum commune vocare non desino. Ep. Fam. 11. 25. it. 26.

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without a head, by the death of the consuls, and there is an incredible scarcity of money in the treasury; which we are gathering, however, from all quarters, to make good our promises to the troops, that have deserved it of us; which cannot be done, in my opinion, without a tribute [1]." This tribute was a sort of capitation tax, proportioned to each man's substance, but had been wholly disused in Rome, from the conquest of Macedonia, by Paulus Æmilius, which furnished money and rents sufficient to ease the city ever after of that burthen, till the necessity of the present times obliged them to renew it [2]. But from what Cicero intimates of the general aversion to the revival of it, one cannot help observing the fatal effects of that indolence and luxury, which had infected even the honest part of Rome; who, in this utmost exigency of the republic, were shocked at the very mention of an extraordinary tax; and would not part with the least share of their money for the defence even of their liberty: the consequence of which was, what it must always be in the like case, that, by starving the cause, they found, not only their fortunes, but their lives also, soon after, at the mercy of their enemies. Cicero has a reflection in one of his speeches, that seems applicable also to the present case, and to be verified by the example of these times. "The republic," says he, "is attacked always with greater vigour, than it is defended; for the audacious and profligate, prompted by their natural enmity to it, are easily impelled to act upon the least nod of their leaders: whereas the honest, I know not why, are generally slow, and unwilling to stir; and neglecting always the beginnings of things, are never roused to exert themselves, but by the last necessity: so that through irresolution and delay, when they would be glad to compound at last for their quiet, at the expense even of their honour, they commonly lose them both [3]."

This observation will serve to vindicate the conduct of Cassius from that charge of violence and cruelty, which he is said to have practised, in exacting money, and other necessaries, from the cities of Asia. He was engaged in an inexpiable war, where he must either conquer or perish with the republic itself; and where his legions were not only to be supported, but rewarded: the revenues of the empire were exhausted; con-

[1] De sumtu, quem te in rem militarem facere et fecisse dicis, nihil sane possum tibi opitulari, propterea quod et orbus Senatus, Consulibus amissis, et incredibiles angustiæ pecuniæ publicæ, &c. Ibid. 12. 30.

[2] At Perse Rege devicto Paulus, cum Macedonicis opibus veterem atque hereditariam Urbis nostræ paupertatem eo usque satiasset, ut illo tempore primum populus Romanus tributi præstandi onere se liberaret. Val. Max. 4. 3. it. Plin. Hist. N. 33. 3.

[3] Pro Sextio, 47.

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tributions came in sparingly; and the states abroad were all desirous to stand neuter, as doubtful of the issue, and unwilling to offend either side. Under these difficulties, where money was necessary, and no way of procuring it but force, extortion became lawful; the necessity of the end justified the means; and, when the safety of the empire and the liberty of Rome were at stake, it was no time to listen to scruples. This was Cassius's way of reasoning, and the ground of his acting; who applied all his thoughts to support the cause that he had undertaken, and kept his eyes, as Appian says, wholly fixed upon the war, as a gladiator upon his antagonist [1].

Brutus, on the other hand, being of a temper more mild and scrupulous, contented himself generally with the regular methods of raising money; and, from his love of philosophy, and the politer studies, having contracted an affection for the cities of Greece, instead of levying contributions, used to divert himself wherever he passed, with seeing their games and exercises, and presiding at their philosophical disputations, as if travelling rather for curiosity, than to provide materials for a bloody war [2]. When he and Cassius, therefore, met, the difference of their circumstances shewed the different effects of their conduct. Cassius, without receiving a penny from Rome, came rich and amply furnished with all the stores of war: Brutus, who had received large remittances from Italy, came empty and poor, and unable to support himself without the help of Cassius, who was now forced to give him a third part of that treasure, which he had been gathering with so much envy to himself for the common service [3].

While Cicero was taking all this pains, and struggling thus gloriously in the support of their expiring liberty, Brutus, who was naturally peevish and querulous, being particularly chagrined by the unhappy turn of affairs in Italy, and judging of counsels by events, was disposed at last to throw all the blame upon him; charging him chiefly, that, by a profusion of honours on young Cæsar, he had inspired him with an ambition incompatible with the safety of the republic, and armed him with that power which he was now employing to oppress it: whereas the truth is, that by those honours, Cicero did not intend to give Cæsar any new power, but to apply that which he had acquired, by his own vigour, to the public service and the ruin of Antony; in which he succeeded even beyond ex-

[1] Ὁ μὲν Κάσσιος ἀμεταστρεπτί, καθάπερ ἐς τὸν ἀγωνιστὴν οἱ μονομαχοῦντες, ἐς μόνον τὸν πόλεμον ἀφεώρα. App. l. 4. 667.

[2] Ὁ δὲ Βροῦτος, ὅπη γίγνοιτο, καὶ φιλοθεάμων ἦν καὶ φιλήκοος, ἅτε καὶ φιλοσοφήσας οὐκ ἀγεννῶς. Ibid.

[3] Plut. in Brut.

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pectation; and would certainly have gained his end, had he not been prevented by accidents which could not be foreseen. For it is evident, from the facts above-mentioned, that he was always jealous of Cæsar, and, instead of increasing, was contriving some check to his authority, till, by the death of the consuls, he slipped out of his hands, and became too strong to be managed by him any longer. Brutus, by being at such a distance, was not well apprized of the particular grounds of granting those honours; but Decimus, who was all the while in Italy, saw the use and necessity of them, and seems to hint, in some of his letters, that they ought to have decreed still greater [1].

But whatever Brutus, or any one else, may have said, if we reflect on Cicero's conduct, from the time of Cæsar's death to his own, we shall find it, in all respects, uniform, great, and glorious; never deviating from the grand point which he had in view, the liberty of his country: whereas, if we attend to Brutus's, we cannot help observing in it something strangely various and inconsistent with itself. In his outward manners and behaviour, he affected the rigour of a stoic, and the severity of an old Roman; yet, by a natural tenderness and compassion, was oft betrayed into acts of effeminate weakness. To restore the liberty of his country, he killed his friend and benefactor; and declares, that, for the same cause, he would have killed even his father [2]: yet he would not take Antony's life, though it was a necessary sacrifice to the same cause. When Dolabella had basely murdered Trebonius, and Antony openly approved the act, he could not be persuaded to make reprisals on C. Antony; but, through a vain ostentation of clemency, suffered him to live, though with danger to himself. When his brother-in-law, Lepidus, was declared an enemy, he expressed an absurd and peevish resentment of it, for the sake of his nephews, as if it would not have been in his power to have repaired their fortunes, if the republic was ever restored; or if not, in their father's. How contrary is this to the spirit of that old Brutus, from whom he derived his descent, and whom in his general conduct, he pretended to imitate! He blames Cicero for dispensing honours too largely, yet claims an infinite share of them to himself; and when he had seized, by his private authority, what the senate, at Cicero's motion, confirmed to him, the most extraordinary command which had

[1] Mirabiliter, mi Brute, lætor, mea consilia, measque sententias a te probari, de Decemviris, de ornando adolescente. Ep. Fam. 11. 14. it. 20.

[2] —— Non concesserim, quod in illo non tuli, sed ne patri quidem meo, si reviviscat, ut, patiente me, plus legibus ac Senatu possit. [Ad Brut. 16.] Sed dominum, ne parentem quidem, majores nostri voluerunt esse. Ibid. 17.

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been granted to any man, he declares himself an enemy to all extraordinary commissions, in what hands soever they were lodged [1].

This inconsistency in his character, would tempt us to believe, that he was governed in many cases, by the pride and haughtiness of his temper, rather than by any constant and settled principles of philosophy, of which he is commonly thought so strict an observer.

Cicero, however, notwithstanding the peevishness of Brutus, omitted no opportunity of serving and supporting him to the very last. As soon as he perceived Cæsar's intention of revenging his uncle's death, he took all imaginable pains to dissuade him from it, and never ceased from exhorting him by letters to a reconciliation with Brutus, and the observance of that amnesty, which the senate had decreed, as the foundation of the public peace. This was certainly the best service which he could do, either to Brutus or the republic; and Atticus, imagining that Brutus would be pleased with it, sent him a copy of what Cicero had written on that subject; but instead of pleasing, it provoked Brutus only the more: he treated it as base and dishonourable to ask any thing of a boy, or to imagine the safety of Brutus to depend on any one but himself, and signified his mind upon it both to Cicero and Atticus, in such a style, as confirms what Cicero had long before observed, and more than once declared of him, that his letters were generally churlish, unmannerly, and arrogant; and that he regarded neither what, nor to whom he was writing [2]. But their own letters to each other will be the best vouchers of what I have been remarking, and enable us to form the surest judgment of the different spirit and conduct of the men. After Brutus, therefore, had frequently intimated his dissatisfaction and dislike of Cicero's management, Cicero took occasion, in the following letter, to lay open the whole progress of it, from the time of Cæsar's death, in order to shew the reasonableness and necessity of each step:

"CICERO TO BRUTUS.

"You have Messala now with you. It is not possible, therefore, for me to explain, by letter, though ever so accurately drawn, the present state of our affairs so exactly as he, who not only knows them all more perfectly, but can describe them more elegantly than any man; for I would not have you imagine, Brutus, (though there is no occasion to tell you what

[1] Ego certe—cum ipsa re bellum geram, hoc est cum regno, et imperiis extraordinariis et dominatione et potentia. Ad Brut. 17.

[2] Ad Att. 6. 1. 3.

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you know already yourself, but that I cannot pass over in silence such an excellence of all good qualities) I would not have you imagine, I say, that, for probity, constancy, and zeal for the republic, there is any one equal to him; so that eloquence, in which he wonderfully excels, scarce finds a place among his other praises: since, even in that, his wisdom shines the most eminent, by his having formed himself with so much judgment and skill to the truest manner of speaking. Yet his industry, all the while is so remarkable, that he spends so much of his time in study, that he seems to owe but little to his parts, which still are the greatest. But I am carried too far by my love for him; for it is not the purpose of this epistle to praise Messala, especially to Brutus, to whom his virtue is not less known than to myself; and these very studies, which I am praising still more: whom when I could not part with without regret, I comforted myself by reflecting, that by his going away to you, as it were to my second self, he both discharged his duty, and pursued the truest path to glory. But so much for that[1]. I come now, after a long interval, to consider a certain letter of your's, in which, while you allow me to have done well in many things, you find fault with me for one; that, in conferring honours I was too free, and even prodigal. You charge me with this; others, probably, with being too severe in punishing, or you yourself, perhaps, with both: if so, I desire that my judgment and sentiments on each may be clearly explained to you: not that I mean to justify myself by the authority of Solon, the wisest of the seven, and the only

[1] Publius Valerius Messala Corvinus, of whom Cicero here gives so fine a character, was one of the noblest, as well as the most accomplished persons of his age, who lived long afterwards, the general favourite of all parties, and a principal ornament of Augustus's court. Being in arms with Brutus, he was proscribed, of course, by the triumvirate, yet was excepted soon after by a special edict, but refused the benefit of that grace, and adhered to the cause of liberty till he saw it expire, with his friend. After the battle of Philippi, the troops that remained freely offered themselves to his command; but he chose to accept peace, to which he was invited by the conquerors, and surrendered himself to Antony, with whom he had a particular acquaintance. When Cæsar was defeated, not long after, by S. Pompey, on the coast of Sicily, being in the utmost distress and danger of life, he committed himself, with one domestic, to the fidelity of Messala; who, instead of revenging himself on one who had so lately proscribed and set a price upon his head, generously protected and preserved him. He continued still in the friendship of Antony, till the scandal of Antony's life, and slavish obsequiousness to Cleopatra, threw him wholly into the interests of Cæsar, by whom he was declared consul in Antony's place, greatly entrusted in the battle of Actium, and honoured at last with a triumph, for reducing the rebellious Gauls to their obedience. He is celebrated by all writers, as one of the first orators in Rome; and having been the disciple of Cicero, was thought by some, to excel even his master, in the sweetness and correctness of his style; preserving always a dignity, and demonstrating his nobility by the very manner of his speaking. To the perfection of his eloquence he had added all the accomplishments of the other liberal arts; was a great admirer of Socrates, and the severer studies of philosophy, yet an eminent patron of all the wits and poets of those times. Tibullus was the constant companion of all his foreign expeditions, which he celebrates in his elegies; and Horace, in one of his odes, calls for his choicest wines, for the entertainment of so noble a guest. Yet this polite and amiable man, impaired by sickness, and worn out at last by age, is said to have outlived his senses and memory, till he had forgotten even his very name. See App. p. 611. 736. Tacit. Dial. 13. Quintil. 10. 1. Tibul. Eleg. lib. 1. 7. Hor. Carm. 3. 21. Plin. Hist. N. 7. 24.

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legislator of them all, who used to say that the public weal was comprised in two things—rewards and punishments; in which, however, as in every thing else, a certain medium and temperament is to be observed. But it is not my design, at this time, to discuss so great a subject; I think it proper only to open the reasons of my votes and opinions in the senate, from the beginning of this war. After the death of Cæsar, and those your memorable Ides of March, you cannot forget, Brutus, what I declare to have been omitted by you, and what a tempest I foresaw hanging over the republic:—you had freed us from a great plague; wiped off a great stain from the Roman people; acquired to yourselves Divine glory: yet all the equipage and furniture of kingly power was left still to Lepidus and Antony; the one inconstant, the other vicious; both of them afraid of peace, and enemies to the public quiet. While these men were eager to raise fresh disturbances in the republic, we had no guard about us to oppose them, though the whole city was eager and unanimous in asserting its liberty: I was then thought too violent; while you, perhaps more wisely, withdrew yourselves from that city, which you had delivered, and refused the help of all Italy, which offered to arm itself in your cause. Wherefore, when I saw the city in the hands of traitors, oppressed by the arms of Antony, and neither you nor Cassius could be safe in it, I thought it time for me to quit it too: for a city overpowered by traitors, without the means of relieving itself, is a wretched spectacle: yet my mind, always the same, and ever fixed on the love of my country, could not bear the thought of leaving it in distress: in the midst, therefore, of my voyage to Greece, and in the very season of the Etesian winds, when an uncommon south wind, as if displeased with my resolution, had driven me back to Italy, I found you at Velia, and was greatly concerned at it: for you were retreating, Brutus; were retreating, I say; since your stoics will not allow their wise men to fly. As soon as I came to Rome, I exposed myself to the wickedness and rage of Antony; and, when I had exasperated him against me, began to enter into measures, in the very manner of the Brutuses (for such are peculiar to your blood), for delivering the republic. I shall omit the long recital of what followed, since it all relates to myself, and observe only, that young Cæsar, by whom, if we will confess the truth, we subsist at this day, flowed from the source of my counsels. I decreed him no honours, Brutus, but what were due; none but what were necessary: for as soon as we began to recover any liberty, and before the virtue of D. Brutus had yet shewn itself so far that we could know its Divine force; and while our whole defence was in the boy who repelled Antony from our necks,

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what honour was not really due to him? though I gave him nothing yet but the praise of words, and that but moderate. I decreed him, indeed, a legal command: which, though it seemed honourable to one of that age, was yet necessary to one who had an army: for what is an army without the command of it? Philip voted him a statue; Servius the privilege of suing for offices before the legal time, which was shortened still by Servilius; nothing was then thought too much; but we are apt, I know not how, to be more liberal in fear, than grateful in success. When D. Brutus was delivered from the siege, a day of all others the most joyous to the city, which happened also to be his birth-day, I decreed, that his name should be ascribed for ever to that day, in the public calendars. In which I followed the example of our ancestors, who paid the same honour to a woman, Larentia; at whose altar your priests perform sacred rites in the Velabrum: by giving this to D. Brutus, my design was, to fix in the calendars a perpetual memorial of a most acceptable victory: but I perceived, on that day, that there was more malevolence than gratitude in many of the senate. During these same days, I poured out honours (since you will have it so) on the deceased Hirtius, Pansa, and Aquila: and who can find fault with it, but those who, when fear is once over, forget their past danger? But besides the grateful remembrance of services, there was an use in it, which reached to posterity: for I was desirous, that there should remain an eternal monument of the public hatred to our most cruel enemies. There is one thing, I doubt, which does not please you; for it does not please your friends here; who, though excellent men, have but little experience in public affairs; that I decreed an ovation to Cæsar: but, for my part (though I may perhaps be mistaken, for I am not one of those who approve nothing but what is my own), I cannot but think, that I have advised nothing more prudent during this war. Why it is so, is not proper to be explained, lest I be thought to have been more provident in it than grateful. But even this is too much: let us pass, therefore, to other things. I decreed honours to D. Brutus; decreed them to Plancus: they must be men of great souls, who are attracted by glory: but the senate also is certainly wise, in trying every art that is honest, by which it can engage any one to the service of the republic. But I am blamed in the case of Lepidus: to whom after I had raised a statue in the rostra, I presently threw it down. My view in that honour, was to reclaim him from desperate measures; but the madness of an inconstant man got the better of my prudence: nor was there yet so much harm in

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erecting, as good in demolishing the statue. But I have said enough concerning honours; and must say a word or two about punishments: for I have often observed from your letters, that you are fond of acquiring a reputation of clemency, by your treatment of those whom you have conquered in war. I can imagine nothing to be done by you, but what is wisely done: but to omit the punishing of wickedness (which we call pardoning), though it be tolerable in other cases, I hold to be pernicious in this war. Of all the civil wars that have been in my memory, there was not one, in which what side soever got the better, there would not have remained some form of a commonwealth: yet, in this, what sort of a republic we are like to have, if we conquer, I would not easily affirm; but if we are conquered, we are sure to have none. My votes, therefore, were severe against Antony; severe against Lepidus; not from any spirit of revenge, but to deter wicked citizens, at present, from making war against their country; and to leave an example to posterity, that none hereafter should imitate such rashness. Yet, this very vote was not more mine, than it was every body's: in which there seems, I own, to be something cruel, that the punishment should reach to children who have done nothing to deserve it: but the constitution is both ancient, and of all cities: for even Themistocles's children were reduced to want: and since the same punishment falls upon citizens, condemned of public crimes, how was it possible for us to be more gentle towards enemies? But how can that man complain of me, who, if he had conquered, must needs confess, that he would have treated me even with more severity? You have now the motives of my opinions in the case of rewards and punishments: for as to other points you have heard, I imagine, what my sentiments and votes have been. But to talk of these things now is not necessary; what I am going to say, is extremely so, Brutus—that you come to Italy with your army as soon as possible. We are in the utmost expectation of you: whenever you set foot in Italy, all the world will fly to you: for whether it be our lot to conquer (as we had already done, if Lepidus had not been desirous to overturn all, and perish himself with his friends), there will be a great want of your authority, for the settling some state of a city amongst us; or if there be any danger and struggle still behind, hasten to us for God's sake: for you know how much depends on opportunity, how much on dispatch. What diligence I shall use in the care of your sister's children, you will soon know, I hope, from your mother's and sister's letters: in whose cause I have more regard to your will, which is ever most dear to

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me, than, as some think, to my own constancy; but it is my desire both to be, and to appear constant, in nothing so much as in loving you[1]."

"BRUTUS TO CICERO.

"I HAVE read a part of your letter which you sent to Octavius, transmitted to me by Atticus. Your zeal and concern for my safety gave me no new pleasure; for it is not only common, but our daily news, to hear something which you have said or done with your usual fidelity in the support of my honour and dignity. Yet that same part of your letter affected me with the most sensible grief which my mind could possibly receive. For you compliment him so highly for his services to the republic, and in a strain so suppliant and abject, that,—what shall I say? I am ashamed of the wretched state to which we are reduced—yet it must be said—you recommend my safety to him! to which, what death is not preferable? and plainly shew, that our servitude is not yet abolished, but our master only changed. Recollect your words, and deny them, if you dare, to be the prayers of a slave to his king. There is one thing, you say, which is required and expected from him, that he would allow those citizens to live in safety, of whom all honest men and the people of Rome think well. But what if he will not allow it? Shall we be the less safe for that? It is better not to be safe than to be saved by him. For my part I can never think all the gods so averse to the preservation of the Roman people, that Octavius must be entreated for the life of any one citizen; much less for the deliverers of the world. It is a pleasure to me to talk thus magnificently; and it even becomes me to those, who know not either what to fear for any one, or what to ask of any one. Can you allow Octavius to have this power, and yet be his friend? or if you have any value for me, would you wish to see me at Rome, when I must first be recommended to the boy, that he would permit me to be there? what reason can you have to thank him, if you think it necessary to beg of him that he would grant and suffer us to live in safety? or is it to be reckoned a kindness, that he chooses to see himself, rather than Antony, in the condition to have such petitions addressed to him? one may supplicate, indeed, the successor, but never the abolisher of a tyranny, that those who have deserved well of the republic may be safe. It was this weakness and despair, not more blameable, indeed, in you than in all, which first pushed Cæsar to the ambition of reigning; and, after his death, encouraged

[1] Ad Brut. 15.

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Antony to think of seizing his place; and has now raised this boy so high, that you judge it necessary to address your prayers to him for the preservation of men of our rank; and that we can be saved only by the mercy of one, scarce yet a man, and by no other means. But if we had remembered ourselves to be Romans, these infamous men would not be more daring to aim at dominion than we to repel it: nor would Antony be more encouraged by Cæsar's reign, than deterred by his fate. How can you, a consular senator, and the avenger of so many treasons, (by suppressing which you have but postponed our ruin, I fear, for a time,) reflect on what you have done, and yet approve these things, or bear them so tamely, as to seem, at least, to approve them? for what particular grudge had you to Antony? no other but that he assumed all this to himself; that our lives should be begged of him; our safety be precarious, from whom he had received his liberty; and the republic depend on his will and pleasure. You thought it necessary to take arms, to prevent him from tyrannizing at this rate; but was it your intent, that, by preventing him, we might sue to another, who would suffer himself to be advanced into his place; or that the republic might be free and mistress of itself? as if our quarrel was not, perhaps, to slavery, but to the conditions of it. But we might have had, not only an easy master in Antony, if we would have been content with that, but whatever share with him we pleased of favours and honours. For what could he deny to those, whose patience, he saw, was the best support of his government? but nothing was of such value to us, that we would sell our faith and our liberty for it. This very boy, whom the name of Cæsar seems to incite against the destroyers of Cæsar, at what rate would he value it (if there was any room to traffic with him) to be enabled, by our help, to maintain his present power; since we have a mind to live, and to be rich, and to be called consulars? But then Cæsar must have perished in vain: for what reason had we to rejoice at his death, if after it we were still to continue slaves? Let other people be as indolent as they please; but may the gods and goddesses deprive me sooner of any thing than the resolution, not to allow to the heir of him, whom I killed, what I did not allow to the man himself; nor would suffer, even in my father, were he living—to have more power than the laws and the senate. How can you imagine, that any one can be free under him, without whose leave there is no place for us in that city? or how is it possible for you, after all, to obtain what you ask? You ask, that he would allow us to be safe. Shall we then receive safety, think you, when we receive life? But how can we receive it, if we first part with our

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honour and liberty? Do you fancy, that to live at Rome is to be safe? It is the thing and not the place, which must secure that to me: for I was never safe while Cæsar lived, till I had resolved on that attempt: nor can I, in any place, live in exile, as long as I hate slavery and affronts above all other evils. Is not this to fall back again into the same state of darkness; when he, who has taken upon him the name of the tyrant, (though in the cities of Greece, when the tyrants are destroyed, their children also perish with them,) must be entreated, that the avengers of tyranny may be safe? Can I ever wish to see that city, or think it a city, which would not accept liberty when offered, and even forced upon it, but has more dread of the name of their late king, in the person of a boy, than confidence in itself; though it has seen that very king taken off, in the height of all his power, by the virtue of a few? As for me, do not recommend me any more to your Cæsar, nor indeed yourself, if you will hearken to me. You set a very high value on the few years which remain to you at that age, if, for the sake of them, you can supplicate that boy. But take care, after all, lest what you have done, and are doing, so laudably against Antony, instead of being praised, as the effect of a great mind, be charged to the account of your fear; for, if you are so pleased with Octavius, as to petition him for our safety, you will be thought not to have disliked a master, but to have wanted a more friendly one. As to your praising him for the things that he has hitherto done, I entirely approve it; for they deserved to be praised, provided that he undertook them to repel other men's power, not to advance his own. But, when you adjudge him not only to have this power, but that you ought to submit to it so far as to entreat him that he would not destroy us, you pay him too great a recompence; for you ascribe that very thing to him, which the republic seemed to enjoy through him; nor does it ever enter into your thoughts, that if Octavius be worthy of any honours, because he wages war with Antony, that those, who extirpated the very evil of which these are but the relics, can never be sufficiently requited by the Roman people, though they were to heap upon them every thing which they could bestow: but see how much stronger people's fears are than their memories, because Antony still lives, and is in arms! As to Cæsar, all that could and ought to be done is past, and cannot be recalled. Is Octavius, then, a person of so great importance, that the people of Rome are to expect from him what he will determine upon us? or are we of so little, that any single man is to be entreated for our safety? As for me, may I never return to you, if ever I

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either supplicate any man, or do not restrain those who are disposed to do it, from supplicating for themselves; or I will remove to a distance from all such, who can be slaves, and fancy myself at Rome, wherever I can live free, and shall pity you, whose fond desire of life, neither age, nor honours, nor the example of other men's virtue, can moderate. For my part, I shall ever think myself happy, as long as I can please myself with the persuasion that my piety has been fully requited. For what can be happier than for a man, conscious of virtuous acts, and content with liberty, to despise all human affairs? Yet I will never yield to those who are fond of yielding, or be conquered by those who are willing to be conquered themselves; but will first try and attempt every thing; nor ever desist from dragging our city out of slavery. If such fortune attends me as I ought to have, we shall all rejoice; if not I shall rejoice myself. For how could this life be spent better, than in acts and thoughts which tend to make my countrymen free? I beg and beseech you, Cicero, not to desert the cause through weariness or diffidence; repelling present evils, have your eye always on the future, lest they insinuate themselves before you are aware. Consider that the fortitude and courage with which you delivered the republic, when consul, and now again when consular, are nothing without constancy and equability. The case of tried virtue, I own, is harder than of untried: we require services from it as debts, and if any thing disappoints us, we blame with resentment, as if we had been deceived. Wherefore, for Cicero to withstand Antony, though it be a part highly commendable, yet because such a consul seemed of course, to promise us such a consular, nobody wonders at it: but if the same Cicero, in the case of others, should waver at last in that resolution, which he exerted with such firmness and greatness of mind against Antony, he would deprive himself not only of the hopes of future glory, but forfeit even that which is past: for nothing is great in itself, but what flows from the result of our judgment; nor does it become any man, more than you, to love the republic, and to be the patron of liberty, on the account either of your natural talents, or your former acts, or the wishes and expectation of all men. Octavius, therefore, must not be entreated to suffer us to live in safety. Do you rather rouse yourself so far, as to think that city, in which you have acted the noblest part, free and flourishing, as long as there are leaders still to the people, to resist the designs of traitors [1]."

[1] Ad Brut. 16.

N.B.—There is a passage indeed in Brutus's letter to Atticus, where he intimates a reason of his complaint against Cicero, which was certainly a just one, if the fact of

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If we compare these two letters, we shall perceive in Cicero's an extensive view and true judgment of things, tempered with the greatest politeness and affection for his friend, and an unwillingness to disgust, where he thought it necessary even to blame. In Brutus's, a churlish and morose arrogance, claiming infinite honours to himself, yet allowing none to any body else; insolently chiding and dictating to one as much superior to him in wisdom as he was in years; the whole turning upon that romantic maxim of the stoics, enforced without any regard to times and circumstances—that a wise man has a sufficiency of all things within himself. There are, indeed, many noble sentiments in it, worthy of old Rome, which Cicero, in a proper season, would have recommended as warmly as he; yet they were not principles to act upon in a conjuncture so critical; and the rigid application of them is the less excusable in Brutus, because he himself did not always practise what he professed, but was too apt to forget both the stoic and the Roman.

Octavius had no sooner settled the affairs of the city, and subdued the senate to his mind, than he marched back towards Gaul, to meet Antony and Lepidus, who had already passed the Alps, and brought their armies into Italy, in order to have a personal interview with him, which had been privately concerted, for settling the terms of a triple league, and dividing the power and provinces of the empire among themselves. All the three were natural enemies to each other, competitors for empire, and aiming severally to possess what could not be obtained but with the ruin of the rest: their meeting, therefore, was not to establish any real amity or lasting concord, for that was impossible, but to suspend their own quarrels for the present, and with common forces to oppress their common

which he complains had been true; that Cicero had reproached Casca with the murder of Cæsar, and called him an assassin. "I do not know," says he, "what I can write to you, but this—that the ambition and licentiousness of the boy has been inflamed, rather than restrained, by Cicero, who carries his indulgence of him to such a length, as not to refrain from abuses upon Casca, and such as must return doubly upon himself, who has put to death more citizens than one, and must first own himself to be an assassin, before he can reproach Casca with what he objects to him." [Ep. ad Brut. 17.] Manutius professes himself unable to conceive how Cicero should ever call Casca a murderer, yet cannot collect any thing less from Brutus's words. But the thing is impossible, and inconsistent with every word that Cicero had been saying, and every act that he had been doing, from the time of Cæsar's death: and in relation particularly to Casca, we have seen above, how he refused to enter into any measures with Octavius, but upon the express condition of his suffering Casca to take quiet possession of the tribunate: it is certain, therefore, that Brutus had either been misinformed, or was charging Cicero with the consequential meaning of some saying, which was never intended by him: in advising Casca perhaps, to manage Octavius, in that height of his power, with more temper and moderation, lest he should otherwise be provoked to consider him as an assassin, and treat him as such; for an intimation of that kind would have been sufficient to the fierce spirit of Brutus, for taking it as a direct condemnation of Casca's act of stabbing Cæsar, to which Cicero had always given the highest applause.

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enemies, the friends of liberty and the republic; without which, all their several hopes and ambitious views must inevitably be blasted.

The place appointed for the interview was a small island about two miles from Bononia, formed by the river Rhenus, which runs near to that city[1]: here they met as men of their character must necessarily meet, not without jealousy and suspicion of danger from each other; being all attended by their choicest troops, each with five legions, disposed in separate camps, within sight of the island. Lepidus entered it the first, as an equal friend to the other two, to see that the place was clear, and free from treachery; and when he had given the signal agreed upon, Antony and Octavius advanced from the opposite banks of the river, and passed into the island, by bridges, which they left guarded on each side, by three hundred of their own men. Their first care, instead of embracing, was to search one another, whether they had not brought daggers concealed under their clothes; and when that ceremony was over, Octavius took his seat betwixt the other two, in the most honourable place, on the account of his being consul.

In this situation they spent three days in a close conference to adjust the plan of their accommodation; the substance of which was, that the three should be invested jointly with supreme power, for the term of five years, with the title of Triumvirs, for settling the state of the republic: that they should act in all cases by common consent; nominate the magistrates and governors, both at home and abroad, and determine all affairs relating to the public by their sole will and pleasure: that Octavius should have, for his peculiar province, Afric, with Sicily, Sardinia, and the other islands of the Mediterranean; Lepidus, Spain, with the Narbonese Gaul; Antony, the other two Gauls, on both sides of the Alps; and to put them all upon a level, both in title and authority, that Octavius should resign the consulship to Ventidius, for the remainder of the year: that Antony and Octavius should prosecute the war against Brutus and Cassius, each of them at the head of twenty legions, and Lepidus, with three legions, be left to guard the city; and, at the end of the war, that eighteen cities or colonies, the best and richest of Italy, together with their lands and districts, should be taken from their owners, and assigned to the perpetual possession of the soldiers, as the reward of their faithful services. These conditions were published to their several armies, and received by them with acclamations of joy, and mutual gratulations for this

[1] Vid. Cluver. Ital. Antiq. l. 1. c. 28. p. 187.

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happy union of their chiefs; which, at the desire of the soldiers, was ratified likewise by a marriage, agreed to be consummated between Octavius and Claudia, the daughter of Antony's wife Fulvia, by her first husband P. Clodius.

The last thing that they adjusted was the list of a proscription, which they were determined to make of their enemies. This, as the writers tell us, occasioned much difficulty and warm contests amongst them; till each of them, in his turn, consented to sacrifice some of his best friends to the revenge and resentment of his colleagues. The whole list is said to have consisted of three hundred senators and two thousand knights, all doomed to die, for a crime the most unpardonable to tyrants—their adherence to the cause of liberty. They reserved the publication of the general list to their arrival at Rome, excepting only a few of the most obnoxious, the heads of the republican party, about seventeen in all, the chief of whom was Cicero. These they marked out for immediate destruction, and sent their emissaries away, directly, to surprise and murder them, before any notice could reach them of their danger: four of this number were presently taken, and killed, in the company of their friends, and the rest hunted out by the soldiers in private houses and temples; which presently filled the city with an universal terror and consternation, as if it had been taken by an enemy: so that the consul, Pedius, was forced to run about the streets all the night, to quiet the minds, and appease the fears, of the people; and, as soon as it was light, published the names of the seventeen who were principally sought for, with an assurance of safety and indemnity to all others: but he himself was so shocked and fatigued, by the horror of this night's work, that he died the day following[1].

We have no hint from any of Cicero's letters (for none remain to us of so low a date), what his sentiments were on this interview of the three chiefs, or what resolution he had taken in consequence of it. He could not but foresee that it must needs be fatal to him, if it passed to the satisfaction of Antony and Lepidus; for he had several times declared, that he expected the last severity from them, if ever they got the better. But whatever he had cause to apprehend, it is certain, that it was still in his power to avoid it, by going over to Brutus, in Macedonia; but he seems to have thought that remedy worse than the evil; and had so great an abhorrence, of entering again, in his advanced age, into a civil war, and so little value for the few years of life which remained to him, that he declares it a thousand times better to die, than to seek his safety from

[1] App. l. 4. init. Dio, p. 326. Plut. in Anton. et Cic. Vell. Pat. 2. 65.

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camps [1]: and he was the more indifferent about what might happen to himself, since his son was removed from all immediate danger, by being already with Brutus.

The old historians endeavour to persuade us, that Cæsar did not give him up to the revenge of his colleagues without the greatest reluctance, and after a struggle of two days to preserve him [2]: but all that tenderness was artificial, and a part assumed, to give the better colour to his desertion of him. For Cicero's death was the natural effect of their union; and a necessary sacrifice to the common interests of the three: those who met to destroy liberty, must come determined to destroy him; since his authority was too great to be suffered in an enemy, and experience had shewn, that nothing could make him a friend to the oppressors of his country.

Cæsar, therefore, was pleased with it, undoubtedly, as much as the rest, and when his pretended squeamishness was overruled, shewed himself more cruel and bloody, in urging the proscription, than either of the other two [3]. Nothing, says Velleius, was so shameful on this occasion as that Cæsar should be forced to proscribe any man; or that Cicero, especially, should be proscribed by him [4]. But there was no force in the case: for though to save Cæsar's honour, and to extort, as it were, Cicero from him, Lepidus gave up his own brother Paulus; and Antony his uncle, L. Cæsar, who were both actually put into the list; yet neither of them lost their lives, but were protected from any harm by the power of their relations [5].

If we look back a little, to take a general view of the conduct of these triumvirs, we shall see Antony roused, at once, by Cæsar's death, from the midst of pleasure and debauch, and a most abject obsequiousness to Cæsar's power, forming the true plan of his interest, and pursuing it with a surprising vigour and address: till, after many and almost insuperable difficulties, he obtained the sovereign dominion, which he aimed at. Lepidus was the chief instrument that he made use of; whom he employed very successfully at home, till he found himself in condition to support his pretensions alone, and then sent to the other side of the Alps, that, in case of any disaster in Italy, he might be provided with a secure resource in his army. By this management he had ordered his affairs so art-

[1] Reipub. vicem dolebo, quæ immortalis esse debet; mihi quidem quantulum reliqui est? [Ad Brut. 10.] ἱτέον ergo in castra? millies mori melius, huic præsertim ætati: [Ad Att. 14. 22.] sed abesse hanc ætatem longe a sepulchro negant oportere. Ibid. 16. 7.

[2] Plut. in Cic. Vell. Pat. 2. 66.

[3] Restitit aliquandiu Collegis, ne qua fieret proscriptio, sed inceptam utroque acerbius exercuit, &c. Sueton. Aug. 27.

[4] Nihil tam indignum illo tempore fuit, quam quod aut Cæsar aliquem proscribere coactus est, aut ab illo Cicero proscriptus est. Vell. Pat. 2. 66.

[5] Appian. l. 4. 610. Dio, l. 47. 330.

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fully, that, by conquering at Modena, he would have made himself, probably, the sole master of Rome; while the only difference of being conquered, was to admit two partners with him into the empire: the one of whom, at least, he was sure always to govern.

Octavius's conduct was not less politic or vigorous: he had great parts, and an admirable genius, with a dissimulation sufficient to persuade, that he had good inclinations too. As his want of years and authority made it impossible for him to succeed immediately to his uncle's power, so his first business was to keep the place vacant, till he should be more ripe for it; and to give the exclusion, in the mean while, to every body else. With this view, he acted the republican with great gravity; put himself under the direction of Cicero; and was wholly governed by his advice, as far as his interest carried him; that is, to depress Antony, and drive him out of Italy; who was his immediate and most dangerous rival. Here he stopped short, and paused awhile to consider what new measures this new state of things would suggest: when, by the unexpected death of the two consuls, finding himself, at once, the master of every thing at home, and Antony, by the help of Lepidus, rising again the stronger from his fall, he saw presently that his best chance for empire was to content himself with a share of it, till he should be in condition to seize the whole; and from the same policy with which he joined himself with the republic, to destroy Antony, he now joined with Antony, to oppress the republic, as the best means of securing and advancing his own power.

Lepidus was the dupe of them both; a vain, weak, inconstant man; incapable of empire, yet aspiring to the possession of it; and abusing the most glorious opportunity of serving his country, to the ruin both of his country and himself. His wife was the sister of M. Brutus, and his true interest lay in adhering to that alliance: for if, by the advice of Laterensis, he had joined with Plancus and D. Brutus, to oppress Antony, and give liberty to Rome, the merit of that service, added to the dignity of his family and fortunes, would necessarily have made him the first citizen of a free republic. But his weakness deprived him of that glory: he flattered himself, that the first share of power, which he seemed at present to possess, would give him, likewise, the first share of empire: not considering, that military power depends on the reputation and abilities of him who possesses it: in which, as his colleagues far excelled him, so they would be sure always to eclipse, and whenever they thought it proper, to destroy him. This he found afterwards to be the case, when Cæsar forced him to beg

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his life upon his knees, though at the head of twenty legions; and deposed him from that dignity which he knew not how to sustain [1].

Cicero was at his Tusculan villa, with his brother and nephew, when he first received the news of the proscription, and of their being included in it. It was the design of the triumvirate to keep it a secret, if possible, to the moment of execution; in order to surprise those whom they had destined to destruction, before they were aware of the danger, or had time to escape. But some of Cicero's friends found means to give him early notice of it; upon which he set forward presently, with his brother and nephew, towards Astura, the nearest villa which he had upon the sea, with intent to transport themselves directly out of the reach of their enemies. But Quintus, being wholly unprepared for so sudden a voyage, resolved to turn back with his son to Rome, in confidence of lying concealed there, till they could provide money and necessaries for their support abroad. Cicero, in the mean while, found a vessel ready for him at Astura, in which he presently embarked: but the winds being cross and turbulent, and the sea wholly uneasy to him, after he had sailed about two leagues along the coast, he landed at Circæum, and spent a night near that place, in great anxiety and irresolution: the question was, what course he should steer, and whether he should fly to Brutus or to Cassius, or to S. Pompeius; but after all his deliberations, none of them pleased him so much as the expedient of dying [2]: so that, as Plutarch says, he had some thoughts of returning to the city, and killing himself in Cæsar's house; in order to leave the guilt and curse of his blood upon Cæsar's perfidy and ingratitude: but the importunity of his servants prevailed with him to sail forwards to Cajeta, where he went again on shore, to repose himself in his Formian villa, about a mile from the coast: weary of life and the sea, and declaring, that he would die in that country which he had so often saved [3]. Here he slept soundly for several hours; though, as some writers tell us, a great number of crows were fluttering all the while, and making a strange noise about his windows, as if to rouse and warn him of his approaching fate; and that one of them made its way into the chamber, and pulled away his very bed-clothes; till his slaves, admonished by this prodigy, and ashamed to see brute creatures more soli-

[1] Spoliata, quam tueri non poterat, dignitas. Vell. Pat. 2. 8.

[2] Cremutius Cordus ait, Ciceroni, cum cogitasset, utrumne Brutum an Cassium, an S. Pompeium peteret, omnia displicuisse præter mortem. Senec. Suasor. 6.

[3] Tædium tandem eum et fugæ et vitæ cepit: regressusque ad superiorem villam, quæ paullo plus mille passibus a mari abest, Moriar, inquit, in patria, sæpe servata. Liv. Fragm. apud Senec. Suasor. 1. vid. it. Plut. Cic.

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citous for his safety than themselves, forced him into his litter or portable chair, and carried him away towards the ship, through the private ways and walks of his woods: having just heard, that soldiers were already come into the country in quest of him, and not far from the villa. As soon as they were gone, the soldiers arrived at the house, and perceiving him to be fled, pursued immediately towards the sea, and overtook him in the wood. Their leader was one Popilius Lænas, a tribune or colonel of the army, whom Cicero had formerly defended and preserved in a capital cause. As soon as the soldiers appeared, the servants prepared themselves to fight, being resolved to defend their master's life at the hazard of their own: but Cicero commanded them to set him down, and to make no resistance[1]: then looking upon his executioners with a presence and firmness, which almost daunted them, and thrusting his neck as forwardly as he could out of the litter, he bade them do their work, and take what they wanted: upon which they presently cut off his head, and both his hands, and returned with them, in all haste and great joy, towards Rome, as the most agreeable present which they could possibly carry to Antony. Popilius charged himself with the conveyance, without reflecting on the infamy of carrying that head which had saved his own[2]: he found Antony in the Forum, surrounded with guards and crowds of people: but upon shewing from a distance the spoils which he brought, he was rewarded upon the spot, with the honour of a crown, and about eight thousand pounds sterling. Antony ordered the head to be fixed upon the rostra, between the two hands: a sad spectacle to the city, and what drew tears from every eye; to see those mangled members, which used to exert themselves so gloriously from that place, in defence of their lives, the fortunes, and the liberties of the Roman people, so lamentably exposed to the scorn of sycophants and traitors. The deaths of the rest, says an historian of that age, caused only a private and particular sorrow, but Cicero's an universal one[3]: it was a triumph over the republic itself; and seemed to confirm and establish the perpetual slavery of Rome. Antony considered it as such, and satiated with Cicero's blood, declared the proscription at an end.

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[1] Satis constat servos fortiter fideliterque paratos fuisse ad dimicandum: ipsum deponi lecticam, et quietos pati, quod sors iniqua cogeret, jussisse. Liv. Fragm. Ibid.

[2] Ea sarcina, tanquam opimis spoliis alacer in urbem reversus est. Neque ei scelestum portanti onus succurrit, illud se caput ferre, quod pro capite ejus quondam peroraverat. Val. Max. 5. 3.

[3] Cæterorumque cædes privatos luctus excitaverunt; illa una communem—[Cremutius Cordus apud Senec.] Civitas lacrymas tenere non potuit, quum recisum Ciceronis caput in illis suis rostris videretur. L. Flor. 4. 6.

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He was killed on the seventh of December, about ten days from the settlement of the triumvirate; after he had lived sixty-three years, eleven months, and five days [1].

SECTION XII.

THE story of Cicero's death continued fresh on the minds of the Romans for many ages after it; and was delivered down to posterity, with all its circumstances, as one of the most affecting and memorable events of their history: so that the spot on which it happened, seems to have been visited by travellers with a kind of religious reverence [2]. The odium of it fell chiefly on Antony; yet it left a stain of perfidy and ingratitude also on Augustus; which explains the reason of that silence which is observed about him by the writers of that age; and why his name is not so much as mentioned, either by Horace or Virgil. For though his character would have furnished a glorious subject for many noble lines, yet it was no subject for court poets; since the very mention of him must have been a satire on the prince; especially while Antony lived; among the sycophants of whose court, it was fashionable to insult his memory by all the methods of calumny that wit and malice could invent: nay Virgil, on an occasion that could hardly fail of bringing him to his mind, instead of doing justice to his merit, chose to do an injustice rather to Rome itself, by yielding the superiority of eloquence to the Greeks, which they themselves had been forced to yield to Cicero [3].

Livy, however, whose candour made Augustus call him a Pompeian [4], while, out of complaisance to the times, he seems to extenuate the crime of Cicero's murder, yet, after a high encomium of his virtues, declares, that to praise him as he deserved required the eloquence of Cicero himself [5]. Augustus, too, as Plutarch tells us, happening one day to catch his grandson reading one of Cicero's books, which for fear of the emperor's displeasure, the boy endeavoured to hide under his

[1] Vid. Plut. in Cic. Vell. Pat. 2. 64. Liv. Fragm. apud Senec. Appian. l. 4. 601. Dio, l. 47. p. 330. Pighii Annal. ad A.U. 710.

[2] Sæpe Clodio Ciceronem expellenti et Antonio occidenti, videmur irasci. Sen. de Ira, 2. 2.

Κικέρωνα—φεύγων εἰς ἴδιον χωρίον, ὃ καθ' ἱστορίαν τοῦδε τοῦ πάθους εἶδον. App. p. 600.

[3] —Orabunt causas melius, &c. Æn. 6. 849.

[4] T. Livius—Cn. Pompeium tantis laudibus tulit, ut Pompeianum eum Augustus appellaret. Tacit. Ann. 4. 34.

[5] —Si quis tamen virtutibus vitia pensarit, vir magnus, acer, memorabilis fuit, et in cujus laudes sequendas Cicerone laudatore opus fuerit. Liv. Fragm. apud Senec. Suasor. 6.

gown, took the book into his hands, and turning over a great part of it, gave it back again, and said, This was a learned man, my child, and a lover of his country [1].

In the succeeding generation, as the particular envy to Cicero subsided, by the death of those whom private interests and personal quarrels had engaged to hate him when living, and defame him when dead, so his name and memory began to shine out in its proper lustre: and in the reign even of Tiberius, when an eminent senator and historian, Cremutius Cordus, was condemned to die for praising Brutus, yet Paterculus could not forbear breaking out into the following warm expostulation with Antony, on the subject of Cicero's death: "Thou hast done nothing, Antony; hast done nothing, I say, by setting a price on that divine and illustrious head, and by a detestable reward, procuring the death of so great a consul and preserver of the republic. Thou hast snatched from Cicero a troublesome being; a declining age; a life more miserable under thy dominion, than death itself; but, so far from diminishing the glory of his deeds and sayings, thou hast increased it. He lives, and will live, in the memory of all ages; and, as long as this system of nature, whether by chance or Providence, or what way soever formed, which he alone, of all the Romans, comprehended in his mind, and illustrated by his eloquence, shall remain entire, it will draw the praises of Cicero along with it: and all posterity will admire his writings against thee, curse thy act against him [2]."

From this period, all the Roman writers, whether poets or historians, seem to vie with each other in celebrating the praises of Cicero, as the most illustrious of all their patriots, and the parent of the Roman wit and eloquence; who had done more honour to his country, by his writings, than all their conquerors by their arms, and extended the bounds of their learning beyond those of their empire [3]. So that their very emperors, near three centuries after his death, began to reverence him in the class of their inferior deities [4]: a rank

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[1] Plut. vit. Cic. There is another story of the same kind recorded by Macrobius, to shew Augustus's moderation with regard also to Cato: that Augustus being one day in the house which had belonged to Cato, where the master of it, out of compliment to his great guest, took occasion to reflect on Cato's perverseness, he stopped him short, by saying, that he would suffer no change in the constitution of his city, was a good citizen, and honest man: but by this character of Cato's honesty, he gave a severe wound to his own, who not only changed but usurped the government of his country. Macrob. Saturn. 2. 4.

[2] Vell. Pat. 2. 66.

[3] Facundiæ, Latiarumque literarum parens—atque—omnium triumphorum lauream adepte majorem, quanto plus est ingenii Romani terminos in tantum promovisse, quam imperii. Plin. Hist. 7. 30.

Qui effecit, ne quorum arma viceramus, eorum ingenio vinceremur. Vell. Pat. 2. 34.

[4] Lamprid. vit. Alex. Sever. c. 31.

which he would have preserved to this day, if he had happened to live in papal Rome, where he could not have failed, as Erasmus says, from the innocence of his life, of obtaining the honour and title of a saint [1].

As to his person, he was tall and slender, with a neck particularly long; yet his features were regular and manly; preserving a comeliness and dignity to the last, with a certain air of cheerfulness and serenity, that imprinted both affection and respect [2]. His constitution was naturally weak, yet was so confirmed by his management of it, as to enable him to support all the fatigues of the most active, as well as the most studious life, with perpetual health and vigour. The care that he employed upon his body consisted chiefly in bathing and rubbing, with a few turns every day in his gardens, for the refreshment of his voice from the labours of the bar [3]: yet, in the summer, he generally gave himself the exercise of a journey, to visit his several estates and villas in different parts of Italy. But his principal instrument of health, was diet and temperance: by these, he preserved himself from all violent distempers; and, when he happened to be attacked by any slight indisposition, used to enforce the severity of his abstinence, and starve it presently by fasting [4].

In his clothes and dress, which the wise have usually considered as an index of the mind, he observed, what he prescribes in his Book of Offices, a modesty and decency, adapted to his rank and character: a perpetual cleanliness, without the appearance of pains; free from the affectation of singularity, and avoiding the extremes of a rustic negligence, and foppish delicacy [5]: both of which are equally contrary to true dignity; the one implying an ignorance, or illiberal contempt of it: the other a childish pride and ostentation of proclaiming our pretensions to it.

In his domestic and social life his behaviour was very amiable: he was a most indulgent parent, a sincere and zealous friend, a kind and generous master. His letters are full of the tenderest expressions of his love for his children; in whose endearing conversation, as he often tells us, he used to drop

[1] Quem arbitror, si Christianam philosophiam didicisset, in eorum numero censendum fuisse, qui nunc ob vitam innocenter pieque transactam, pro Divis honorantur. Erasm. Ciceronian. vers. finem.

[2] Ei quidem facies decora ad senectutem, prosperaque permansit valetudo. Asin. Poll. apud Senec. Suasor. 6.

[3] Cum recreandæ voculæ causa, mihi necesse esset ambulare. Ad Att. 2. 23. Plut. in vit.

[4] Cum quidem biduum ita jejunus fuissem, ut ne aquam quidem gustarem. Ep. Fam. 7. 26. vid. Plut.

[5] Adhibenda munditia non odiosa, neque exquisita nimis; tantum quæ fugiat agrestem et inhumanam negligentiam. Eadem ratio est habenda vestitus; in quo, sicut in plerisque rebus, mediocritas optima est. De Offic. 1. 36.

all his cares, and relieve himself from all his struggles in the senate and the Forum [1]. The same affection, in an inferior degree, was extended also to his slaves; when, by their fidelity and services, they had recommended themselves to his favour. We have seen a remarkable instance of it in Tiro, whose case was no otherwise different from the rest, than as it was distinguished by the superiority of his merit. In one of his letters to Atticus, "I have nothing more," says he, "to write; and my mind, indeed, is somewhat ruffled at present; for Sositheus, my reader, is dead; a hopeful youth, which has afflicted me more than one would imagine the death of a slave ought to do [2]."

He entertained very high notions of friendship, and of its excellent use and benefit to human life; which he has beautifully illustrated in his entertaining treatise on that subject, where he lays down no other rules, than what he exemplified by his practice. For in all the variety of friendships, in which his eminent rank engaged him, he was never charged with deceiving, deserting, or even slighting any one, whom he had once called his friend, or esteemed an honest man. It was his delight to advance their prosperity, to relieve their adversity; the same friend to both fortunes; but more zealous only in the bad, where his help was the most wanted, and his services the most disinterested; looking upon it not as a friendship, but a sordid traffic and merchandize of benefits, where good offices are to be weighed by a nice estimate of gain and loss [3]. He calls gratitude the mother of virtues; reckons it the most capital of all duties; and uses the words, grateful and good, as terms synonymous, and inseparably united in the same character. His writings abound with sentiments of this sort, as his life did with the examples of them [4]; so that one of his friends, in apologizing for the importunity of a request, observes to him, with great truth, that the tenor of his life would be a sufficient excuse for it: since he had established such a custom, of doing every thing for his friends, that they no longer requested, but claimed a right to command him [5].

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[1] Ut tantum requietis habeam, quantum cum uxore, et filiola et mellito Cicerone consumitur. Ad Att. 1. 18.

[2] Nam puer festivus, anagnostes noster, Sositheus decesserat, meque plus quam servi mors debere videbatur, commoverat. Ibid. 12.

[3] Ubi illa sancta amicitia? si non ipse amicus per se amatur toto pectore. [De Leg. 1. 18.] quam si ad fructum nostrum referemus, non ad illius commoda, quem diligimus, non erit ista amicitia, sed mercatura quædam utilitatum suarum. De Nat. Deor. 1. 44.

[4] Cum omnibus virtutibus me affectum esse cupiam, tamen nihil est quod malim, quam me et gratum esse et videri. Est enim hæc una virtus non solum maxima, sed etiam mater virtutum omnium—quæ potest esse jucunditas vitæ sublatis amicitiis? quæ porro amicitia potest esse inter ingratos? Pro Planc. 33. De Fin. 2. 22.

[5] Nam quod ita consueris pro amicis laborare, non jam sic sperant abs te, sed etiam sic imperant tibi familiares. Ep. Fam. 6, 7.

Yet he was not more generous to his friends than placable to his enemies; readily pardoning the greatest injuries upon the slightest submission; and though no man ever had greater abilities or opportunities of revenging himself, yet, when it was in his power to hurt, he sought out reasons to forgive: and whenever he was invited to it, never declined a reconciliation with his most inveterate enemies; of which there are numerous instances in his history. He declared nothing to be more laudable and worthy of a great man, than placability; and laid it down, for a natural duty, to moderate our revenge, and observe a temper in punishing; and held repentance to be a sufficient ground for remitting it: and it was one of his sayings, delivered to a public assembly, that his enmities were mortal, his friendships immortal [1].

His manner of living was agreeable to the dignity of his character, splendid and noble: his house was open to all the learned strangers and philosophers of Greece and Asia: several of whom were constantly entertained in it, as part of his family, and spent their whole lives with him [2]. His levee was perpetually crowded with multitudes of all ranks; even Pompey himself not disdaining to frequent it. The greatest part came, not only to pay their compliments, but to attend him on days of business to the senate or the Forum; where, upon any debate or transaction of moment, they constantly waited to conduct him home again: but on ordinary days, when these morning visits were over, as they usually were before ten, he retired to his books, and shut himself up in his library, without seeking any other diversion, but what his children afforded to the short intervals of his leisure [3]. His supper was his greatest meal; and the usual season with all the great of enjoying their friends at table, which was frequently prolonged to a late hour of the night: yet he was out of his bed every morning before it was light; and never used to sleep

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[1] Est enim ulciscendi et puniendi modus. Atque haud scio, an satis sit, eum, qui lacessierit, injuriæ suæ pœnitere. [De Offic. 1. 11.] nihil enim laudabilius, nihil magno viro dignius, placabilitate et clementia. [Ibid. 25.]

Cum parcere vel lædere potuissem, ignoscendi quærebam causas, non puniendi occasiones. Fragm. Cic. ex Marcellino.

Neque vero me pœnitet mortales inimicitias, sempiternas amicitias habere. Pro C. Rabir. Post. 12.

[2] Doctissimorum hominum familiaritates, quibus semper domus nostra floruit, et Principes illi, Diodotus, Philo, Antiochus, Posidonius, a quibus instituti sumus. De Nat. Deor. 1. 3.

Eram cum Diodoto Stoico; qui cum habitavisset apud me, mecumque vixisset, nuper est domi meæ mortuus. Brut. 433.

[3] Cum bene completa domus est tempore matutino, cum ad forum stipati gregibus amicorum descendimus. Ad Att. 1. 16.

Mane salutamus domi bonos viros multos—ubi salutatio defluxit, litteris me involvo—[Ep. Fam. 9. 20.] Cum salutationi nos dedimus amicorum—abdo me in Bibliothecam. Ep. Fam. 7. 28.

Post horam quartam molesti cæteri non sunt. Ad Att. 2. 14.

again at noon, as all others generally did, and as it is commonly practised in Rome to this day [1].

But though he was so temperate and studious, yet, when he was engaged to sup with others, either at home or abroad, he laid aside his rules, and forgot the invalid; and was gay and sprightly, and the very soul of the company. When friends were met together, to heighten the comforts of social life, he thought it inhospitable, not to contribute his share to their common mirth, or to damp it by a churlish reservedness. But he was really a lover of cheerful entertainments; being of a nature remarkably facetious, and singularly turned to raillery [2]: a talent, which was of great service to him at the bar, to correct the petulance of an adversary, relieve the satiety of a tedious cause, divert the minds of the judges, and mitigate the rigour of a sentence, by making both the bench and audience merry at the expense of the accuser [3].

This use of it was always thought fair, and greatly applauded in public trials: but in private conversations, he was charged sometimes, with pushing his raillery too far; and, through a consciousness of his superior wit, exerting it often intemperately, without reflecting what cruel wounds his lashes inflicted [4]. Yet, of all his sarcastical jokes, which are transmitted to us by antiquity, we shall not observe any, but what were pointed against characters, either ridiculous or profligate; such as he despised for their follies, or hated for their vices; and though he might provoke the spleen, and quicken the malice of enemies, more than was consistent with a regard to his own ease, yet he never appears to have hurt or lost a friend, or any one whom he valued, by the levity of jesting.

It is certain, that the fame of his wit was as celebrated as that of his eloquence, and that several spurious collections of his sayings were handed about, in Rome, in his life-time [5]; till his friend Trebonius, after he had been consul, thought it worth while to publish an authentic edition of them, in a volume which he addressed to Cicero himself [6]. Cæsar, likewise, in

[1] Nunc quidem propter intermissionem forensis operæ, et lucubrationes detraxi et meridiationes addidi, quibus uti antea non solebam. De Div. 2. 59.

[2] Ego autem, existimes quod lubet, mirifice capior facetiis, maxime nostratibus. [Ep. Fam. 9. 15.] Nec id ad voluptatem refero, sed ad communitatem vitæ atque victus, remissionemque animorum, quæ maxime sermone efficitur familiari, qui est in conviviis dulcissimus—[Ibid. 24.] convivio delector. Ibi loquor quod in solum, ut dicitur, et gemitum etiam in risus maximos transfero. [Ibid. 26.]

[3] —Suavis est et vehementer sæpe utilis jocus et facetiæ—multum in causis persæpe lepore et facetiis profici vidi. De Orat. 2. 54.

Quæ risum judicis movendo et illos tristes solvit affectus, et animum ab intentione rerum frequenter avertit, et aliquando etiam reficit, et a satietate vel a fatigatione renovat. Quintil. l. 6. c. 3.

[4] Noster vero non solum extra judicia, sed in ipsis etiam orationibus habitus est nimius risus affectator. Ibid. vid. Plut.

[5] Ais enim, ut ego discesserim, omnia omnium dicta—in me conferri. Ep. Fam. 7. 32. it. 9. 16.

[6] Liber iste, quem mihi misisti, quantam habet declarationem amoris tui? primum,

the height of his power, having taken a fancy to collect the apophthegms, or memorable sayings of eminent men, gave strict orders to all his friends, who used to frequent Cicero, to bring him every thing of that sort, which happened to drop from him in their company [1]. But Tiro, Cicero's freed-man, who served him chiefly in his studies and literary affairs, published, after his death, the most perfect collection of his sayings, in three books: where Quintilian, however, wishes that he had been more sparing in the number, and judicious in the choice of them [2]. None of these books are now remaining, nor any other specimen of the jests, but what are incidentally scattered in different parts of his own and other people's writings: which, as the same judicious critic observes, through the change of taste in different ages, and the want of that action or gesture, which gave the chief spirit to many of them, could never be explained to advantage, though several had attempted it. How much more cold then, and insipid, must they needs appear to us, who are unacquainted with the particular characters and stories to which they relate, as well as the peculiar fashions, humour, and taste of wit in that age? Yet, even in these, as Quintilian also tells us, as well as in his other compositions, people would sooner find what they might reject, than what they could add to them [3].

He had a great number of fine houses in different parts of Italy; some writers reckon up eighteen; which, excepting the family-seat at Arpinum, seem to have been all purchased or built by himself. They were situated generally near to the sea, and placed at proper distances along the lower coast, between Rome and Pompeii, which was about four leagues beyond Naples, and, for the elegance of structure, and the delights of their situation, are called by him the eyes or the beauties of Italy [4]. Those in which he took the most pleasure, and usually spent some part of every year, were his Tusculum, Antium, Astura, Arpinum; his Formian, Cuman, Puteolan, and Pompeian villas; all of them large enough for the reception not only of his own family, but of his friends and numerous guests; many of whom, of the first quality, used to pass several days

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quod tibi facetum videtur quicquid ego dixi, quod aliis fortasse non item: deinde, quod illa, sive faceta sunt, sive sic fiunt, narrante te, venustissima. Ep. Fam. 15. 21.

[1] Audio Cæsarem, cum volumina jam confecerit ἀποφθεγμάτων, si quod afferatur pro meo, quod meum non sit, rejicere solere—hæc ad illum cum reliquis actis perferuntur; ita enim ipse mandavit. Ibid. 9. 16.

[2] Utinam libertus ejus Tiro, aut alius quisquis fuit, qui tres hac de re libros edidit, parcius dictorum numero indulsisset—et plus judicii in eligendis, quam in congerendis studii adhibuisset. Quintil. l. 6. c. 3.

[3] Qui tamen nunc quoque, ut in omni ejus ingenio, facilius quid rejici, quam quid adjici possit, invenient. Ibid. vid. etiam Macrob. Saturn. 2. 1.

[4] Quodque temporis in prædiolis nostris, et belle ædificatis, et satis amœnis consumi potuit, in peregrinatione consumimus.—[Ad Att. 16. 3.] cur ocellos Italiæ, villulas meas non video? Ibid. 6.

with him, in their excursions from Rome. But, besides these, that may properly be reckoned seats, with large plantations and gardens around them, he had several little inns, as he calls them, or baiting places, on the road, built for his accommodation, in passing from one house to another [1].

His Tusculan house had been Sylla's, the dictator, and in one of its apartments had a painting of his memorable victory near Nola, in the Marsic war, in which Cicero had served under him as a volunteer [2]: it was about four leagues from Rome, on the top of a beautiful hill, covered with the villas of the nobility, and affording an agreeable prospect of the city, and the country around it, with plenty of water flowing through his grounds, in a large stream or canal, for which he paid a rent to the corporation of Tusculum [3]. Its neighbourhood to Rome gave him the opportunity of a retreat at any hour, from the fatigues of the bar, or the senate, to breathe a little fresh air, and to divert himself with his friends or family: so that this was the place in which he took the most delight, and spent the greatest share of his leisure; and, for that reason, improved and adorned it beyond all his other houses [4].

When a greater satiety of the city, or a longer vacation in the Forum, disposed him to seek a calmer scene, and more undisturbed retirement, he used to remove to Antium, or Astura. At Antium he placed his best collection of books, and, as it was not above thirty miles from Rome, he could have daily intelligence there of every thing that passed in the city. Astura was a little island, at the mouth of a river of the same name, about two leagues further towards the south, between the promontories of Antium and Circæum, and in the view of them both,—a place peculiarly adapted to the purposes of solitude, and a secure retreat,—covered with a thick wood, cut out into shady walks, in which he used to spend the gloomy and splenetic moments of his life.

In the height of summer, the mansion-house, at Arpinum, and the little island adjoining, by the advantage of its groves

[1] Ego accepi in Diversoriolo Sinuessano, tuas litteras. Ibid. 14. 8.

[2] Idque etiam in villa sua Tusculana, quæ postea fuit Ciceronis, Sylla pinxit. Plin. Hist. Nat. 22. 6.

[3] Ego Tusculanis pro Aqua Crabra vectigal pendam, quia a Municipio fundum accepi. Con. Rull. 3. 2.

[4] Quæ mihi antea signa misisti,—ea omnia in Tusculanum deportabo.—[Ad Att. 1. 4.] Nos ex omnibus laboribus et molestiis uno illo in loco conquiescimus. [Ibid. 5.] Nos Tusculano ita delectamur, ut nobismet ipsis tum denique, cum illo venimus, placeamus. Ibid. 6.

The situation of this Tusculan house, which had been built, perhaps, by Sylla, confirms what Seneca has observed of the villas of all the other great captains of Rome—Marius, Pompey, Cæsar; that they were placed always on hills, or the highest ground that they could find, it being thought more military, to command the view of the country beneath them, and that houses so situated had the appearance of a camp, rather than a villa—[Senec. Epist. 51.]—But this delightful spot is now possessed by a convent of monks, called Grotta Ferrata, where they still shew the remains of Cicero's columns and fine buildings, and the ducts of water that flowed through his gardens.

and cascades, afforded the best defence against the inconvenience of the heats; where, in the greatest that he had ever remembered, we find him refreshing himself as he writes to his brother, with the utmost pleasure, in the cool stream of his Fibrenus[1].

His other villas were situated in the more public parts of Italy, where all the best company of Rome had their houses of pleasure. He had two at Formiæ, a lower and upper villa; the one near to the port of Cajeta, the other upon the mountains adjoining: he had a third on the shore of Baiæ, between the lake Avernus and Puteoli, which he calls his Puteolan: a fourth on the hills of the old Cumæ, called his Cuman villa; and a fifth at Pompeii, four leagues beyond Naples, in a country famed for the purity of its air, fertility of its soil, and delicacy of its fruits. His Puteolan house was built after the plan of the Academy at Athens, and called by that name, being adorned with a portico and a grove, for the same use of philosophical conferences.—Some time after his death, it fell into the hands of Antistius Vetus, who repaired and improved it; when a spring of warm water, which happened to burst out in one part of it, gave occasion to the following epigram, made by Laurea Tullius, one of Cicero's freed-men:

Quo tua Romanæ vindex clarissime linguæ
Sylva loco melius surgere jussa viret,
Atque Academiæ celebratam nomine villam
Nunc reparat cultu sub potiore Vetus,
Hic etiam apparent lymphæ non ante repertæ,
Languida quæ infuso lumina rore levant.
Nimirum locus ipse sui Ciceronis honori
Hoc dedit, hac fontes cum patefecit ope.
Ut quoniam totum legitur sine fine per orbem,
Sint plures, oculis quæ medeantur, aquæ[2].

Where groves, once thine, now with fresh verdure bloom,
Great parent of the eloquence of Rome!
And where thy Academy, favourite seat,
Now to Antistius yields its sweet retreat,
A gushing stream bursts out of wondrous pow'r,
To heal the eyes, and weaken'd sight restore.

[1] Ego ex magnis caloribus, non enim meminimus majores, in Arpinati, summa cum amœnitate fluminis, me refeci ludorum diebus. Ad Quint. 3. 1.

[2] Plin. Hist. Nat. l. 31. 2.

This villa was afterwards an imperial palace, possessed by the emperor Hadrian, who died and was buried in it, where he is supposed to have breathed out that last and celebrated adieu to his little pallid, frightened, fluttering soul [1]; which would have left him with less regret, if, from Cicero's habitation on earth, it had known the way to those regions above, where Cicero probably still lives, in the fruition of endless happiness [2].

[1] Animula vagula, blandula,
Hospes, Comesque corporis,
Quæ nunc abibis in loca,
Pallidula, rigida, nudula,
Nec, ut soles, dabis jocos. Ælii Spartian. Vid. Hadr. 25.

[2] Ubi nunc agat anima Ciceronis, fortasse non est humani judicii pronuntiare: me certe non admodum adversum habituri sint in ferendis calculis, qui sperant illum apud Superos quietam vitam agere. Erasm. Proœm. in Tusc. Quæst. ad Joh. Ulatten.

The place, which all its pride from Cicero drew,
Repays this honour, to his memory due;
That, since his works throughout the world are spread,
And with such eagerness by all are read,
New springs of healing quality should rise,
To ease th' increase of labour to the eyes.

The furniture of his houses was suitable to the elegance of his taste and the magnificence of his buildings; his galleries were adorned with statues and paintings of the best Grecian masters, and his vessels and moveables were of the best work and choicest materials. There was a cedar table of his remaining in Pliny's time, said to be the first which was ever seen in Rome, and to have cost him eighty pounds[1]. He thought it the part of an eminent citizen to preserve an uniformity of character in every article of his conduct, and to illustrate his dignity by the splendour of his life. This was the reason of the great variety of his houses, and of their situation in the most conspicuous parts of Italy, along the course of the Appian road; that they might occur at every stage to the observation of travellers, and lie commodious for the reception and entertainment of his friends.

The reader, perhaps, when he reflects on what the old writers have said, of the mediocrity of his paternal estate, will be at a loss to conceive whence all his revenues flowed, that enabled him to sustain the vast expense of building and maintaining such a number of noble houses: but the solution will be easy, when we recollect the great opportunities that he had of improving his original fortunes. The two principal funds of wealth to the leading men of Rome, were,—first, the public magistracies and provincial commands; secondly, the presents of kings, princes, and foreign states, whom they had obliged by their services and protection: and though no man was more moderate in the use of these advantages than Cicero, yet, to one of his prudence, economy, and contempt of vicious pleasures, these were abundantly sufficient to answer all his expenses[2]: for, in his province of Cilicia, after all the memorable instances of his generosity, by which he saved to the public a full million sterling, which all other governors had applied to their private use, yet, at the expiration of his year, he left in the hands of the publicans, in Asia, near twenty thousand pounds, reserved from the strict dues of his government, and remitted to him afterwards at Rome[3]. But there was another way of acquiring money, esteemed the most reputable of any,

[1] Extat hodie M. Ciceronis, in illa paupertate, et quod magis mirum est, illo ævo empta H. S. X. [Plin. Hist. Nat. 13. 15.] nullius ante Ciceronianam vetustior memoria est. Ibid. 16.

[2] Parva sunt, quæ desunt nostris quidem moribus, et ea sunt ad explicandum expeditissima, modo valeamus. Ad Quint. 2. 15.

[3] Ego in cistophoro in Asia habeo ad H. S. bis et vicies, hujus pecuniæ permutatione fidem nostram facile tuebere. Ad Att. 11. 1.

which brought large and frequent supplies to him—the legacies of deceased friends. It was the peculiar custom of Rome, for the clients and dependants of families, to bequeath, at their death, to their patrons, some considerable part of their estates, as the most effectual testimony of their respect and gratitude; and the more a man received in this way, the more it redounded to his credit.—Thus Cicero mentions it, to the honour of Lucullus, that, while he governed Asia, as proconsul, many great estates were left to him by will[1]: and Nepos tells us, in praise of Atticus, that he succeeded to many inheritances of the same kind, bequeathed to him on no other account than of his friendly and amiable temper[2]. Cicero had his full share of these testamentary donations, as we see from the many instances of them mentioned in his letters[3]; and when he was falsely reproached by Antony, with being neglected on these occasions, he declared in his reply, that he had gained from this single article about two hundred thousand pounds, by the free and voluntary gifts of dying friends;—not the forged wills of persons unknown to him; with which he charged Antony[4].

His moral character was never blemished by the stain of any habitual vice, but was a shining pattern of virtue to an age, of all others, the most licentious and profligate[5]. His mind was superior to all the sordid passions which engross little souls—avarice, envy, malice, lust. If we sift his familiar letters, we cannot discover in them the least hint of any thing base, immodest, spiteful, or perfidious; but an uniform principle of benevolence, justice, love of his friends and country, flowing through the whole, and inspiring all his thoughts and actions. Though no man ever felt the effects of other people's envy more severely than he, yet no man was ever more free from it: this is allowed to him by all the old writers, and is evident, indeed, from his works; where we find him perpetually praising and recommending whatever was laudable, even in a rival or an adversary; celebrating merit, wherever it was found, whether in the ancients, or his contemporaries, whether in Greeks or Romans, and verifying a maxim, which he had declared, in a speech to the senate, that no man could be envious of another's virtue, who was conscious of his own[6].

His sprightly wit would naturally have recommended him to

[1] Maximas audio tibi, L. Luculle, pro tua eximia liberalitate, maximisque beneficiis in tuos, venisse hereditates. Pro Flacc. 34.

[2] Multas enim hereditates nulla alia re, quam bonitate est consecutus. Vit. Att. 21.

[3] Ad Att. 2. 20. 11. 2. Pro Mil. 18.

[4] Hereditates mihi negasti venire—ego enim amplius H. S. ducenties acceptum hereditatibus retuli——me nemo, nisi amicus, fecit heredem——te is, quem tu vidisti nunquam. Philip. 2. 16.

[5] Cum vita fuerit integra, nec integra solum sed etiam casta. Erasm. Epist. ad Jo. Ulatten.

[6] Declarasti verum esse id, quod ego semper sensi, neminem alterius, qui suæ confideret, virtuti invidere. Philip. 10. 1. vid. Plut.

the favour of the ladies, whose company he used to frequent when young, and with many of whom, of the first quality, he was oft engaged, in his riper years, to confer about the interests of their husbands, brothers, or relations, who were absent from Rome: yet we meet with no trace of any criminal gallantry or intrigue with any of them. In a letter to Pætus, towards the end of his life, he gives a jocose account of his supping with their friend Volumnius, an Epicurean wit, of the first class, when the famed courtesan, Cytheris, who had been Volumnius's slave, and was then his mistress, made one of the company at table: where, after several jokes on that incident, he says that he never suspected that she would have been of the party; and though he was always a lover of cheerful entertainments, yet nothing of that sort had ever pleased him when young, much less now, when he was old[1]. There was one lady, however, called Cærellia, with whom he kept up a particular familiarity and correspondence of letters; on which Dio, as it has been already hinted, absurdly grounds some little scandal, though he owns her to have been seventy years old. She is frequently mentioned in Cicero's letters, as a lover of books and philosophy, and, on that account, as fond of his company and writings; but while, out of complaisance to her sex, and a regard to her uncommon talents, he treated her always with respect; yet, by the hints which he drops of her to Atticus, it appears that she had no share of his affections, or any real authority with him[2].

His failings were as few as were ever found in any eminent genius; such as flowed from his constitution, not his will, and were chargeable rather to the condition of his humanity, than to the fault of the man. He was thought to be too sanguine in prosperity, too desponding in adversity, and apt to persuade himself, in each fortune, that it would never have an end[3]. This is Pollio's account of him, which seems, in general, to be true; Brutus touches the first part of it, in one of his letters to him, and when things were going prosperously against Antony, puts him gently in mind, that he seemed to trust too much to his hopes[4]: and he himself allows the second, and says, that if any one was timorous in great and dangerous events, apprehending always the worst, rather than hoping the best, he was

[1] Me vero nihil istorum ne juvenem quidem movit unquam, ne nunc senem. Ep. Fam. 9. 26.

[2] Mirifice Cærellia, studio videlicet philosophiæ flagrans, describit a tuis: istos ipsos de Finibus habet—[Ad Att. 13. 21.] Cærelliæ facile satisfeci; nec valde laborare visa est: etsi illa ego certe non laborarem. Ibid. 15. 1. it. 12. 51. 14. 19. Fam. 13. 72. Quintil. 6. 3. Dio, 302.

[3] Utinam moderatius secundas res, et fortius adversas ferre potuisset: namque utræque cum venerant ei, mutari eas non posse rebatur. Asin. Poll. apud Sen. Suasor. 6.

[4] Qua in re, Cicero, vir optime ac fortissime, mihique merito et meo nomine et Reipub. carissime, nimis credere videris spei tuæ. Brut. ad Cic. 4.

the man; and, if that was a fault, confesses himself not to be free from it[1]: yet, in explaining afterwards the nature of this timidity, it was such, he tells us, as shewed itself, rather, in foreseeing dangers, than in encountering them: an explication, which the latter part of his life fully confirmed, and above all his death, which no man could sustain with greater courage and resolution[2].

But the most conspicuous and glaring passion of his soul was, the love of glory and thirst of praise: a passion that he not only avowed, but freely indulged; and sometimes, as he himself confesses, to a degree even of vanity[3]. This often gave his enemies a plausible handle of ridiculing his pride and arrogance[4]; while the forwardness that he shewed to celebrate his own merits, in all his public speeches, seemed to justify their censures: and, since this is generally considered as the grand foible of his life, and has been handed down, implicitly, from age to age, without ever being fairly examined, or rightly understood, it will be proper to lay open the source from which the passion itself flowed, and explain the nature of that glory, of which he professes himself so fond.

True glory, then, according to his own definition of it, is a wide and illustrious fame of many and great benefits conferred upon our friends, our country, or the whole race of mankind[5]: it is not, he says, the empty blast of popular favour, or the applause of a giddy multitude, which all wise men had ever despised, and none more than himself; but the consenting praise of all honest men, and the incorrupt testimony of those who can judge of excellent merit; which resounds always to virtue, as the echo to the voice; and since it is the general companion of good actions, ought not to be rejected by good men. That those who aspired to this glory were not to expect ease, or pleasure, or tranquillity of life for their pains; but must give up their own peace, to secure the peace of others; must expose themselves to storms and dangers for the public good; sustain many battles with the audacious and the wicked, and some even with the powerful: in short, must behave themselves so, as to give their citizens cause to rejoice that they had

[1] Nam si quisquam est timidus in magnis periculosisque rebus, semperque magis adversos rerum exitus metuens, quam sperans secundos, is ego sum: et si hoc vitium est, eo me non carere confiteor. Ep. Fam. 6. 14.

[2] Parum fortis videbatur quibusdam: quibus optime respondit ipse, non se timidum in suscipiendis, sed in providendis periculis: quod probavit morte quoque ipsa, quam præstantissimo suscepit animo. Quintil. l. 12. 1.

[3] Nunc quoniam laudis avidissimi semper fuimus. [Ad Att. 1. 15.] Quin etiam quod est subinane in nobis, et non ἀφιλόδοξον, bellum est enim sua vitia nosse. [Ibid. 2. 17.] Sum etiam avidior etiam, quam satis est, gloriæ. Ep. Fam. 9. 14.

[4] Et quoniam hoc reprehendis, quod solere me dicas de me ipso gloriosius prædicare. Pro Dom. 35.

[5] Si quidem gloria est illustris ac pervagata multorum et magnorum vel in suos, vel in patriam, vel in omne genus hominum fama meritorum. Pro Marcel. 6.

ever been born [1]. This is the notion that he inculcates every where of true glory; which is surely one of the noblest principles that can inspire a human breast; implanted by God in our nature, to dignify and exalt it; and always found the strongest in the best and most elevated minds; and to which we owe every thing great and laudable that history has to offer to us, through all the ages of the heathen world. "There is not an instance," says Cicero, "of a man's exerting himself ever with praise and virtue in the dangers of his country, who was not drawn to it by the hopes of glory, and a regard to posterity [2]." "Give me a boy," says Quintilian, "whom praise excites, whom glory warms:" for such a scholar was sure to answer all his hopes, and do credit to his discipline [3]. "Whether posterity will have any respect for me," says Pliny, "I know not; but am sure that I have deserved some from it: I will not say by my wit, for that would be arrogant; but by the zeal, by the pains, by the reverence, which I have always paid to it [4]."

It will not seem strange to observe the wisest of the ancients pushing this principle to so great a length, and considering glory as the amplest reward of a well-spent life [5], when we reflect, that the greatest part of them had no notion of any other reward or futurity; and even those, who believed a state of happiness to the good, yet entertained it with so much diffidence, that they indulged it rather as a wish than a well-grounded hope; and were glad, therefore, to lay hold on that, which seemed to be within their reach, a futurity of their own creating: an immortality of fame and glory from the applause of posterity. This, by a pleasing fiction, they looked upon as a propagation of life, and an eternity of existence; and had no

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[1] Si quisquam fuit unquam remotus et natura, et magis etiam, ut mihi quidem sentire videor, ratione atque doctrina, ab inani laude et sermonibus vulgi, ego profecto is sum. Ep. Fam. 15. 14.

Est enim gloria—consentiens laus bonorum; incorrupta vox bene judicantium de excellente virtute: ea virtuti resonat tanquam imago: quæ quia recte factorum plerumque comes est, non est bonis viris repudianda. Tusc. Quæst. 3. 2.

Qui autem bonam famam bonorum, quæ sola vera gloria nominari potest, expetunt, aliis otium quærere debent et voluptates, non sibi. Subeundum est his pro communibus commodis, adeundæ inimicitiæ, subeundæ sæpe pro Repub. tempestates. Cum multis audacibus, improbis, non nunquam etiam potentibus, dimicandum. Pro Sext. 66.

Carum esse civem, bene de Repub. mereri, laudari, coli, diligi, gloriosum est—quare ita guberna Rempub. ut natum esse te cives tui gaudeant: sine quo nec beatus, nec clarus quisquam esse potest. Philip. 1. 14.

[2] Neque quisquam nostrum in Reipub. periculis, cum laude ac virtute versatur, quin spe posteritatis, fructuque ducatur. Pro C. Rabir. 10.

[3] Mihi detur ille puer, quem laus excitet, quem gloria juvet. Hic erit alendus ambitu—in hoc desidiam nunquam verebor. Quintil. 1. 3.

[4] —Posteris an aliqua cura nostri, nescio. Nos certe meremur, ut sit aliqua: non dico, ingenio; id enim superbum; sed studio, sed labore, sed reverentia posterum. Plin. Ep.

[5] Sed tamen ex omnibus præmiis virtutis, si esset habenda ratio præmiorum, amplissimum esse præmium gloriam. Esse hanc unam quæ brevitatem vitæ posteritatis memoria consolaretur. Pro Mil. 35.

small comfort in imagining, that though the sense of it should not reach to themselves, it would extend, at least, to others; and that they should be doing good still when dead, by leaving the example of their virtues to the imitation of mankind. Thus Cicero, as he often declares, never looked upon that to be his life, which was confined to this narrow circle on earth, but considered his acts as seeds sown in the immense field of the universe, to raise up the fruit of glory and immortality to him through a succession of infinite ages: nor has he been frustrated of his hope, or disappointed of his end; but as long as the name of Rome subsists, or as long as learning, virtue, and liberty preserve any credit in the world, he will be great and glorious in the memory of all posterity.

As to the other part of the charge, or the proof of his vanity, drawn from his boasting so frequently of himself in his speeches both to the senate and the people, though it may appear to a common reader to be abundantly confirmed by his writings; yet, if we attend to the circumstances of the times, and the part which he acted in them, we shall find it not only excusable, but in some degree even necessary. The fate of Rome was now brought to a crisis; and the contending parties were making their last efforts, either to oppress or preserve it: Cicero was the head of those who stood up for its liberty; which entirely depended on the influence of his counsels: he had many years therefore been the common mark of the rage and malice of all, who were aiming at illegal powers, or a tyranny in the state: and while these were generally supported by the military power of the empire, he had no other arms or means of defeating them, but his authority with the senate and people, grounded on the experience of his services, and the persuasion of his integrity: so that, to obviate the perpetual calumnies of the factious, he was obliged to inculcate the merit and good effects of his counsels, in order to confirm people in their union and adherence to them, against the intrigues of those who were employing all arts to subvert them. "The frequent commemoration of his acts," says Quintilian, "was not made so much for glory as for defence; to repel calumny, and vindicate his measures when they were attacked[1]:" and this is what Cicero himself declared in all his speeches; that no man ever heard him speak of himself, but when he was forced to it: that when he was urged with fictitious crimes, it was his custom to answer them with his real services: and if

[1] Vigesimus annus est, cum omnes scelerati me unum petunt. Philip. 12. 10. 6. 6.
At plerumque illud quoque non sine aliqua ratione fecit.—Ut illorum, quæ egerat in Consulatu, frequens commemoratio possit videri non gloriæ magis quam defensioni data —plerumque contra inimicos atque obtrectatores plus vendicat sibi; erant enim tuenda, cum objicerentur. Quintil. 11. 1.

ever he said any thing glorious of himself, it was not through a fondness of praise, but to repel an accusation [1]: that no man who had been conversant in great affairs, and treated with particular envy, could refute the contumely of an enemy, without touching upon his own praises; and, after all his labours for the common safety, if a just indignation had drawn from him at any time, what might seem to be vain-glorious, it might reasonably be forgiven to him [2]: that when others were silent about him, if he could not then forbear to speak of himself, that, indeed, would be shameful; but when he was injured, accused, exposed to popular odium, he must certainly be allowed to assert his liberty, if they would not suffer him to retain his dignity [3]. This then was the true state of the case, as it is evident from the facts of his history—he had an ardent love of glory, and an eager thirst of praise: was pleased, when living, to hear his acts applauded; yet more still with imagining, that they would ever be celebrated when he was dead: a passion, which, for the reasons already hinted, had always the greatest force on the greatest souls: but it must needs raise our contempt and indignation, to see every conceited pedant, and trifling declaimer, who know little of Cicero's real character, and less still of their own, presuming to call him the vainest of mortals.

But there is no point of light, in which we can view him with more advantage or satisfaction to ourselves, than in the contemplation of his learning, and the surprising extent of his knowledge. This shines so conspicuous in all the monuments which remain of him, that it even lessens the dignity of his general character: while the idea of the scholar absorbs that of the senator; and, by considering him as the greatest writer, we are apt to forget that he was the greatest magistrate also of Rome. We learn our Latin from him at school; our style and sentiments at the college: here the generality take their leave of him; and seldom think of him more, but as an orator, a moralist, or philosopher of antiquity. But it is with characters as with pictures; we cannot judge well of a single part without surveying the whole; since the perfection of each depends on its proportion and relation to the rest; while, in viewing them altogether, they mutually reflect an additional grace upon each

[1] Quis unquam audivit, cum ego de me nisi coactus ac necessario dicerem?—dicendum igitur est id, quod non dicerem nisi coactus: nihil enim unquam de me dixi sublatius asciscendæ laudis causa potius, quam criminis depellendi. Pro Dom. 35, 36.

[2] Potest quisquam vir in rebus magnis cum invidia versatus, satis graviter contra inimici contumeliam, sine sua laude respondere?—

Quanquam si me tantis laboribus pro communi salute perfunctum efferret aliquando ad gloriam in refutandis maledictis improborum hominum animi quidam dolor, quis non ignosceret? De Harusp. resp. 8.

[3] Si, cum cæteri de nobis silent, non etiam nosmet ipsi tacemus, grave. Sed si lædimur, si accusamur, si in invidiam vocamur, profecto concedetis, ut nobis libertatem retinere liceat, si minus liceat dignitatem. Pro Syll. 29.

other. His learning, considered separately, will appear admirable; yet much more so, when it is found in the possession of the first statesman of a mighty empire: his abilities as a statesman are glorious; yet surprise us still more, when they are observed in the ablest scholar and philosopher of his age: but an union of both these characters exhibits that sublime specimen of perfection, to which the best parts with the best culture can exalt human nature [1].

No man, whose life had been wholly spent in study, ever left more numerous or more valuable fruits of his learning in every branch of science, and the politer arts; in oratory, poetry, philosophy, law, history, criticism, politics, ethics; in each of which he equalled the greatest masters of his time; in some of them, excelled all men of all times [2]. His remaining works, as voluminous as they appear, are but a small part of what he really published; and though many of those are come down to us maimed by time, and the barbarity of the intermediate ages, yet they are justly esteemed the most precious remains of all antiquity: and, like the Sibylline books, if more of them had perished, would have been equal still to any price.

His industry was incredible, beyond the example, or even conception of our days: this was the secret by which he performed such wonders, and reconciled perpetual study with perpetual affairs. He suffered no part of his leisure to be idle, or the least interval of it to be lost; but what other people gave to the public shows, to pleasures, to feasts, nay, even to sleep, and the ordinary refreshments of nature, he generally gave to his books, and the enlargement of his knowledge [3]. On days of business, when he had any thing particular to compose, he had no other time for meditating, but when he was taking a few turns in his walks, where he used to dictate his thoughts to his scribes, who attended him [4]. We find many of his letters dated before day-light; some from the senate; others from his meals, and the crowd of his morning levee [5].

[1] Cum ad naturam eximiam atque illustrem accesserit ratio quædam, conformatioque doctrinæ, tum illud nescio quid præclarum ac singulare solere existere. Pro Arch. 7.

[2] M. Cicero in libro, qui inscriptus est de Jure civili in artem redigendo, verba hæc posuit—[Aul. Gell. 1. 22.] M. Tullius non modo inter agendum numquam est destitutus scientia juris, sed etiam componere aliqua de eo cœperat. [Quintil. 12. 3.] At M. Tullium, non illum habemus Euphranorem, circa plurium artium species præstantem, sed in omnibus, quæ in quoque laudantur, eminentissimum. Ibid. c. 10.

[3] Quantum cæteris ad suas res obeundas, quantum ad festos dies ludorum celebrandos, quantum ad alias voluptates, et ipsam requiem animi et corporis conceditur temporum: quantum alii tribuunt tempestivis conviviis: quantum denique aleæ, quantum pilæ, tantum mihi egomet ad hæc studia recolenda sumsero. Pro Arch. 6.

Cui fuerit ne otium quidem unquam otiosum. Nam quas tu commemoras legere te solere orationes, cum otiosus sis, has ego scripsi ludis et feriis, ne omnino unquam essem otiosus. Pro Planc. 27.

[4] Ita quicquid conficio aut cogito, in ambulationis fere tempus confero. [Ad Quint. 3. 3.] Nam cum vacui temporis nihil haberem, et cum recreandæ voculæ causa mihi necesse est ambulare, hæc dictavi ambulans. Ad Att. 2. 23.

[5] Cum hæc scribebam ante lucem. [Ad Quint. 3. 2. 7.] Ante lucem cum scriberem

No compositions afford more pleasure than the epistles of great men: they touch the heart of the reader, by laying open that of the writer. The letters of eminent wits, eminent scholars, eminent statesmen, are all esteemed in their several kinds; but there never was a collection that excelled so much, in every kind, as Cicero's; for the purity of style, the importance of the matter, or the dignity of the persons concerned in them. We have about a thousand still remaining, all written after he was forty years old; which are but a small part, not only of what he wrote, but of what were actually published after his death, by his servant Tiro. For we see many volumes of them quoted by the ancients, which are utterly lost; as the first book of his letters to Licinius Calvus; the first also to Q. Axius; a second book to his son; a second also to Corn. Nepos; a third book to J. Cæsar; a third to Octavius; and a third also to Pansa; an eighth book to M. Brutus; and a ninth to A. Hirtius. Of all which, excepting a few to J. Cæsar and Brutus, we have nothing more left, than some scattered phrases and sentences, gathered from the citations of the old critics and grammarians [1]. What makes these letters still more estimable is, that he had never designed them for the public, nor kept any copies of them; for the year before his death, when Atticus was making some inquiry about them, he sent him word that he had made no collection; and that Tiro had preserved only about seventy [2]. Here then we may expect to see the genuine man, without disguise or affectation; especially in his letters to Atticus: to whom he talked with the same frankness as to himself; opened the rise and progress of each thought; and never entered into any affair without his particular advice: so that these may be considered as the memoirs of his times; containing the most authentic materials for the history of that age, and laying open the grounds and motives of all the great events that happened in it [3]: and it is the want of attention to them, that makes the generality of writers, on these times, so superficial as well as erroneous: while they choose to transcribe the dry and imperfect relations of the later Greek historians, rather than take the pains, to extract the original account of facts from one, who was a principal actor in them.

In his familiar letters, he affected no particular elegance or

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contra Epicureos, de eodem oleo et opera exaravi nescio quid ad te, et ante lucem dedi. Deinde cum, somno repetito, simul cum sole experrectus essem. Ad Att. 13. 38. Hæc ad te scripsi apposita secunda mensa. [Ibid. 14. 6. 21. 15. 13.] Hoc paullulum exaravi ipsa in turba matutinæ salutationis. Ad Brut. 1. 2. 4.

[1] See the fragments of his letters in the editions of his works.

[2] Mearum Epistolarum nulla est συναγωγή. Sed habet Tiro instar septuaginta. Ad Att. 16. 5.

[3] Quæ qui legat non multum desideret historiam contextam eorum temporum; sic enim omnia de studiis principum, vitiis ducum, ac mutationibus Reipub. perscripta sunt, ut nihil in his non appareat. Corn. Nep. vit. Att. 16.

choice of words, but took the first that occurred from common use and the language of conversation[1]. Whenever he was disposed to joke, his wit was easy and natural; flowing always from the subject, and throwing out what came uppermost; not disdaining even a pun, when it served to make his friends laugh[2]. In letters of compliment, some of which were addressed to the greatest men who ever lived, his inclination to please is expressed in a manner agreeable to nature and reason, with the utmost delicacy both of sentiment and diction, yet without any of those pompous titles and lofty epithets which modern custom has introduced into our commerce with the great, and falsely stamped with the name of politeness, though they are the real offspring of barbarism, and the effect of our degeneracy, both in taste and manners. In his political letters, all his maxims are drawn from an intimate knowledge of men and things; he always touches the point on which the affair turns, foresees the danger, and foretels the mischief, which never failed to follow upon the neglect of his counsels, of which there were so many instances, that, as an eminent writer, of his own time, observed of him, his prudence seemed to be a kind of divination, which foretold every thing that afterwards happened, with the veracity of a prophet[3]. But none of his letters do him more credit than those of the recommendatory kind: the others shew his wit and his parts, these his benevolence and his probity: he solicits the interest of his friends with all the warmth and force of words of which he was master, and alleges, generally, some personal reason for his peculiar zeal in the cause, and that his own honour was concerned in the success of it[4].

[1] Epistolas vero quotidianis verbis texere solemus. Ep. Fam. 9. 21.

[2] Quicquid in buccam venerit. Ad Att. 7. 10. 14. 7. In reproaching Antony for publishing one of his letters to him, "How many jests," says he, "are often found in private letters, which, if made public, might be thought foolish and impertinent?" Philip. 2. 4.

[3] Ut facile existimari possit prudentiam quodammodo esse divinationem. Non enim Cicero ea solum, quæ vivo se acciderunt, futura prædixit, sed etiam, quæ nunc usu veniunt, cecinit, ut Vates. Corn. Nepos. 16.

[4] An objection may possibly be made to my character of these letters, from a certain passage in one of them, addressed to a proconsul of Afric, wherein he intimates, that there was a private mark agreed upon between them, which, when affixed to his letters, would signify what real stress he himself laid upon them, and what degree of influence he desired them to have with his friend. [Ep. Fam. 13. 6.] But that seems to relate only to the particular case of one man, who, having great affairs in Afric, was likely to be particularly troublesome both to Cicero and the proconsul; whose general concerns, however, he recommends, in that letter, with the utmost warmth and affection. But, if he had used the same method with all the other proconsuls and foreign commanders, it seems not only reasonable, but necessary, that a man of his character and authority, whose favour was perpetually solicited by persons of all ranks, should make some distinction between his real friends, whom he recommended for their own sake, and those whose recommendations were extorted from him by the importunity of others; which was frequently the case, as he himself declares in these very letters. "Your regard for me," says he, "is so publicly known, that I am importuned by many for recommendations to you. But though I give them sometimes to men of no consequence, yet, for the most part, it is to my real friends." Again, "Your friendship, and your affection to

But his letters are not more valuable on any account, than for their being the only monuments of that sort which remain to us from free Rome. They breathe the last words of expiring liberty, a great part of them having been written in the very crisis of its ruin, to rouse up all the virtue that was left in the honest and the brave, to the defence of their country. The advantage which they derive from this circumstance will easily be observed, by comparing them with the epistles of the best and greatest who flourished afterwards in imperial Rome. Pliny's letters are justly admired by men of taste: they shew the scholar, the wit, the fine gentleman; yet we cannot but observe a poverty and barrenness through the whole, that betrays the awe of a master. All his stories and reflections terminate in private life; there is nothing important in politics: no great affairs explained: no account of the motives of public counsels: he had borne all the same offices with Cicero, whom, in all points, he affected to emulate [1]: yet his honours were in effect but nominal; conferred by a superior power, and administered by a superior will; and, with the old titles of consul and proconsul, we want still the statesman, the politician, and the magistrate. In his provincial command, where Cicero governed all things with a supreme authority, and had kings attendant on his orders, Pliny durst not venture to repair a bath, or punish a fugitive slave, or incorporate a company of masons, till he had first consulted and obtained the leave of Trajan [2].

His historical works are all lost: the Commentaries of his Consulship, in Greek; the history of his own affairs, to his return from exile, in Latin verse, and his Anecdotes: as well as the pieces that he published on natural history; of which Pliny quotes one upon the wonders of nature, and another on perfumes [3]. He was meditating, likewise, a general history of Rome, to which he was frequently urged by his friends, as the only man capable of adding that glory also to his country, of excelling the Greeks in a species of writing, which of all others, was at that time the least cultivated by the Romans [4]. But

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me, is so illustrious, that I am under a necessity of recommending many people to you: but though it is my duty to wish well to all whom I recommend, yet I do not live upon the same foot of friendship with them all," &c. Ibid. 13. 70. 71.

[1] Lætaris, quod honoribus ejus insistam, quem æmulari in studjis cupio. Plin. Ep. 4. 8.

[2] Prusenses, Domine, balneum habent et sordidum et vetus; id itaque indulgentia tua restituere desiderant. Ep. 1. 10. 34.

Quorum ego supplicium distuli, ut te conditorem disciplinæ militaris, firmatoremque, consulerem de modo pœnæ. Ibid. 38.

Tu, Domine, despice an instituendum putes collegium Fabrorum, duntaxat hominum CL. Ibid. 42.

[3] Cicero in Admirandis posuit, &c. Plin. Hist. Nat. 31. 2. Quod Admirandis suis inseruit M. Cicero. Ibid. c. 4. In monumentis M. Ciceronis invenitur; Unguenta gratiora esse, quæ terram, quam quæ crocum sapiant. Ibid. 13. 3. 17. 5.

[4] Postulatur a te jamdiu, vel flagitatur potius historia: sic enim putant, te illam tractante, effici posse, ut in hoc etiam genere Græciæ nihil cedamus—abest enim historia litteris nostris. De Leg. 1. 2, 3.

he never found leisure to execute so great a task; yet has sketched out a plan of it, which, short as it is, seems to be the best that can be formed for the design of a perfect history.

He declares it to be the first and fundamental law of history, that it should neither dare to say any thing that was false, or fear to say any thing that was true, nor give any just suspicion either of favour or disaffection: that in the relation of things, the writer should observe the order of time, and add also the description of places: that, in all great and memorable transactions, he should first explain the counsels, then the acts, lastly the events: that, in the counsels, he should interpose his own judgment on the merit of them; in the acts should relate not only what was done, but how it was done; in the events, should shew what share chance or rashness or prudence had in them: that, in regard to persons, he should describe not only their particular actions, but the lives and characters of all those who bear an eminent part in the story: that he should illustrate the whole in a clear, easy, natural style; flowing with a perpetual smoothness and equability; free from the affectation of points and sentences, or the roughness of judicial pleadings [1].

We have no remains, likewise, of his poetry, except some fragments occasionally interspersed through his other writings; yet these, as I have before observed, are sufficient to convince us, that his poetical genius, if it had been cultivated with the same care, would not have been inferior to his oratorial. The two arts are so nearly allied, that an excellency in the one seems to imply a capacity for the other, the same qualities being essential to them both; a sprightly fancy, fertile invention, flowing and numerous diction. It was in Cicero's time that the old rusticity of the Latin muse first began to be polished by the ornaments of dress, and the harmony of number: but the height of perfection to which it was carried, after his death, by the succeeding generation, as it left no room for a mediocrity in poetry, so it quite eclipsed the fame of Cicero. For the world always judges of things by comparison, and because he was not so great a poet as Virgil and Horace, he was decried as none at all; especially in the courts of Antony and Augustus; where it was a compliment to the sovereign, and a fashion consequently among their flatterers [2], to make his character ridiculous, wherever it lay open to them: hence flowed that perpetual raillery, which subsists to this day, on his famous verses—

Cedant arma togæ, concedat laurea linguæ.
O fortunatam natam me consule Romam—

[1] De Orat. 2. 15.

[2] Postea vero quam triumviruli proscriptione consumptus est, passim qui oderant, qui invidebant, qui æmulabantur, adulatores etiam præsentis potentiæ, non responsurum invaserunt. Quintil. 12. 10.

and two bad lines picked out by the malice of enemies, and transmitted to posterity, as a specimen of the rest, have served to damn many thousands of good ones. For Plutarch reckons him among the most eminent of the Roman poets; and Pliny the Younger was proud of emulating him in his poetic character [1]: and Quintilian seems to charge the cavils of his censurers to a principle of malignity [2]. But his own verses carry the surest proof of their merit; being written in the best manner of that age in which he lived, and in the style of Lucretius, whose poem he is said to have revised and corrected for its publication, after Lucretius's death [3]. This, however, is certain, that he was the constant friend and generous patron of all the celebrated poets of his time [4]; of Accius, Archias, Chilius, Lucretius, Catullus; who pays his thanks to him in the following lines, for some favour that he had received from him: —

> Tully, most eloquent by far
> Of all who have been, or who are,
> Or who in ages still to come
> Shall rise of all the sons of Rome.
> To thee Catullus grateful sends
> His warmest thanks, and recommends
> His humble muse, as much below
> All other poets he, as thou
> All other patrons dost excel,
> In power of words and speaking well [5].

But poetry was the amusement only, and relief of his other studies: eloquence was his distinguishing talent, his sovereign attribute: to this he devoted all the faculties of his soul, and attained to a degree of perfection in it, that no mortal ever surpassed: so that, as a polite historian observes, Rome had but few orators before him whom it could praise, none whom it could admire [6]. Demosthenes was the pattern by which he formed himself; whom he emulated with such success, as to merit what St. Jerome calls that beautiful eloge—Demosthenes

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[1] Sed ego verear, ne me non satis deceat, quod decuit M. Tullium. Ep. 1. 5. 3.

[2] In carminibus utinam pepercisset, quæ non desierunt carpere maligni. Quintil. 11. 1.

[3] Euseb. Chronic.

[4] Adjicis M. Tullium mira benignitate poetarum ingenia fovisse. Plin. Ep. 3. 15. Ut ex familiari ejus L. Accio poeta audire sum solitus. [Brut. 197.] Lucretii poemata, ut scribis, lita sunt multis luminibus ingenii, multæ tamen artis. Ad Quint. 2. 11. Vid. Ad Att. 1. 9. 16.

> [5] Disertissime Romuli nepotum,
> Quot sunt, quotque fuere, Marce Tulli,
> Quotque post aliis erunt in annis?
> Gratias tibi maximas Catullus
> Agit, pessimus omnium poeta,
> Tanto pessimus omnium poeta
> Quanto tu optimus omnium patronus.—Catull. 47.

[6] At oratio—ita universa sub principe operis sui erupit Tullio; ut delectari [illegible] paucissimis, mirari vero neminem possis. Vell. Pat. 1. 17.

has snatched from thee the glory of being the first, thou from Demosthenes that of being the only orator [1]. The genius, the capacity, the style and manner of them both were much the same; their eloquence of that great, sublime, and comprehensive kind, which dignified every subject, and gave it all the force and beauty of which it was capable: it was that roundness of speaking, as the ancients call it, where there was nothing either redundant or deficient; nothing either to be added or retrenched: their perfections were, in all points so transcendant, and yet so similar, that the critics are not agreed on which side to give the preference: Quintilian, indeed, the most judicious of them, has given it, on the whole, to Cicero: but if, as others have thought, Cicero had not all the nerves, the energy, or, as he himself calls it, the thunder of Demosthenes, he excelled him in the copiousness and elegance of his diction; the variety of his sentiments; and, above all, in all the vivacity of his wit, and smartness of his raillery. Demosthenes had nothing jocose or facetious in him; yet, by attempting sometimes to jest, shewed that the thing itself did not displease, but did not belong to him: for, as Longinus says, whenever he affected to be pleasant, he made himself ridiculous; and if he happened to raise a laugh, it was chiefly upon himself. Whereas Cicero, from a perpetual fund of wit and ridicule, had the power always to please, when he found himself unable to convince; and could put his judges into good humour, when he had cause to be afraid of their severity; so that, by the opportunity of a well-timed joke, he is said to have preserved many of his clients from manifest ruin [2].

Yet, in all this height and fame of his eloquence, there was another set of orators at the same time in Rome; men of parts in learning, and of the first quality; who, while they acknowledged the superiority of his genius, yet censured his diction, as not truly Attic or classical; some calling it loose and languid, others tumid and exuberant [3]. These men affected a minute and fastidious correctness; pointed sentences, short and concise periods, without a syllable to spare in them; as if the

[1] Demosthenem igitur imitemur. O Dii boni! quid quasi nos aliud agimus, aut quid aliud optamus? Brut. 417.

M. Tullius, in quem pulcherrimum illud elogium est; Demosthenes tibi præripuit, ne esses primus orator; tu illi, ne solus. Ad Nepotian. de vita Clericor. tom. 4. edit. Bened.

[2] Huic diversa virtus, quæ risum judicis movendo—plerique Demostheni facultatem hujus rei defuisse credunt, Ciceroni modum—nec videri potest noluisse Demosthenes, cujus pauca admodum dicta—ostendunt non displicuisse illi jocos, sed non contigisse,—mihi vero—mira quædam videtur in Cicerone fuisse urbanitas—[Quintil. 6. 3. Ibid. 10. 1. Longin. de Sublim. c. 34.] Ut pro L. Flacco, quem repetundarum reum joci opportunitate de manifestissimis criminibus exemit, &c. Macrob. Saturn. 2. 1.

[3] Co[illegible] nec Ciceroni quidem obtrectatores defuisse, quibus inflatus et tumens, nec sati[illegible]sus, supra modum exultans et superfluens, et parum Atticus videretur, &c. [illegible]t. Dialog. 18. Vid. Quintil. 12. 1.

perfection of oratory consisted in a frugality of words, and in crowding our sentiments into the narrowest compass[1]. The chief patrons of this taste were M. Brutus, Licinius Calvus, Asinius Pollio, and Sallust; whom Seneca seems to treat as the author of the obscure, abrupt, and sententious style[2]. Cicero often ridicules these pretenders to Attic elegance; as judging of eloquence, not by the force of the art, but their own weakness, and resolving to decry what they could not attain, and to admire nothing but what they could imitate[3]: and though their way of speaking, he says, might please the ear of a critic or a scholar, yet it was not of that sublime and sonorous kind, whose end was not only to instruct, but to move an audience: an eloquence, born for the multitude; whose merit was always shewn by its effects, of exciting admiration, and extorting shouts of applause; and on which there never was any difference of judgment between the learned and the populace[4].

This was the genuine eloquence that prevailed in Rome as long as Cicero lived: his were the only speeches that were relished or admired by the city; while those Attic orators, as they called themselves, were generally despised, and frequently deserted by the audience in the midst of their harangues[5]. But after Cicero's death, and the ruin of the republic, the Roman oratory sunk, of course, with its liberty, and a false species universally prevailed: when, instead of that elate, copious, and flowing eloquence, which launched out freely into every subject, there succeeded a guarded, dry, sententious kind: full of laboured turns and studied points; and proper only for the occasion on which it was employed—the making panegyric and servile compliments to their tyrants. This change of style may be observed in all their writers from Cicero's time to the Younger Pliny, who carried it to its utmost perfection in his celebrated panegyric on the Emperor Trajan: which, as it is justly admired for the elegance of

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[1] Mihi falli multum videntur, qui solos esse Atticos credunt, tenues et lucidos et significantes, sed quadam eloquentiæ frugalitate contentos, ac manum semper intra pallium continentes. Quintil. 12. 10.

[2] Sic Sallustio vigente, amputatæ sententiæ, et verba ante expectatum cadentia, et obscura brevitas, fuere pro cultu. L. Sen. Epist. 114.

[3] Itaque nobis monendi sunt ii,—qui aut dici se desiderant Atticos, aut ipsi Attice volunt dicere, ut mirentur Demosthenem maxime—eloquentiamque ipsius viribus, non imbecillitate sua, metiantur. Nunc etiam tantum quisque laudat, quantum se posse sperat imitari. Orat. 248. vid. Tusc. Quæst. 2. 1.

[4] Sed ad Calvum revertamur: qui—metuens ne vitiosum colligeret, etiam verum sanguinem deperdebat. Itaque ejus oratio nimia religione attenuata, doctis et attente audientibus erat illustris; a multitudine autem et a foro, cui nata eloquentia est, devorabatur. Brut. 410.

Itaque nunquam de bono Oratore et non bono doctis hominibus cum populo dissensio fuit, &c. Ibid. 297.

[5] At cum isti Attici dicant, non modo a corona, quod est ipsum miserabile, sed etiam ab Advocatis relinquuntur. Ibid. 417.

diction, the beauty of sentiments, and the delicacy of its compliments, so it is become, in a manner, the standard of fine speaking to modern times: where it is common to hear the pretenders to criticism descanting on the tedious length and spiritless exuberance of the Ciceronian periods. But the superiority of Cicero's eloquence, as it was acknowledged by the politest age of free Rome, so it has received the most authentic confirmation, that the nature of things can admit, from the concurrent sense of nations: which, neglecting the productions of his rivals and contemporaries, have preserved to us his inestimable remains, as a specimen of the most perfect manner of speaking, to which the language of mortals can be exalted: so that, as Quintilian declared of him, even in that early age, he has acquired such fame with posterity, that Cicero is not reckoned so much the name of a man, as of eloquence itself [1].

But we have hitherto been considering, chiefly, the exterior part of Cicero's character, and shall now attempt to penetrate the recesses of his mind, and discover the real source and principle of his actions, from a view of that philosophy which he professed to follow, as the general rule of his life. This, as he often declares, was drawn from the Academic sect; which derived its origin from Socrates, and its name from a celebrated Gymnasium, or place of exercise in the suburb of Athens, called the Academy; where the professors of that school used to hold their lectures and philosophical disputations [2]." Socrates was the first who banished physics out of philosophy, which, till his time, had been the sole object of it; and drew it off from the obscure and intricate inquiries into nature, and the constitution of the heavenly bodies, to questions of morality, of more immediate use and importance to the happiness of man; concerning the true notions of virtue and vice, and the natural difference of good and ill [3]: and as he found the world generally prepossessed with false notions

[1] —Apud posteros vero id consecutus, ut Cicero jam non hominis, sed eloquentiæ nomen habeatur. Quintil. 10. 1.

[2] Illi autem, qui Platonis instituto in Academia, quod est alterum gymnasium, cœtus erant et sermones habere soliti, e loci vocabulo nomen habuerunt. Academ. 1. 4.

N.B.—This celebrated place, which Serv. Sulpicius calls the noblest Gymnasium of the world, took its name from one Academus, an ancient hero, who possessed it in the time of the Tyndaridæ. But famous as it was, it was purchased afterwards for about one hundred pounds, and dedicated to the public, for the convenience of walks and exercises for the citizens of Athens; and was gradually improved and adorned by the rich, who had received benefit or pleasure from it, with plantations of groves, stately porticos, and commodious apartments, for the particular use of the professors or masters of the Academic school; where several of them are said to have spent their lives, and to have resided so strictly, as scarce ever to have come within the city. Ep. Fam. 4. 12. Plut. in Theseo, 15. Diog. Laert. in Plato. § 7. Plut. de Exil. 603.

[3] Socrates—id quod constat inter omnes, primus a rebus occultis, et ab ipsa natura involutis—avocavisse philosophiam et ad vitam communem adduxisse, ut de virtutibus et vitiis, omninoque de bonis rebus et malis quæreret, &c. Ibid. vid. it. Tusc. Quæst. 5. 4.

on those subjects, so his method was not to assert any opinion of his own, but to refute the opinions of others, and attack the errors in vogue; as the first step towards preparing men for the reception of truth, or what came the nearest to it, probability [1]. While he himself, therefore, professed to know nothing, he used to sift out the several doctrines of all the pretenders to science, and then tease them with a series of questions so contrived, as to reduce them, by the course of their answers, to an evident absurdity, and the impossibility of defending what they had at first affirmed [2].

But Plato did not strictly adhere to the method of his master, Socrates: and his followers wholly deserted it: for, instead of the Socratic modesty of affirming nothing, and examining every thing, they turned philosophy, as it were, into an art; and formed a system of opinions, which they delivered to their disciples, as the peculiar tenets of their sect [3]. Plato's nephew, Speusippus, who was left the heir of his school, continued his lectures, as his successors also did, in the Academy, and preserved the name of Academics; whilst Aristotle, the most eminent of Plato's scholars, retired to another Gymnasium, called the Lyceum; where, from a custom which he and his followers observed, of teaching and disputing as they walked in the porticoes of the place, they obtained the name of Peripatetics, or the walking philosophers. These two sects, though differing in name, agreed generally in things, or in all the principal points of their philosophy: they placed the chief happiness of man in virtue, with a competency of external goods; taught the existence of a God, a providence, the immortality of the soul, and a future state of rewards and punishments [4].

This was the state of the Academic school under five successive masters, who governed it after Plato, Speusippus, Xenocrates, Polemo, Crates, Crantor; till Arcesilas, the sixth, discarded, at once, all the systems of his predecessors, and revived the Socratic way of affirming nothing, doubting of all things, and exposing the vanity of the reigning opinions [5]. He alleged the necessity of making this reformation, from that

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[1] E quibus nos id potissimum consecuti sumus, quo Socratem usum arbitrabamur: ut nostram ipsi sententiam tegeremus, errore alios levaremus; et in omni disputatione, quid esset simillimum veri quæreremus. Tusc. Quæst. 5. 4. it. 1. 4.

[2] Socrates enim percunctando atque interrogando elicere solebat opiniones eorum, quibuscum disserebat. De Fin. 2. 1.

[3] Illam autem Socraticam dubitationem de omnibus rebus, et nulla adfirmatione adhibita consuetudinem disserendi reliquerunt. Ita facta est, quod minime Socrates probabat, ars quædam Philosophiæ, et rerum ordo et descriptio disciplinæ. Academ. 1. 4.

[4] Sed item fons erat utrisque, et eadem rerum expetendarum fugiendarumque partitio. [Academ. 1. 4. 6. 8.] Peripateticos et Academicos, nominibus differentes, re congruentes. Ibid. 2. 5.

[5] Arcesilas primum, ex variis Platonis libris, sermonibusque Socraticis hoc maxime arripuit, nihil esse certi, quod aut sensibus aut animo percipi possit. De Orat. 3. 18.

obscurity of things, which had reduced Socrates, and all the ancients before him, to a confession of their ignorance: he observed, as they had all likewise done, that the senses were narrow, reason infirm, life short, truth immersed in the deep, opinion and custom every where predominant, and all things involved in darkness [1]. He taught, therefore, that there was no certain knowledge, or perception of any thing in nature, nor any infallible criterion of truth and falsehood; that nothing was so detestable as rashness; nothing so scandalous to a philosopher, as to profess, what was either false, or unknown to him: that we ought to assert nothing dogmatically; but, in all cases, to suspend our assent; and, instead of pretending to certainty, content ourselves with opinion, grounded on probability; which was all that a rational mind had to acquiesce in. This was called the New Academy, in distinction from the Platonic or the Old; which maintained its credit down to Cicero's time, by a succession of able masters; the chief of whom was Carneades, the fourth from Arcesilas: who carried it to its utmost height of glory, and is greatly celebrated by antiquity for the vivacity of his wit and force of his eloquence [2].

We must not, however, imagine, that these Academics continued doubting and fluctuating all their lives in scepticism and irresolution, without any precise opinions, or settled principle of judging and acting [3]: no; their rule was as certain and consistent as that of any other sect; as it is frequently explained by Cicero, in many parts of his works. "We are not of that sort," says he, "whose mind is perpetually wandering in error, without any particular end, or object of its pursuit: for what would such a mind, or such a life, indeed, be worth, which had no determinate rule or method of thinking and acting? But the difference between us and the rest is, that, whereas they call some things certain, and others uncertain; we call the one probable, the other improbable. For what reason then should not I pursue the probable, reject the contrary, and declining the arrogance of affirming, avoid the imputation of rashness; which, of all things, is the farthest

[1] Non pertinacia sed earum rerum obscuritate, quæ ad confessionem ignorantiæ adduxerant Socratem, et—omnes pæne veteres; qui nihil cognosci, nihil percipi, nihil sciri posse dixerunt; angustos sensus; imbecillos animos; brevia curricula vitæ; in profundo veritatem demersam; opinionibus et institutis omnia teneri; nihil veritati relinqui: deinceps omnia tenebris circumfusa esse dixerunt. Academ. 1. 13.

[2] Hanc Academiam novam appellant;—quæ usque ad Carneadem perducta, qui quartus ab Arcesila fuit, in eadem Arcesilæ ratione permansit.—[Academ. 1. 13.] Ut hæc in philosophia ratio contra omnia disserendi, nullamque rem aperte judicandi, profecta a Socrate, repetita ab Arcesila, confirmata a Carneada, usque ad nostram viguit ætatem. [De Nat. Deor. 1. 5.] Hinc hæc recentior Academia emanavit, in qua exstitit divina quadam celeritate ingenii, dicendique copia Carneades. De Orat. 3. 18.

[3] Neque enim Academici, cum in utramque disserunt partem, non secundum alteram vivunt. Quintil. 1 12. 1.

removed from wisdom [1]?" Again: "We do not pretend to say, that there is no such thing as truth; but that all truths have some falsehoods annexed to them, of so near a resemblance and similitude, as to afford no certain note of distinction, whereby to determine our judgment and assent: whence it follows, also of course, that there are many things probable; which, though not perfectly comprehended, yet, on account of their attractive and specious appearance, are sufficient to govern the life of a wise man [2]." In another place, "there is no difference," says he, "between us and those, who pretend to know things—but that they never doubt of the truth of what they maintain; whereas we have many probabilities, which we readily embrace, but dare not affirm. By this we preserve our judgment free and unprejudiced, and are under no necessity of defending what is prescribed and enjoined to us: whereas, in the other sects, men are tied down to certain doctrines, before they are capable of judging what is the best; and, in the most infirm part of life, drawn either by the authority of a friend, or charmed with the first master whom they happen to hear, they form a judgment of things unknown to them; and to whatever school they chance to be driven by the tide, cleave to it as fast as the oyster to the rock [3]."

Thus the Academy held the proper medium between the rigour of the stoic and the indifference of the sceptic; the stoics embraced all their doctrines, as so many fixed and immutable truths, from which it was infamous to depart; and, by making this their point of honour, held all their disciples in an inviolable attachment to them. The sceptics, on the other hand, observed a perfect neutrality towards all opinions; maintaining all of them to be equally uncertain; and that we could not affirm of any thing, that it was this or that; since there

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[1] De Offic. 2. 2.

[2] De Nat. Deor. 1. 5.

[3] Academ. 2. 3.—N. B. This sketch of the principles of the Academy, may enable us to decide that famous contest among the critics, about the reading of the following passage in Cicero's treatise on the Nature of the Gods: [l. 1. 1.]—De qua tam variæ sunt doctissimorum hominum, tamque discrepantes sententiæ, ut magno argumento esse debeat, causam, id est, principium philosophiæ esse, scientiam; [inscientiam;] prudenterque Academicos a rebus incertis assensionem cohibuisse. The question is, whether we should read scientiam or inscientiam: the greatest part of the editions and MSS. give us the first; but Aldus Manutius and Dr. Davies prefer the second; which I take to be the true reading. For Cicero's meaning in this place is, from the dissensions of the learned, on a subject of so great importance, to illustrate a fundamental maxim of his sect, that the natural obscurity of things, and man's consciousness of his ignorance, was the first cause or incitement to the study of philosophy.—Plato had expressed the same sentiment before him, where he says, that to wonder at things was the common affection of a philosopher, and what alone gave rise, or a beginning to philosophy itself: [in Theæt. p. 155. Edit. Serr.] whence Cirero draws this inference, which he frequently inculcates in other parts of his works, that the Academy, therefore, acted prudently, in withholding its assent, and maintaining, that there was no such thing as science, or absolute certainty within the reach of man. If this then be the sense of the passage, as it appears evidently to be, it necessarily requires inscientiam to make it consistent.—See the translation of L'Abbe D'Olivet, and his notes on the place, and Edit. Davis. Cantab.

was as much reason to take it for the one as for the other, or for neither of them; and wholly indifferent, which of them we thought it to be: thus they lived without ever engaging themselves on any side of a question; directing their lives, in the mean time, by natural affections, and the laws and customs of their country[1]. But the Academics, by adopting the probable instead of the certain, kept the balance in an equal poise between the two extremes; making it their general principle, to observe a moderation in all their opinions; and, as Plutarch, who was one of them, tells us, paying a great regard always to that old maxim:

Μηδὲν ἄγαν; *ne quid nimis*[2].

As this school then was in no particular opposition to any, but an equal adversary to all, or rather to dogmatical philosophy in general, so every other sect, next to itself, readily gave it the preference to the rest: which universal concession of the second place, is commonly thought to infer a right to the first[3]; and if we reflect on the state of the heathen world, and what they themselves so often complain of, the darkness that surrounded them, and the infinite dissensions of the best and wisest on the fundamental questions of religion and morality[4], we must necessarily allow, that the Academic manner of philosophizing was, of all others, the most rational and modest, and the best adapted to the discovery of truth: whose peculiar character it was to encourage inquiry; to sift every question to the bottom; to try the force of every argument, till it had found its real moment, or the precise quantity of its weight[5]. This it was that induced Cicero, in his advanced life and ripened judgment, to desert the Old Academy, and declare for the New, when, from a long experience of the vanity of those sects, who called themselves the proprietors of truth, and the sole guides of life, and through a despair of finding any thing certain, he was glad, after all his pains, to take up with the probable[6]. But the genius and general character of both

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[1] Vid. Sext. Empirici, Pyrrhon. Hypotyp. Aul. Gell. 11. 5.

[2] μέλλων εἰς πάντα τιμήσειν τὸ μηδὲν ἄγαν, ἐν Ακαδημίᾳ γενόμενος, εἶπον. in lib. de E*i* apud Delph. 557. it. lib. de primo Frigido. fin.

[3] Academico Sapienti ab omnibus cæterarum Sectarum—secundæ partes dantur—ex quo potest probabiliter confici, eum recte primum esse suo judicio, qui omnium cæterorum judicio sit secundus. Fragm. Academ. ex Augustin.

[4] De Nat. Deor. 1. 1. 3. Academ. 2. 3. 1. 13.

[5] Neque nostræ disputationes quicquam aliud agunt, nisi ut, in utramque partem disserendo, eliciant et tanquam exprimant aliquid, quod aut verum sit, aut ad id quam proxime accedat. Academ. 2. 3.

[6] Relictam a te, inquit, veterem jam, tractari autem novam. [Ibid. 4.] Ultra enim quo progrediar, quam ut verisimilia videam, non habeo: certa dicent hi, qui et percipi ea posse dicunt, et se sapientes profitentur. [Tusc. Quæst. 1. 9.] Sed ne in maximis quidem rebus, quidquam adhuc inveni firmius, quod tenerem, aut quo judicium meum dirigerem, quam id, quodcumque mihi simillimum veri videretur, cum ipsum illud verum in occulto lateret. Orat. fin.

the Academies, was, in some measure, still the same: for the Old, though it professed to teach a peculiar system of doctrines, yet was ever diffident and cautious of affirming; and the New only the more scrupulous and sceptical of the two: this appears from the writings of Plato, the first master of the Old, in which, as Cicero observes, nothing is absolutely affirmed, nothing delivered for certain, but all things freely inquired into, and both sides of the question impartially discussed [1]. Yet there was another reason, that recommended this philosophy in a peculiar manner to Cicero; its being, of all others, the best suited to the profession of an orator: since, by its practice of disputing for and against every opinion of the other sects, it gave him the best opportunity of perfecting his oratorial faculty, and acquiring a habit of speaking readily upon all subjects. He calls it, therefore, the parent of elegance and copiousness; and declares, that he owed all the fame of his eloquence, not to the mechanic rules of the rhetoricians, but to the enlarged and generous principles of the Academy [2].

This school, however, was almost deserted in Greece, and had but few disciples in Rome, when Cicero undertook its patronage, and endeavoured to revive its drooping credit. The reason is obvious; it imposed a hard task upon its scholars, of disputing against every sect, and on every question in philosophy; and if it was difficult, as Cicero says, to be master of any one, how much more of them all? which was incumbent on those, who professed themselves Academics [3]. No wonder then, that it lost ground every where, in proportion as ease and luxury prevailed: which naturally disposed people to the doctrine of Epicurus: in relation to which, there is a smart saying recorded of Arcesilas; who, being asked, why so many of all sects went over to the Epicureans, but none ever came back from them, replied, that men might be made eunuchs, but eunuchs could never become men again [4].

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[1] Cujus in libris nihil affirmatur, et in utramque partem multa disseruntur, de omnibus quæritur, nihil certi dicitur. Academ. 1. 13.

[2] Itaque mihi semper Academiæ consuetudo, de omnibus rebus in contrarias partes disserendi, non ob eam causam solum placuit, quod aliter non posset quid in quaque re verisimile sit inveniri, sed etiam quod esset ea maxima dicendi exercitatio. [Tusc. Quæst. 2. 3. vid. Quintil. 12. 2.] Ego autem fateor; me oratorem, si modo sim, aut etiam quicumque sim, non ex Rhetorum officinis, sed ex Academiæ spatiis extitisse. [Orat. sub init.] Nos ea philosophia plus utimur, quæ peperit dicendi copiam. Procem. Paradox.

[3] Quam nunc propemodum orbam esse in Græcia intelligo—nam si singulas disciplinas percipere magnum est, quanto majus omnes? quod facere iis necesse est, quibus propositum est, veri reperiendi causa, et contra omnes philosophos, et pro omnibus dicere. De Nat. Deor. 1. 5.

[4] Diogenes Laertius, and some late writers, speak of a third or Middle Academy between the Old and the New, in which they are commonly followed by the moderns, who make Plato the founder of the Old, Arcesilas of the Middle, Carneades of the New. [See Stanley's Lives of Philos. in Carneades.] But there was no real ground for such a distinction: since Cicero never mentions any other, but the Old and the New; and expressly declares the last to have subsisted under that denomination, down

This general view of Cicero's philosophy will help us to account, in some measure, for that difficulty, which people frequently complain of, in discovering his real sentiments, as well as for the mistakes which they are apt to fall into in that search: since it was the distinguishing principle of the Academy, to refute the opinions of others, rather than declare any of their own. Yet the chief difficulty does not lie here: for Cicero was not scrupulous on that head, nor affected any obscurity in the delivery of his thoughts, when it was his business to explain them: but it is the variety and different character of his several writings that perplexes the generality of his readers: for wherever they dip into his works, they are apt to fancy themselves possessed of his sentiments, and to quote them indifferently as such, whether from his orations, his dialogues, or his letters, without attending to the peculiar nature of the work, or the different person that he assumes in it.

His orations are generally of the judicial kind, or the pleadings of an advocate, whose business it was to make the best of his cause, and to deliver not so much what was true, as what was useful to his client; the patronage of truth belonging, in such cases, to the judge, and not to the pleader [1]. It would be absurd, therefore, to require a scrupulous veracity, or strict declaration of his sentiments in them: the thing does not admit of it, and he himself forbids us to expect it: and, in one of those orations, frankly declares the true nature of them all. "That man," says he, "is much mistaken, who thinks that, in these judicial pleadings, he has an authentic specimen of our opinions: they are the speeches of the causes and the times; not of the men or the advocates; if the causes could speak for themselves, nobody would employ an orator; but we are employed to speak, not what we would undertake to affirm upon our authority, but what is suggested by the cause and the thing itself [2]." Agreeably to this notion, Quintilian tells us, that those who are truly wise, and have spent their time in public affairs, and not in idle disputes, though they have resolved with themselves to be strictly honest in all their actions, yet will not scruple to use every argument that can be

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to his own days, as well under Carneades as Arcesilas: and, so far from splitting them into three Academies, Cicero's master, Philo, maintained constantly, in his books, that there never was, in reality, any more than one, grounding his argument on what I have observed above, the similar nature and genius of the two. Academ. 1. 4. Perturbatricem autem harum omnium rerum Academiam, hanc ab Arcesila et Carneade recentem, exoremus ut sileat. De Leg. 1. 13.

[1] Judicis est semper in causis verum sequi; Patroni, nonnunquam verisimile, etiam si minus sit verum, defendere: quod scribere, præsertim cum de philosophia scriberem, non auderem, nisi idem placeret gravissimo Stoicorum Panætio. De Offic. 2. 14.

[2] Sed errat vehementer, si quis in orationibus nostris, quas in judiciis habuimus, auctoritates nostras consignatas se habere, arbitratur. Pro A. Cluent. 50.

of service to the cause which they have undertaken to defend [1]. In his orations, therefore, where we often meet with the sentences and maxims of philosophy, we cannot always take them for his own, but as topics applied to move his audience, or to add an air of gravity and probability to his speech [2].

His letters, indeed, to familiar friends, and especially those to Atticus, place the real man before us, and lay open his very heart, yet, in these, some distinction must necessarily be observed; for, in letters of compliment, condolence, or recommendation, or where he is soliciting any point of importance, he adapts his arguments to the occasion: and uses such, as would induce his friend the most readily to grant what he desired. But as his letters, in general, seldom touch upon any questions of philosophy, except slightly and incidentally, so they will afford very little help to us, in the discovery of his philosophical opinions, which are the subject of the present inquiry, and for which we must wholly recur to his philosophical works.

Now the general purpose of these works was to give a history, rather of the ancient philosophy, than any account of his own; and to explain to his fellow-citizens, in their own language, whatever the philosophers of all sects, and in all ages, had taught on every important question, in order to enlarge their minds, and reform their morals; and to employ himself the most usefully to his country, at a time when arms and a superior force had deprived him of the power of serving it in any other way [3]. This he declares in his treatise called De Finibus, or on the chief good or ill of man; in that upon the Nature of the Gods; in his Tusculan Disputations; and in his book on the Academic Philosophy: in all which he sometimes takes upon himself the part of a Stoic; sometimes of an Epicurean; sometimes of the Peripatetic; for the sake of explaining, with more authority, the different doctrines of each sect: and, as he assumes the person of the one, to confute the other; so, in his proper character of an Academic, he sometimes disputes against them all: while the unwary reader, not reflecting on the nature of dialogues, takes Cicero still for the perpetual speaker; and, under that mistake, often quotes

[1] Quintil. 11. 1.

[2] Though his orations are not always the proper vouchers of his opinions, yet they are the best testimonies that can be alleged for the truth of facts; especially those which were spoken to the senate or the people, where he refers to the acts and characters of persons then living before an audience, that was generally as well acquainted with them as himself; and it is, in such cases, chiefly, that I lay any great stress upon them.

[3] Nam cum otio langueremus, et si esset Reipub. status, ut eam unius consilio atque cura gubernari necesse esset, primum ipsius Reipub. causa philosophiam nostris hominibus explicandam putavi; magni existimans interesse ad decus et ad laudem civitatis, res tam graves, tamque præclaras Latinis etiam litteris contineri. De Nat. Deor. 1. 4. it. Academ. 1. 5. Tusc. Quæst. 1. 1. De Fin. 1. 3, 4.

a sentiment for his, that was delivered by him only in order to be confuted. But in these dialogues, as in all his other works, wherever he treats any subject professedly, or gives a judgment upon it deliberately, either in his own person, or that of an Academic, there he delivers his own opinions: and where he himself does not appear in the scene, he takes care usually to inform us to which of the characters he has assigned the patronage of his own sentiments; who was generally the principal speaker of the dialogue; as Crassus, in his treatise on the Orator; Scipio, in that on the Republic; Cato, in his piece on Old Age. This key will let us into his real thoughts; and enable us to trace his genuine notions through every part of his writings; from which I shall now proceed to give a short abstract of them.

As to physics, or natural philosophy, he seems to have had the same notion with Socrates, that a minute and particular attention to it, and the making it the sole end and object of our inquiries, was a study rather curious than profitable, and contributing but little to the improvement of human life [1]. For though he was perfectly acquainted with the various systems of all the philosophers of any name, from the earliest antiquity, and has explained them all in his works; yet he did not think it worth while, either to form any distinct opinions of his own, or, at least, to declare them. From his account, however, of those systems, we may observe, that several of the fundamental principles of the modern philosophy, which pass for the original discoveries of these latter times, are the revival rather of ancient notions, maintained by some of the first philosophers, of whom we have any notice in history; as the motion of the earth; the antipodes; a vacuum; and an universal gravitation, or attractive quality of matter; which holds the world in its present form and order [2].

But, in all the great points of religion and morality, which are of more immediate relation to the happiness of man—the being of a God; a Providence; the immortality of the soul; a future state of rewards and punishments; and the eternal difference of good and ill; he has largely and clearly declared his mind in many parts of his writings. He maintained that there was one God or Supreme Being, incorporeal, eternal, self-existent; who created the world by his power, and sustained it by his providence. This he inferred from the consent of all nations; the order and beauty of the heavenly bodies; the evident marks of counsel, wisdom, and a fitness to certain ends observable in the whole, and in every part of the

[1] Ut enim modo dixi, omnibus fere in rebus, et maxime in Physicis, quid non sit, citius, quam quid sit, dixerim. De Nat. Deor. 1. 21. Academ. 2. 39.
[2] De Nat. Deor. 2. 45. Academ. 2. 38, 39.

visible world; and declares that person unworthy of the name of man, who can believe all this to have been made by chance, when, with the utmost stretch of human wisdom, we cannot penetrate the depth of that wisdom which contrived it [1].

He believed also a Divine providence, constantly presiding over the whole system, and extending its care to all the principal members of it: with a peculiar attention to the conduct and actions of men; but leaving the minute and inferior parts to the course of his general laws. This he collected from the nature and attributes of the Deity; his omniscience, omnipresence, and infinite goodness; that could never desert or neglect what he had once produced into being: and declares that without this belief, there could be no such thing as piety or religion in the world [2].

He held, likewise, the immortality of the soul, and its separate existence after death, in a state of happiness or misery. This he inferred from that ardent thirst of immortality, which was always the most conspicuous in the best and most exalted minds; from which the true specimen of their nature must needs be drawn: from its unmixed and indivisible essence; which had nothing separable or perishable in it: from its wonderful powers and faculties; its principle of self-motion; its memory, invention, wit, comprehension; which were all incompatible with sluggish matter [3].

The stoics fancied, that the soul was a subtilized, fiery substance, which survived the body after death, and subsisted a long time, yet not eternally; but was to perish at last, in the general conflagration. In which they allowed, as Cicero says, the only thing that was hard to conceive; its separate existence

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[1] Nec Deus ipse—alio modo intelligi potest, nisi mens soluta quædam et libera, segregata ab omni concretione mortali, omnia sentiens et movens, ipsaque prædita motu sempiterno. [Tusc. Quæst. 1. 27.] Sed omnes gentes una lex et sempiterna et immortalis continebit, unusque erit quasi magister, et imperator omnium Deus. Fragm. lib. 3. de Repub.

Ut porro firmissimum hoc adferri videtur, cur Deos esse credamus, quod nulla gens tam fera,—cujus mentem non imbuerit Deorum opinio—omni autem in re consensio omnium gentium lex naturæ putanda est. [Tusc. Quæst. 1. 14.] Hæc igitur et talia innumerabilia cum cernimus, possumusne dubitare, quin his præsit aliquis vel effector, (si hæc nata sunt, ut Platoni videtur,) vel, (si semper fuerunt, ut Aristoteli placet) moderator tanti operis et muneris? [Ibid. 28.] Id est primum, quod inter omnes, nisi admodum impios, convenit, mihi quidem ex animo exuri non potest, esse Deos. [Nat. Deor. 3. 3.] Esse præstantem aliquam, æternamque naturam, et eam suspiciendam, admirandamque hominum generi, pulchritudo mundi, ordoque rerum cœlestium cogit confiteri. [De Divin. 2. 72.] Quæ quanto consilio gerantur, nullo consilio assequi possumus. De Nat. Deor. 2. 38.

[2] De maxima autem re, eodem modo; divina mente atque natura mundum universum atque maximas ejus partes administrari. [De Fin. 4. 5.] Quam vim animum esse dicunt mundi, eandemque esse mentem sapientiamque perfectam; quem Deum appellant, omniumque rerum, quæ sunt ei subjectæ, quasi prudentiam quandam, procurantem cœlestia maxime, deinde in terris ea, quæ pertinent ad homines. Academ. 1. 8. Vid. Nat. Deor. 1. 2. 44. 2. 66. 3. 36.

[3] Quod quidem ni ita se haberet, ut animi immortales essent, haud optimi cujusque

from the body; yet denied what was not only easy to imagine, but a consequence of the other—its eternal duration [1]. Aristotle taught, that, besides the four elements of the material world, whence all other things were supposed to draw their being, there was a fifth essence or nature, peculiar to God and the soul, which had nothing in it that was common to any of the rest [2]. This opinion Cicero followed, and illustrated, with his usual perspicuity, in the following passage:—

"The origin of the human soul," says he, "is not to be found any where on earth. There is nothing mixed, concrete, or earthly; nothing of water, air, or fire in it. For these natures are not susceptible of memory, intelligence, or thought; have nothing that can retain the past, foresee the future, lay hold on the present; which faculties are purely Divine, and could not possibly be derived to man, except from God. The nature of the soul, therefore, is of a singular kind; distinct from these known and obvious natures: and whatever it be that feels and tastes, that lives and moves in us, it must be heavenly and Divine, and for that reason eternal. Nor is God indeed himself, whose existence we clearly discover, to be comprehended by us in any other manner, but as a free and pure mind, clear from all mortal concretion; observing and moving all things, and endued with an eternal principle of self-motion: of this kind, and of the same nature, is the human soul [3]."

As to a future state of rewards and punishments, he considered it as a consequence of the soul's immortality, deducible from the attributes of God, and the condition of man's life on earth; and thought it so highly probable, that we could hardly doubt of it, he says, unless it should happen to our minds, when they look into themselves, as it does to our eyes, when they look too intensely at the sun, that finding their sight dazzled, they give over looking at all [4]. In this opinion he followed Socrates and Plato, for whose judgment he professes so great a reverence, that, if they had given no reasons, where yet

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animus maxime ad immortalitatem niteretur. [Cato 23.] Num dubitas quin specimen naturæ capi debeat ex optima quaque natura? [Tusc. Quæst. 1. 14.] Sic mihi persuasi, sic sentio, cum tanta celeritas animorum sit, tanta memoria præteritorum, futurorumque prudentia, tot artes, tot scientiæ, tot inventa, non posse eam naturam, quæ res eas contineat, esse mortalem: cumque semper agitetur animus, &c. Cato 21. Tusc. Quæst. 1. 23. 25. 26. &c. De Amicit. 4.

[1] Zenoni Stoico animus ignis videtur. [Tusc. Quæst. 1. 9.] Stoici autem usuram nobis largiuntur, tanquam cornicibus; diu mansuros aiunt animos, semper negant—qui, quod in tota hac causa difficillimum est, suscipiunt, posse animum manere corpore vacantem: illud autem, quod non modo facile ad credendum est, sed, eo concesso quod volunt, consequens idcirco, non dant, ut cum diu permanserit, ne intereat. Ibid. 1. 31, 32.

[2] Ibid. 10.

[3] Ibid. 27.

[4] Nec vero de hoc quisquam dubitare posset, nisi idem nobis accideret diligenter de animo cogitantibus, quod his sæpe usu venit, qui acriter oculis deficientem solem intuerentur, ut aspectum omnino amitterent, &c. Tusc. Quæst. 1. 30.

they had given many, he should have been persuaded, he says, by their sole authority [1]. Socrates, therefore, as he tells us, declared, in his dying speech, that there were two ways appointed to human souls, at their departure from the body: that those who had been immersed in sensual pleasures and lusts, and had polluted themselves with private vices, or public crimes against their country, took an obscure and devious road, remote from the seat and assembly of the gods; whilst those who had preserved their integrity, and received little or no contagion from the body, from which they had constantly abstracted themselves, and, in the bodies of men, imitated the life of the gods, had an easy ascent lying open before them to those gods, from whom they derived their being [2].

From what has already been said, the reader will easily imagine what Cicero's opinion must have been concerning the religion of his country: for a mind, enlightened by the noble principles just stated, could not possibly harbour a thought of the truth or divinity of so absurd a worship: and the liberty, which not only he, but all the old writers take, in ridiculing the characters of their gods, and the fictions of their infernal torments [3], shews, that there was not a man of liberal education, who did not consider it as an engine of state, or political system; contrived for the uses of government, and to keep the people in order: in this light Cicero always commends it, as a wise institution; singularly adapted to the genius of Rome; and constantly inculcates an adherence to its rites, as the duty of all good citizens [4].

Their religion consisted of two principal branches; the observation of the auspices, and the worship of the gods: the first was instituted by Romulus; the second by his successor, Numa;

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[1] Ibid. 21. de Amicit. 4.

[2] Ibid. 30.

[3] Dic quæso, num te illa terrent? triceps apud inferos Cerberus? Cocyti fremitus? transvectio Acherontis?—adeone me delirare censes ut ista credam? [Ibid. 1. 5, 6. 21.] Quæ anus tam excors inveniri potest, quæ illa, quæ quondam credebantur, apud inferos portenta extimescat? De Nat. Deor. 2. 2.

[4] Ordiar ab Haruspicina, quam ego Reipub. causa communisque religionis colendam censeo. [De Divin. 2. 12.] Nam et Majorum instituta tueri sacris cæremoniisque retinendis sapientis est. Ibid. 72. De Leg. 2. 12, 13.

N.B. There is a reflection in Polybius, exactly conformable to Cicero's sentiments on this subject. "The greatest advantage," says he, "which the Roman government seems to have had over other states, is the opinion publicly entertained by them about the gods; and that very thing, which is so generally decried by other mortals, sustained the Republic of Rome: I mean superstition. For this was carried by them to such a height, and introduced so effectually, both in the private lives of the citizens, and the public affairs of the city, that one cannot help being surprised at it. But I take it all to have been contrived for the sake of the populace. For if a society could be formed of wise men only, such a scheme would not be necessary: but since the multitude is always giddy, and agitated by illicit desires, wild resentments, violent passions; there was no way left of restraining them, but by the help of such secret terrors and tragical fictions. It was not therefore without great prudence and foresight, that the ancients took care to instil into them these notions of the gods and infernal punishments, which the moderns on the other hand, are now rashly and absurdly endeavouring to extirpate." Polyb. l. 6. p. 497.

who drew up a ritual, or order of ceremonies to be observed in the different sacrifices of their several deities: to these a third part was afterwards added; relating to Divine admonitions from portents, monstrous births, the entrails of beasts in sacrifice, and the prophecies of the sibyls [1]. The college of augurs presided over the auspices, as the supreme interpreters of the will of Jove: and determined what signs were propitious, and what not: the other priests were the judges of all the other cases relating to religion; as well of what concerned the public worship, as that of private families [2].

Now the priests of all denominations were of the first nobility of Rome; and the augurs, especially, were commonly senators of consular rank, who had passed through all the dignities of the republic, and, by their power over the auspices, could put an immediate stop to all proceedings, and dissolve, at once, all the assemblies of the people convened for public business. The interpretation of the sibyl's prophecies was vested in the decemviri, or guardians of the sibylline books, ten persons of distinguished rank, chosen usually from the priests: and the province of interpreting prodigies, and inspecting the entrails, belonged to the haruspices, who were the servants of the public, hired to attend the magistrates in all their sacrifices; and who never failed to accommodate their answers to the views of those who employed them, and to whose protection they owed their credit and their livelihood.

This constitution of a religion, among a people naturally superstitious, necessarily threw the chief influence in affairs into the hands of the senate, and the better sort; who, by this advantage, frequently checked the violences of the populace, and the factious attempts of the tribunes [3]: so that it is perpetually applauded by Cicero, as the main bulwark of the republic: though considered all the while, by men of sense, as merely political, and of human invention. The only part, that admitted any dispute concerning its origin, was augury, or their method of divining by auspices. The stoics held, that God, out of his goodness to man, had imprinted, on the nature of things, certain marks or notices of future events; as on the entrails of beasts, the flight of birds, thunder, and other celestial signs, which, by long observation, and the experience of ages, were reduced to an art, by which the mean-

[1] Cum omnis populi Romani religio in sacra et in auspicia divisa sit, tertium adjunctum sit, si quid prædictionis causa ex portentis et monstris Sibyllæ interpretes, haruspicesve monuerunt. De Nat. Deor. 3. 2.

[2] —Cur sacris pontifices, cur auspiciis augures præsunt? [Ibid. 1. 44.] Est autem boni auguris, meminisse maximis Reipub. temporibus præsto esse debere, Jovique optimo maximo se consiliarium atque administrum datum. De Leg. 3. 19.

[3] Omnibus magistratibus auspicia—dantur, ut multos inutiles comitiatus, probabiles impedirent moræ: sæpe enim populi impetum injustum auspiciis Dii immortales repressérunt. Ibid. 3. 12.

ing of each sign might be determined and applied to the event, that was signified by it. This they called artificial divination, in distinction from the natural; which they supposed to flow from an instinct, or native power, implanted in the soul, which it exerted always with the greatest efficacy, when it was the most free and disengaged from the body, as in dreams and madness [1]. But this notion was generally ridiculed by the other philosophers: and of all the college of augurs, there was but one, at this time, who maintained it, Appius Claudius; who was laughed at for his pains by the rest, and called the Pisidian [2]: it occasioned, however, a smart controversy between him and his colleague, Marcellus, who severally published books on each side of the question; wherein Marcellus asserted the whole affair to be the contrivance of statesmen; Appius, on the contrary, that there was a real art and power of divining, subsisting in the augural discipline, and taught by the augural books [3]. Appius dedicated this treatise to Cicero [4]: who, though he preferred Marcellus's notion, yet did not wholly agree with either, but believed, that augury might probably be instituted, at first, upon a persuasion of its divinity; and when, by the improvement of arts, and learning, that opinion was exploded in succeeding ages, yet the thing itself was wisely retained, for the sake of its use to the republic [5].

But whatever was the origin of the religion of Rome, Cicero's religion was undoubtedly of heavenly extraction; built, as we have seen, on the foundation of a God, a Providence, and immortality. He considered this short period of our life on earth, as a state of trial, or a kind of school; in which we were to improve and prepare ourselves for that eternity of existence, which was provided for us hereafter; that we were placed therefore here by the Creator, not so much to inhabit the earth, as to contemplate the heavens; on which were imprinted, in legible characters, all the duties of that nature, which was given to us. He observed, that this spectacle belonged to no other animal but man; to whom God, for that reason, had given an erect and upright form; with eyes not

[1] Duo sunt enim divinandi genera, quorum alterum artis est, alterum naturæ—est enim vis et natura quædam, quæ, cum observatis longo tempore significationibus, tum aliquo instinctu, inflatuque divino futura prænunciat. De Div. 1. 6. Vid. it. ibid. 18.

[2] Quem irridebant Collegæ tui, eumque tum Pisidam, tum Soranum Augurem esse dicebant. Ibid. 47.

The Pisidians were a barbarous people of lesser Asia; famous for their superstitious observation of the auspices, or their divination by the flight of birds. De Div. I. 41, 42.

[3] Sed est in Collegio vestro inter Marcellum et Appium, optimos Augures, magna dissensio:—cum alteri placeat, auspicia ista ad utilitatem Reipub. composita; alteri disciplina vestra quasi divinare prorsus posse videatur. De Leg. 2. 13.

[4] Illo libro Augurali, quem ad me amantissime scriptum, suavissimum misisti. Ep. Fam. 3. 4.

[5] Non enim sumus ii nos Augures, qui avium, reliquorumque signorum observatione futura dicamus: et tamen credo Romulum, qui urbem auspicato condidit, habuisse opinionem, esse in providendis rebus augurandi scientiam. Errabat multis in rebus Antiquitas, &c. De Div. 2. 33.

prone or fixed upon the ground like those of other animals, but placed on high and sublime; in a situation the most proper for this celestial contemplation; to remind him perpetually of his task, and to acquaint him with the place from which he sprung, and for which he was finally designed [1]. He took the system of the world, or the visible works of God, to be the promulgation of God's law, or the declaration of his will to mankind; whence, as we might collect his being, nature, and attributes, so we could trace the reasons also and motives of his acting; till by observing what he had done, we might learn what we ought to do, and, by the operations of the divine reason, be instructed how to perfect our own; since the perfection of man consisted in the imitation of God.

From this source he deduced the origin of all duty or moral obligation; from the will of God, manifested in his works; or from that eternal reason, fitness, and relation of things, which is displayed in every part of the creation. This he calls the original immutable law; the criterion of good and ill; of just and unjust, imprinted on the nature of things, as the rule by which all human laws are to be formed; which, whenever they deviate from this pattern, ought, he says, to be called any thing rather than laws; and are, in effect, nothing but acts of force, violence, and tyranny: that to imagine the distinction of good and ill, not to be founded in nature, but in custom, opinion, or human institution, is mere folly and madness; which would overthrow all society, and confound all right and justice amongst men [2]: that this was the constant opinion of the wisest of all ages; who held, that the mind of God, governing all things by eternal reason, was the principal and sovereign law; whose substitute on earth, was the reason or mind of the wise, to which purpose there are many strong and beautiful passages, scattered occasionally through every part of his works [3].

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[1] Sed credo Deos sparsisse animos in corpora humana, ut essent qui terras tuerentur, quique cœlestium ordinem contemplantes, imitarentur eum vitæ modo et constantia, &c. [Cato 21.] Nam cum ceteras animantes abjecisset ad pastum, solum hominem erexit, ad cœlique quasi cognationis, domiciliique pristini conspectum excitavit. [De Leg. 1. 9.] Ipse autem homo ortus est ad mundum contemplandum, et imitandum, nullo modo perfectus, sed est quædam particula perfecti. Nat. Deor. 2. 14. 56.

[2] Sed etiam modestiam quandam cognitio rerum cœlestium adfert iis, qui videant quanta sit etiam apud Deos moderatio, quantus ordo; et magnitudinem animi, Deorum opera et facta cernentibus; justitiam etiam, cum cognitum habeas, quod sit summi Rectoris et Domini numen, quod consilium, quæ voluntas; cujus ad naturam apta ratio vera illa et summa lex a Philosophis dicitur. De Fin. 4. 5.

Nos legem bonam a mala, nulla alia nisi naturæ norma dividere possumus. Nec solum jus et injuria natura dijudicantur, sed omnino omnia honesta ac turpia; nam et communis intelligentia nobis notas res efficit, easque in animis nostris inchoat, ut honesta in virtute ponantur, in vitiis turpia. Ea autem in opinione existimare, non in natura posita, dementis est. [De Leg. 1. 16.] Erat enim ratio profecta a rerum natura; et ad recte faciendum impellens, et a delicto avocans; quæ non tum demum incipit lex esse, cum scripta est, sed tum, cum orta est; orta autem simul est cum mente divina: quamobrem lex vera, atque princeps, apta ad jubendum et ad vetandum, recta est ratio summi Jovis, &c. De Leg. 2. 4. 5, &c.

[3] Hanc igitur video sapientissimorum fuisse sententiam, legem neque hominum inge-

"The true law," says he, "is right reason, conformable to the nature of things; constant, eternal, diffused through all; which calls us to duty by commanding, deters us from sin by forbidding; which never loses its influence with the good; nor ever preserves it with the wicked. This cannot possibly be overruled by any other law; nor abrogated in the whole or in part; nor can we be absolved from it either by the senate or the people: nor are we to seek any other comment or interpreter of it, but itself: nor can there be one law at Rome, another at Athens; one now, another hereafter; but the same eternal, immutable law, comprehends all nations, at all times, under one common Master and Governor of all, God. He is the inventor, propounder, enacter of this law: and whosoever will not obey it, must first renounce himself, and throw off the nature of man: by doing which he will suffer the greatest punishment, though he should escape all the other torments which are commonly believed to be prepared for the wicked[1]."

In another place he tells us, that the study of this law was the only thing which could teach us that most important of all lessons, said to be prescribed by the Pythian oracle, to know ourselves; that is, to know our true nature and rank in the universal system; the relation that we bear to all other beings; and the purposes for which we were sent into the world. "When a man," says he, "has attentively surveyed the heavens, the earth, the sea, and all things in them; observed whence they sprung, and whither they all tend; when and how they are to end; what part is mortal and perishable, what Divine and eternal: when he has almost reached and touched, as it were, the Governor and Ruler of them all, and discovered himself not to be confined to the walls of any certain place, but a citizen of the world, as of the common city; in this magnificent view of things; in this enlarged prospect and knowledge of nature; good gods, how will he learn to know himself! How will he contemn, despise, and set at nought all those things, which the vulgar esteem the most splendid and glorious[2]!"

These were the principles on which Cicero built his religion and morality; which shine, indeed, through all his writings, but were largely and explicitly illustrated by him in his treatises on Government and on Laws; to which he added, afterwards, his Book of Offices, to make the scheme complete: volumes which, as the elder Pliny says to the emperor Titus, ought not only to be read, but to be got by heart[3]. The first

niis excogitatam, nec Scitum aliquod esse populorum, sed æternum quiddam, quod universum mundum regeret, imperandi, prohibendique sapientia, &c. Ibid. &c.

[1] Fragm. lib. 3. de Repub. ex Lactantio. [2] De Leg. l. 23.

[3] Quæ volumina ejus ediscenda non modo in manibus habenda quotidie, nosti. Præf. ad Hist. Nat.

and greatest of these works is lost, excepting a few fragments, in which he had delivered his real thoughts so professedly, that, in a letter to Atticus, he calls those six Books on the Republic, so many pledges given to his country, for the integrity of his life; from which, if he ever swerved, he could never have the face to look into them again [1]. In his Book of Laws he pursued the same argument, and deduced the origin of law from the will of the Supreme God. These two pieces, therefore, contain his belief, and the Book of Offices his practice; where he has traced out all the duties of man, or a rule of life, conformable to the Divine principles, which he had established in the other two; to which he often refers, as to the foundation of his whole system [2]. This work was one of the last that he finished, for the use of his son, to whom he addressed it; being desirous, in the decline of a glorious life, to explain to him the maxims by which he had governed it; and teach him the way of passing through the world with innocence, virtue, and true glory, to an immortality of happiness: where the strictness of his morals, adapted to all the various cases and circumstances of human life, will serve, if not to instruct, yet to reproach the practice of most Christians. This was that law, which is mentioned by St. Paul, to be taught by nature, and written on the hearts of the Gentiles, to guide them through that state of ignorance and darkness of which they themselves complained, till they should be blessed with a more perfect revelation of the Divine will; and this scheme of it, professed by Cicero, was certainly the most complete that the Gentile world had ever been acquainted with; the utmost effort that human nature could make, towards attaining its proper end; or that supreme good, for which the Creator had designed it: upon the contemplation of which sublime truths, as delivered by a heathen, Erasmus could not help persuading himself, that the breast from which they flowed must needs have been inspired by the Deity [3].

But after all these glorious sentiments that we have been ascribing to Cicero, and collecting from his writings, some have been apt to consider them, as the flourishes rather of his eloquence, than the conclusions of his reason; since, in other parts of his works, he seems to intimate not only a diffidence, but a disbelief of the immortality of the soul, and a future state of rewards and punishments; and especially in his letters,

[1] Præsertim cum sex libris, tanquam prædibus, meipsum obstrinxerim; quos tibi tam valde probari gaudeo. [Ad Att. 6. 1.] Ego audebo legere unquam, aut attingere eos libros, quos tu dilaudas, si tale quid fecero? Ibid. 2.

[2] Offic. 3. 5, 6. 17.

[3] Quid aliis accidat nescio; me legentem sic afficere solet M. Tullius, præsertim ubi de bene vivendo disserit, ut dubitare non possim, quin illud pectus, unde ista prodierunt, aliqua divinitus occuparit. Erasm. Ep. ad Joh. Ulattenum.

where he is supposed to declare his mind with the greatest frankness [1]. But in all the passages brought to support this objection, where he is imagined to speak of death as the end of all things to man, as they are addressed to friends in distress, by way of consolation, so some commentators take them to mean nothing more than that death is the end of all things here below, and without any further sense of what is done upon earth: yet should they be understood to relate, as perhaps they may, to an utter extinction of our being; it must be observed, that he was writing, in all probability, to Epicureans [2], and accommodating his arguments to the men; by offering such topics of comfort to them from their own philosophy, as they themselves held to be the most effectual. But if this also should seem precarious, we must remember always that Cicero was an Academic; and though he believed in a future state, was fond of the opinion, and declares himself resolved never to part with it; yet he believed it as probable only, not as certain [3]: and as probability implies some mixture of doubt, and admits the degrees of more and less, so it admits also some variety in the stability of our persuasion: thus, in a melancholy hour, when his spirits were depressed, the same argument would not appear to him with the same force; but doubts and difficulties get the ascendant, and what humoured his present chagrin, find the readiest admission. The passages alleged were all of this kind, written in the season of his dejection, when all things were going wrong with him, in the

[1] Sæpissime et legi et audivi, nihil mali esse in morte; in qua si resideat sensus, immortalitas illa potius, quam mors ducenda est: sin sit amissus, nulla videri miseria debeat, quæ non sentiatur. [Ep. Fam. 5. 16.] Ut hoc saltem in maximis malis boni consequamur, ut mortem, quam etiam beati contemnere debeamus, propterea quod nullum sensum esset habitura, nunc sic affecti, non modo contemnere debeamus, sed etiam optare. [Ibid. 21.] Sed hæc consolatio levis; illa gravior, qua te uti spero, ego certe utor: nec enim dum ero, angar ulla re, cum omni vacem culpa; et si non ero, sensu omnino carebo. [Ibid. 6. 3.] Deinde—si jam vocer ad exitum vitæ, non ab ea Rep. avellar, qua carendum esse doleam, præsertim cum id sine ullo sensu futurum sit. [Ibid. 4.] Una ratio videtur, quicquid evenerit, ferre moderate, præsertim cum omnium rerum mors sit extremum. [Ibid. 21.] Sed de illa—fors viderit, aut si quis est, qui curet Deus. Ad Att. 4. 10.

N.B. By this illustration of Cicero's moral principles, we learn the force of that rule, which he frequently prescribes, of following nature, as the sure and unerring guide of life: [De Leg. 1. 6. de Senect. 2. de Amicit. 5.] by which he means that law or will of God, displayed in the nature of things; not, as some are apt to interpret him, the dictates of our unruly passions, which are falsely called natural; being the motions only of vitiated appetites, and the creatures of habit, not of nature: the gratification of which, as he tells us, is more contrary to nature, and consequently more to be avoided than poverty, pain, or even death itself. [Offic. 3. 5, 6.]

[2] This will appear to be a very probable supposition, when we recollect that the generality of the Roman nobility, and of Cicero's friends, were of the Epicurean sect; and particularly the family of Torquatus, to whom two of these very letters are addressed. Accurate quondam a L. Torquato, homine omni doctrina erudito, defensa est Epicuri sententia de voluptate, a meque ei responsum. De Fin. 1. 5.

[3] Quod si in hoc erro, quod animos hominum immortales esse credam, lubenter erro. Nec mihi hunc errorem, quo delector, dum vivo, extorqueri volo. Cato 23. Geram tibi morem, et ea, quæ vis, ut potero, explicabo: nec tamen quasi Pythius Apollo, certa ut sint et fixa quæ dixero: sed ut homunculus unus e multis, probabilia conjectura sequens. Tusc. Quæst. 1. 9.

height of Cæsar's power; and though we allow them to have all the force that they can possibly bear, and to express what Cicero really meant at that time, yet they prove at last nothing more than that, agreeably to the character and principles of the Academy, he sometimes doubted what he generally believed. But, after all, whatever be the sense of them, it cannot surely be thought reasonable to oppose a few scattered hints, accidentally thrown out, when he was not considering the subject, to the volumes that he had deliberately written on the other side of the question [1].

As to his political conduct, no man was ever a more determined patriot, or a warmer lover of his country, than he: his whole character, natural temper, choice of life and principle, made its true interest inseparable from his own. His general view, therefore, was always one and the same, to support the peace and liberty of the republic, in that form and constitution of it which their ancestors had delivered down to them [2]. He looked upon that as the only foundation on which it could be supported, and used to quote a verse of old Ennius, as the dictate of an oracle, which derived all the glory of Rome from an adherence to its ancient manners and discipline:

Moribus antiquis stat res Romana virisque [3].

It is one of his maxims, which he inculcates in his writings, that, as the end of a pilot is a prosperous voyage; of a physician, the health of his patient; of a general, victory; so that of a statesman is, to make his citizens happy, to make them firm in power, rich in wealth, splendid in glory, eminent in virtue; which he declares to be the greatest and best of all works among men [4]: and, as this cannot be effected, but by the concord and harmony of the constituent members of a

[1] From this general view of Cicero's religion, one cannot help observing, that the most exalted state of human reason is so far from superseding the use, that it demonstrates the benefit of a more explicit revelation: for though the natural law, in the perfection to which it was carried by Cicero, might serve for a sufficient guide to the few, such as himself, of enlarged minds and happy dispositions, yet it had been so long depraved and adulterated by the prevailing errors and vices of mankind, that it was not discoverable even to those few, without great pains and study, and could not produce in them, at last, any thing more than a hope, never a full persuasion; whilst the greatest part of mankind, even of the virtuous and inquisitive, lived without the knowledge of a God, or the expectation of a futurity, and the multitude in every country was left to the gross idolatry of the popular worship. When we reflect on all this, we must needs see abundant reason to be thankful to God for the Divine light of his gospel, which has revealed, at last, to babes, what was hidden from the wise; and, without the pains of searching, or danger of mistaking, has given us not only the hope, but the assurance of happiness, and made us not only the believers, but the heirs of immortality.

[2] Sic tibi, mi Pæte, persuade, me dies et noctes nihil aliud agere, nihil curare, nisi ut mei cives salvi liberique sint. Ep. Fam. l. 34.

[3] Quem quidem ille versum vel brevitate vel veritate, tanquam ex Oraculo mihi quodam effatus videtur, &c. vid. Fragm. de Repub. l. 5.

[4] Ut gubernatori cursus secundus—sic huic moderatori Reip. beata civium vita proposita est, &c. vid. Ibid.

city [1]; so it was his constant aim to unite the different orders of the state into one common interest, and to inspire them with a mutual confidence in each other, so as to balance the supremacy of the people, by the authority of the senate; that the one should enact, but the other advise; the one have the last resort, the other the chief influence [2]. This was the old constitution of Rome, by which it had raised itself to all its grandeur, whilst all its misfortunes were owing to the contrary
7 principle—of distrust and dissension between these two rival powers: it was the great object, therefore, of his policy, to throw the ascendant, in all affairs, into the hands of the senate and the magistrates, as far as it was consistent with the rights and liberties of the people; which will always be the general view of the wise and honest in all popular governments.

This was the principle which he espoused from the beginning, and pursued to the end of his life: and though, in some passages of his history, he may be thought, perhaps, to have deviated from it, yet, upon an impartial review of the case, we shall find that his end was always the same, though he had changed his measures of pursuing it when compelled to it by the violence of the times, and an overruling force and a necessary regard to his own safety; so that he might say, with great truth, what an Athenian orator once said, in excuse of his inconstancy, that he had acted, indeed, on some occasions, contrary to himself, but never to the republic [3]: and here also his Academic philosophy seems to have shewed its superior use in practical, as well as in speculative life, by indulging that liberty of acting which nature and reason require, and when the times and things themselves are changed, allowing a change of conduct, and a recourse to new means, for the attainment of the same end.

The three sects, which, at this time, chiefly engrossed the philosophical part of Rome, were the Stoic, the Epicurean, and the Academic; and the chief ornaments of each were, Cato, Atticus, and Cicero, who lived together in strict friendship, and a mutual esteem of each other's virtue; but the different behaviour of these three will shew, by fact and example, the different merit of their several principles, and which of them was the best adapted to promote the good of society.

The stoics were the bigots or enthusiasts in philosophy, who held none to be truly wise or good but themselves; placed

[1] Quæ harmonia a Musicis dicitur in cantu, ea est in civitate concordia, arctissimum atque optimum omni in Repub. vinculum incolumitatis, &c. Ibid. l. 2.

[2] Nam—si Senatus dominus sit publici consilii—posit, ex temperatione juris, cum potestas in populo, auctoritas in Senatu sit, teneri ille moderatus et concors civitatis status. De Leg. 3. 12. it. Ibid. 17.

[3] Plut. de Demade, in vit. Demost. p. 851. Edit. Par.

perfect happiness in virtue, though stripped of every other good; affirmed all sins to be equal; all deviations from right equally wicked; to kill a dunghill cock, without reason, the same crime as to kill a parent; that a wise man could never forgive; never be moved by anger, favour, or pity; never be deceived; never repent; never change his mind[1]. With these principles, Cato entered into public life, and acted in it, as Cicero says, as if he had lived in the polity of Plato, not in the dregs of Romulus[2]. He made no distinction of times or things; no allowance for the weakness of the republic, and the power of those who oppressed it: it was his maxim to combat all power not built upon the laws, or to defy it, at least, if he could not control it: he knew no way to his end, but the direct; and whatever obstructions he met with, resolved still to rush on, and either to surmount them, or perish in the attempt; taking it for a baseness and confession of being conquered, to decline a tittle from the true road. In an age, therefore, of the utmost libertinism, when the public discipline was lost, and the government itself tottering, he struggled with the same zeal against all corruption, and waged a perpetual war with a superior force, whilst the rigour of his principles tended rather to alienate friends, than reconcile enemies; and, by provoking the power that he could not subdue, helped to hasten that ruin which he was striving to avert[3]: so that, after a perpetual course of disappointment and repulses, finding himself unable to pursue his old way any further, instead of taking a new one, he was driven by his philosophy to put an end to his life.

But as the stoics exalted human nature too high, so the Epicureans depressed it too low; as those raised it to the heroic, these debased it to the brutal state: they held pleasure to be the chief good of man, death the extinction of his being, and placed their happiness, consequently, in the secure enjoyment of a pleasurable life, esteeming virtue on no other account, than as it was a handmaid to pleasure and helped to ensure the possession of it, by preserving health, and conciliating friends. Their wise man, therefore, had no other duty, but to provide for his own ease; to decline all struggles; to retire from public affairs, and to imitate the life of their gods, by passing his days in a calm, contemplative, undisturbed re-

[1] Sapientem gratia nunquam moveri, nunquam cujusquam delicto ignoscere: neminem misericordem esse, nisi stultum; viri non esse, neque exorari, neque placari; omnia peccata esse paria—nec minus delinquere eum, qui gallum gallinaceum, cum opus non fuerit, quam eum, qui patrem suffocaverit: sapientem nihil opinari, nullius rei pœnitere, nulla in re falli, sententiam mutare nunquam. Pro Muræn. 29.

[2] Dicit enim tanquam in Platonis πολιτείᾳ, non tanquam in Romuli fœce, sententiam. Ad Att. 2. 1. p. 178.

[3] Pompeium et Cæsarem, quorum nemo alterum offendere audebat, nisi ut alterum demereretur, [Cato] simul provocavit. Sen. Ep. 104.

pose, in the midst of rural shades and pleasant gardens. This was the scheme that Atticus followed: he had all the talents that could qualify a man to be useful to society, great parts, learning, judgment, candour, benevolence, generosity, the same love of his country, and the same sentiments in politics with Cicero [1], whom he was always advising, and urging to act, yet determined never to act himself, or never, at least, so far as to disturb his ease, or endanger his safety. For though he was so strictly united with Cicero, and valued him above all men, yet he managed an interest all the while with the opposite faction, and a friendship even with his mortal enemies, Clodius and Antony; that he might secure against all events the grand point, which he had in view, the peace and tranquillity of his life. Thus two excellent men, by their mistaken notions of virtue, drawn from the principles of their philosophy, were made useless in a manner to their country; each in a different extreme of life; the one always acting and exposing himself to dangers, without the prospect of doing good; the other, without attempting to do any, resolving never to act at all.

Cicero chose the middle way between the obstinacy of Cato, and the indolence of Atticus: he preferred always the readiest road to what was right, if it lay open to him; if not, took the next, that seemed likely to bring him to the same end; and in politics as in morality, when he could not arrive at the true, contented himself with the probable. He often compares the statesman to the pilot; whose art consists in managing every turn of the winds, and applying even the most perverse to the progress of his voyage; so as by changing his course, and enlarging his circuit of sailing, to arrive with safety, though later, at his destined port [2]: he mentions, likewise, an observation, which long experience had confirmed to him, that none of the popular and ambitious, who aspired to extraordinary commands, and to be leaders in the republic, ever chose to obtain their ends from the people, till they had first been repulsed by the senate [3]. This was verified by all their civil dissensions, from the Gracchi down to Cæsar; so that when he saw men of this spirit at the head of the government; who, by the splendour of their lives and actions, had acquired an ascen-

[1] In Repub. ita est versatus, ut semper optimarum partium et esset, et existimaretur; neque tamen se civilibus fluctibus committeret. Corn. Nep. vit. Att. 6.

[2] Nunquam enim præstantibus in Repub. gubernanda viris laudata est in una sententia perpetua permansio: sed ut in navigando tempestati obsequi artis est, etiamsi portum tenere non queas: cum vero id possis mutata velificatione assequi, stultum est eum tenere cursum cum periculo quem ceperis, potius quam, eo commutato, quo velis tandem pervenire, &c. Ep. Fam. 1. 9.

[3] Neminem unquam est hic ordo amplexus honoribus et beneficiis suis, qui ullam dignitatem præstabiliorem ea, quam per vos esset adeptus, putarit. Nemo unquam hic potuit esse princeps, qui maluerit esse popularis. De provin. Consular. 16. it. Philip. 5. 18.

dant over the populace; it was his constant advice to the senate, to gain them by gentle compliances, and to gratify their thirst of power by voluntary grants of it, as the best way to moderate their ambition, and reclaim them from desperate counsels. He declared contention to be no longer prudent than while it either did service, or at least no hurt; but when faction was grown too strong to be withstood, that it was time to give over fighting; and nothing left but to extract some good out of ill, by mitigating that power by patience, which they could not reduce by force, and conciliating it, if possible, to the interests of the state [1]. This was what he advised and practised: and it will account, in a great measure, for those parts of his conduct, which are the most liable to exception, on the account of that complaisance, which he is supposed to have paid at different times to the several usurpers of illegal power.

He made a just distinction between bearing what we cannot help, and approving what we ought to condemn [2]; and submitted, therefore, yet never consented to those usurpations; and when he was forced to comply with them, did it always with a reluctance, that he expresses very keenly in his letters to his friends. But whenever that force was removed, and he was at liberty to pursue his principles, and act without control, as in his consulship, in his province, and after Cæsar's death; the only period of his life, in which he was truly master of himself; there we see him shining out in his genuine character, of an excellent citizen; a great magistrate; a glorious patriot; there we see the man, who could declare of himself, with truth, in an appeal to Atticus, as to the best witness of his conscience, that he had always done the greatest services to his country, when it was in his power; or when it was not, had never harboured a thought of it, but what was Divine [3]. If we must needs compare him, therefore, with Cato, as some writers affect to do; it is certain that if Cato's virtue seem more splendid in theory, Cicero's will be found superior in practice: the one was romantic, the other rational; the one drawn from the refinements of the schools, the other from nature and social life; the one always unsuccessful, often hurtful; the other always beneficial, often salutary to the republic.

To conclude: Cicero's death, though violent, cannot be

[1] Sed contentio tamdiu sapiens est, quamdiu aut proficit aliquid, aut si non proficit, non obest civitati: voluimus quædam, contendimus, experti sumus, non obtenta sunt. Pro Corn. Balbo, 27.

Sic ab hominibus doctis accepimus, non solum ex malis eligere minima oportere; sed etiam excerpere ex his ipsis si quid inesset boni. De Offic. 1. 1.

[2] Non enim est idem, ferre si quid ferendum est, et probare si quid probandum non est. Ep. Fam. 9. 6.

[3] Præclara igitur conscientia sustentor, cum cogito me de Repub. aut meruisse optime cum potuerim; aut certe nunquam nisi divine cogitasse. Ad Att. 10. 4.

called untimely, but was the proper end of such a life; which must have been rendered less glorious, if it had owed its preservation to Antony. It was, therefore, what he not only expected, but, in the circumstances to which he was reduced, what he seems even to have wished [1]. For he, who before had been timid in dangers, and desponding in distress, yet, from the time of Cæsar's death, roused by the desperate state of the republic [2], assumed the fortitude of a hero; discarded all fear;
7 despised all danger; and when he could not free his country from a tyranny, provoked the tyrants to take that life, which he no longer cared to preserve. Thus, like a great actor on the stage, he reserved himself, as it were, for the last act: and after he had played his part with dignity, resolved to finish it with glory.

The character of his son Marcus has been delivered down to us in a very disadvantageous light; for he is represented, generally, both by the ancients and moderns, as stupid and vicious, and a proverb even of degeneracy [3]; yet when we come to inquire into the real state of the fact, we shall find but little ground for so scandalous a tradition.

In his early youth, while he continued under the eye and discipline of his father, he gave all imaginable proofs both of an excellent temper and genius: was modest, tractable, dutiful; diligent in his studies, and expert in his exercises: so that, in the Pharsalic war, at the age of seventeen, he acquired a great reputation in Pompey's camp, by his dexterity of riding, throwing the javelin, and all the other accomplishments of a young soldier [4]. Not long after Pompey's death he was sent to Athens; to spend a few years in the study of philosophy and polite letters, under Cratippus, the most celebrated philosopher of that time; for whom Cicero afterwards procured the freedom of Rome [5]. Here, indeed, upon his first sally into the world, he was guilty of some irregularity of conduct, and extravagance of expense, that made his father uneasy; into which he was supposed to have been drawn by Gorgias, his master of rhetoric, a lover of wine and pleasure; whom Cicero, for that reason, expostulated with severely by letter, and discharged from his attendance upon him. But the young man was soon made sensible of his folly, and recalled to his duty, by the re-

[1] Nullum locum prætermitto monendi, agendi, providendi; hoc denique animo sum, ut si in hac cura atque administratione, vita mihi ponenda sit, præclare actum mecum putem. Ep. Fam. 9. 24.

[2] Sed plane animus, qui dubiis rebus forsitan fuerit infirmior, desperatis, confirmatus est multum. Ibid. 5. 21.

[3] Ciceronem filium quæ res Consulem fecit, nisi pater? Senec. de Benef. 4. 30. Nam virtutes omnes aberant; stupor et vitia aderant. Lipsii Not. ad locum.

[4] Quo in bello cum te Pompeius alæ alteri præfecisset, magnam laudem et a summo iro, et ab exercitu consequebare, equitando, jaculando, omni militari labore tolerando. Offic. 2. 13.

[5] Plut. in vit. Cic.

monstrances of his friends, and particularly of Atticus: so that his father readily paid his debts, and enlarged his allowance; which seems to have been about seven hundred pounds per annum [1].

From this time, all the accounts of him from the principal men of the place, as well as his Roman friends, who had occasion to visit Athens, are constant and uniform in their praises of him; and, in terms so particular and explicit, that they could not proceed from mere compliment, or a desire of flattering Cicero; as he often signifies with pleasure to Atticus [2]. Thus Trebonius, as he was passing into Asia, writes to him from Athens: "I came hither on the twenty-first of May, where I saw your son; and saw him to my great joy, pursuing every thing that was good, and in the highest credit for the modesty of his behaviour. Do not imagine, my Cicero, that I say this to flatter you; for nothing can be more beloved, than your young man is, by all who are at Athens; nor more studious of all those arts, which you yourself delight in, that is, the best. I congratulate with you, therefore, very heartily, which I can do with great truth, and not less also with myself, that he whom we are obliged to love, of what temper soever he had happened to be, proves to be such an one, as we should choose to love [3]."

But the son's own letters gave the most solid comfort to his father; as they were written not only with great duty and affection, but with such elegance also and propriety, that they were fit, he says, to be read to a learned audience: and though, in other points, he might possibly be deceived, yet, in these, he saw a real improvement both of his taste and learning [4]. None of these letters are now extant, nor any other monument of young Cicero's talents, but two letters to Tiro, one of which I have chosen to transcribe, as the surest specimen both of his parts and temper; written, as we may imagine, to one of Tiro's rank, without any particular care, and in the utmost familiarity, from his residence at Athens, when he was about nineteen years old:—

"CICERO THE SON TO TIRO.

"WHILE I was expecting every day, with impatience, your

[1] —Ad Ciceronem ita scripsisti, ulli ut neque severius, neque temperatius scribi potuerit, nec magis quam quemadmodum ego maxime vellem. Ad Att. 13. 1. it. ibid. 16. 1. 15. Plut. in Cic.

[2] Ceteri præclara scribunt. Leonidas tamen retinet illud suum adhuc, summis vero laudibus Herodes. [Ad Att. 15, 16.] Gratissimum, quod polliceris Ciceroni nihil defuturum; de quo mirabilia Messala. Ibid. 17.

[3] Ep. Fam. 12. 16. vid. it. 14.

[4] A Cicerone mihi Litteræ sane πεπινωμέναι, et bene longæ.—Cætera autem vel fingi possunt: πῖνος litterarum significat doctiorem. [Ad Att. 14. 7.] Mehercule ipsius litteræ sic et φιλοστόργως et εὐπινῶς scriptæ, ut eas vel in acroasi audeam legere: quo magis illi indulgendum puto. Ibid. 15. 17. vid. ibid. 16.

messengers from Rome, they came at last on the forty-sixth day after they left you. Their arrival was extremely agreeable to me: for my father's most indulgent and affectionate letter gave me an exceeding joy, which was still highly increased by the receipt also of your's: so that instead of being sorry for my late omission of writing, I was rather pleased that my silence had afforded me so particular a proof of your humanity. It is a great pleasure, therefore, to me, that you accept my excuse so readily. I do not doubt, my dearest Tiro, but that the reports, which are now brought of me, give you a real satisfaction. It shall be my care and endeavour, that this growing fame of me shall every day come more and more confirmed to you; and, since you promise to be the trumpeter of my praises, you may venture to do it with assurance; for the past errors of my youth have mortified me so sensibly, that my mind does not only abhor the facts themselves, but my ears cannot even endure the mention of them. I am perfectly assured that, in all this regret and solicitude, you have borne no small share with me; nor is it to be wondered at; for though you wish me all success, for my sake, you are engaged also to do it for your own; since it was always my resolution to make you the partner of every good that may befal me. As I have before, therefore, been the occasion of sorrow to you, so it shall now be my business to double your joy on my account. You must know that I live in the utmost intimacy with Cratippus, and like a son, rather than a scholar; for I not only hear his lectures with pleasure, but am infinitely delighted with his conversation. I spend whole days with him, and frequently also a part of the night; for I prevail with him, as often as I can, to sup with me; and in our familiar chat, as we sit at table, the night steals upon us, without thinking of it, whilst he lays aside the severity of his philosophy, and jokes amongst us with all the good humour imaginable. Contrive, therefore, to come to us as soon as possible, and see this agreeable and excellent man. For what need I tell you of Bruttius? whom I never part with out of my sight. His life is regular and exemplary, and his company the most entertaining: he has the art of introducing questions of literature into conversation, and seasoning philosophy with mirth. I have hired a lodging for him in the next house to me, and support his poverty, as well as I am able, out of my narrow income. I have begun also to declaim in Greek, under Cassius, but choose to exercise myself in Latin with Bruttius. I live, likewise, in great familiarity, and the perpetual company of those, whom Cratippus brought with him from Mitylene, who are men of learning, and highly esteemed by him. Epicrates, also, the leading man at Athens, and Leonidas, spend much of their

time with me; and many others of the same rank. This is the manner of my life at present. As to what you write about Gorgias, he was useful to me, indeed, in my daily exercise of declaiming, but I gave up all considerations, for the sake of obeying my father, who wrote peremptorily, that I should dismiss him instantly. I complied, therefore, without hesitation, lest, by shewing any reluctance, I might raise in him some suspicion of me. Besides, I reflected that it would seem indecent in me to deliberate upon the judgment of a father. Your zeal, however, and advice upon it, are very agreeable to me. I admit your excuse of want of leisure, for I know how much your time is commonly taken up. I am mightily pleased with your purchase of a farm, and heartily wish you joy of it. Do not wonder at my congratulating you in this part of my letter, for it was the same part of your's, in which you informed me of the purchase. You have now a place where you may drop all the forms of the city, and become a Roman of the old rustic stamp. I please myself with placing your figure before my eyes, and imagining that I see you bartering for your country wares, or consulting with your bailiff, or carrying off from your table, in a corner of your vest, the seeds of your fruits and melons for your garden. But, to be serious, I am as much concerned as you are, that I happened to be out of the way, and could not assist you on that occasion: but, depend upon it, my Tiro, I will make you easy one time or other, if fortune does not disappoint me; especially, since I know that you have bought this farm for the common use of us both. I am obliged to you for your care in executing my orders, but beg of you, that a librarian may be sent to me in all haste, and especially a Greek one; for I waste much of my time in transcribing the lectures and books that are of use to me: above all things, take care of your health, that we may live to hold many learned conferences together. I recommend Antherus to you.—Adieu[1]."

This was the situation of young Cicero, when Brutus arrived at Athens; who as it has been already said, was exceedingly taken by his virtue and good principles; of which he sent a high encomium to his father, and entrusted him, though but twenty years old, with a principal command in his army; in which he acquitted himself with a singular reputation both of courage and conduct; and in several expeditions and encounters with the enemy, where he commanded in chief, always came off victorious. After the battle of Philippi, and the death of Brutus, he escaped to Pompey, who had taken possession of Sicily with a great army, and fleet superior to any

[1] Ep. Fam. 16. 21.

in the empire. This was the last refuge of the poor republicans, where young Cicero was received again with particular honours, and continued fighting still in the defence of his country's liberty; till Pompey, by a treaty of peace with the triumvirate, obtained, as one of the conditions of it, the pardon and restoration of all the proscribed and exiled Romans, who were then in arms with him [1].

Cicero, therefore, took his leave of Pompey, and returned to Rome with the rest of his party, where he lived for some time in the condition of a private nobleman, remote from affairs and the court of the emperor; partly through the envy of the times, averse to his name and principles; partly through choice, and his old zeal for the republican cause, which he retained still to the last. In this uneasy state, where he had nothing to rouse his virtue, or excite his ambition, it is not strange that he sunk into a life of indolence and pleasure, and the intemperate love of wine, which began to be the fashionable vice of this age, from the example of Antony, who had lately published a volume on the triumphs of his drinking. Young Cicero is said to have practised it likewise to great excess, and to have been famous for the quantity that he used to swallow at a draught: "As if he had resolved," says Pliny, "to deprive Antony, the murderer of his father, of the glory of being the first drunkard of the empire [2]."

Augustus, however, paid him the compliment, in the mean while, to make him a priest, or augur [3], as well as one of those magistrates who presided over the coinage of the public money; in regard to which there is a medal still extant, with the name of Cicero on the one side, and Appius Claudius on the other, who was one of his colleagues in this office [4]. But upon the last breach with Antony, Augustus no sooner became the sole master of Rome, than he took him for his partner in the consulship; so that his letters, which brought the news of the

[1] App. p. 619. 713.

[2] Nimirum hanc gloriam auferre Cicero voluit interfectori patris sui, Antonio. Is enim ante eum avidissime apprehenderat hanc palmam; edito etiam volumine de sua ebrietate. Plin. Hist. Nat. 14. 22.

[3] App. p. 619.

[4] Vid. And. Morell. Thesaur. Numism. inter Numm. Consul. Goltzii. Tab. 33, 4. These superintendants of the public coinage were called Treviri or Triumviri Monetales, and in medals and old inscriptions are described thus: III. VIR. A. A. A. F. F. that is, Auro, Argento, Ære Flando, Feriundo. Their number had always been three, till J. Cæsar, as it appears from several medals, enlarged it to four: whence, in the coin of Cicero, just mentioned, we find him called IIII. VIR. There was another magistrate also, of lower rank, at Rome, called Treviri Capitales, who tried and judged all capital crimes among foreigners and slaves, or even citizens of inferior condition: in allusion to which Cicero has a pleasant joke in one of his letters to Trebatius, when he was attending Cæsar in his wars against the Treviri, one of the most fierce and warlike nations of Gaul:—"I admonish you," says he, "to keep out of the way of those Treviri; they are of the capital kind, I hear: I wish, rather, that they were the coiners of gold and silver." Ep. Fam. 7. 13.

victory at Actium, and conquest of Egypt, were addressed to Cicero the consul; who had the pleasure of publishing them to the senate and people; as well as of making and executing that decree, which ordered all the statues and monuments of Antony to be demolished, and that no person of his family should ever after bear the name of Marcus. By paying this honour to the son, Augustus made some atonement for his treachery to the father: and, by giving the family this opportunity of revenging his death upon Antony, fixed the blame of it also there; while the people looked upon it as Divine and providential, that the final overthrow of Antony's name and fortunes, should by a strange revolution of affairs, be reserved for the triumph of young Cicero[1]. Some honours are mentioned, likewise, to have been decreed by Cicero, in his consulship, to his partner Augustus; particularly, an obsidional crown; which, though made only of the common grass that happened to be found upon the scene of action, yet, in the times of ancient discipline, was esteemed the noblest reward of military glory; and never bestowed but for the deliverance of an army, when reduced to the last distress[2]. This crown, therefore, had not been given above eight times from the foundation of Rome: but with the oppression of its liberty, all its honours were servilely prostituted to the will of the reigning monarch.

Soon after Cicero's consulship, he was made proconsul of Asia; or, as Appian says, of Syria; one of the most considerable provinces of the empire: from which time we find no farther mention of him in history. He died, probably, soon after; before a maturity of age and experience had given him the opportunity of retrieving the reproach of his intemperance, and distinguishing himself in the councils of the state: but, from the honours already mentioned, it is evident that his life, though blemished by some scandal, yet was not void of dignity: and, amidst all the vices with which he is charged, he is allowed to have retained his father's wit and politeness[3].

There are two stories related of him, which shew, that his natural courage and high spirit were far from being subdued by the ruin of his party and fortunes: for being in company with some friends, where he had drunk very hard, in the heat

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[1] Plut. in Cic. Dio, p. 456. App. p. 619. 672.

[2] Corona quidem nulla fuit graminea nobilior—nunquam nisi in desperatione suprema contigit ulli; nisi ab universo exercitu servato decreta—eadem vocatur obsidionalis—dabatur hæc viridi e gramine, decerpto inde ubi obsessos servasset aliquis—Ipsum Augustum, cum M. Cicerone Consulem, idibus Septembribus Senatus obsidionali donavit, &c. Vid. Plin. Nat. 22. c. 3, 4, 5, 6.

[3] Qui nihil ex paterno ingenio habuit, præter urbanitatem. M. Senec. Suasor. 6.

of wine and passion, he threw a cup at the head of Agrippa; who, next to Augustus, bore the chief sway in Rome[1]. He was provoked to it, probably, by some dispute in politics, or insult on the late champions, and vanquished cause of the republic. At another time, during his government of Asia, one Cestius, who was afterwards prætor, a flatterer of the times, and a reviler of his father, having the assurance to come one day to his table, Cicero, after he had inquired his name, and understood that it was the man who used to insult the memory of his father, and declared that he knew nothing of polite letters, ordered him to be taken away, and publicly whipped[2].

His nature seems to have been gay, frank, and generous; peculiarly turned to arms and martial glory; to which, by the unhappy fate of his country, he had been trained very young; and at an age that is commonly dedicated to the arts of peace and studies of learning, had served, with much honour to himself, in three successive wars, the most considerable in all history—of Pharsalia, Philippi, and Sicily. If his life, therefore, did not correspond with the splendour of his father's, it seems chargeable to his misfortune rather than his fault; and to the miserable state of the times, which allowed no room for the attainment of his father's honours, or the imitation of his virtues; but if he had lived in better times, and a free republic, though he would not have been so eminent a scholar, or orator, or statesman, as his father, yet he would have excelled him probably, in that character, which conferred a more substantial power and dazzling glory, the fame of a brave and accomplished general.

The characters of Q. Cicero, the brother, of his son Quintus, and of Atticus, have been so frequently touched in the course of this history, that there is but little occasion to add any thing more about them. The two first, as we have already said, upon the news of their being proscribed, took their leave of Cicero in his flight towards the sea, and returned to Rome, in order to furnish themselves with money and other necessaries for a voyage to Macedonia. They hoped to have executed this before the proscription could take effect, or to lie concealed, at least for a short time, in the city, without the danger of a discovery: but the diligence of Antony's emissaries, and the particular instructions that they had received to make sure of the Ciceros, eluded all their caution and hopes of concealment. The son was found out the first; who is said to have been more solicitous for the preservation of his father, than to

[1] Marcoque Agrippæ a temulento scyphum impactum. Plin. Hist. Nat. 14. 22.
[2] M. Senec. Suasor. 6.

provide for his own safety: upon his refusal to discover where his father lay hid, he was put to the rack by the soldiers; till the father, to rescue his son from torture, came out from his hiding place, and voluntarily surrendered himself; making no other request to his executioners, than that they would dispatch him the first of the two. The son urged the same petition, to spare him the misery of being the spectator of his father's murder; so that the assassins, to satisfy them both, taking each of them apart, killed them by agreement at the same time [1].

As to Atticus, the difficulty of the times in which he lived, and the perpetual quiet that he enjoyed in them, confirm what has already been observed of him, that he was a perfect master of the principles of his sect, and knew how to secure that chief good of an Epicurean life, his private ease and safety. One would naturally imagine, that his union with Cicero and Brutus, added to the fame of his wealth, would have involved him, of course, in the ruin of the proscription; he himself was afraid of it, and kept himself concealed for some time: but without any great reason; for, as if he had foreseen such an event and turn of things, he had always paid a particular court to Antony; and in the time even of his disgrace, when he was driven out of Italy, and his affairs thought desperate, did many eminent services to his friends at Rome; and above all, to his wife and children; whom he assisted, not only with his advice, but with his money also, on all occasions of their distress: so that when Antony came to Rome, in the midst of the massacre, he made it his first care to find out Atticus; and no sooner learned where he was, than he wrote him word, with his own hand, to lay aside all fears, and come to him immediately; and assigned him a guard to protect him from any insult or violence of the soldiers [2].

It must be imputed, likewise, to the same principle of Atticus's caution, and a regard to his safety, that, after so long and intimate a correspondence of letters with Cicero, on the most important transactions of that age, of which there are sixteen books of Cicero's still remaining, yet not a single letter of Atticus's was ever published: which can hardly be charged to any other cause, but his having withdrawn them from Tiro, after Cicero's death, and suppressed them with a singular care;

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[1] Dio, p. 333. App. 601. Plut. in Cic.

[2] Atticus, cum Ciceronis intima familiaritate uteretur, amicissimus esset Bruto, non modo nihil iis indulsit ad Antonium violandum; sed e contrario familiares ejus ex urbe profugientes, quantum potuit, texit—ipsi autem Fulviæ, cum litibus distineretur—sponsor omnium rerum fuerit—itaque ad adventum Imperatorum de foro decesserat, timens proscriptionem—Antonius autem—ei, cum requisisset, ubinam esset, sua manu scripsit, ne timeret, statimque ad se veniret—ac ne quid periculum incideret—præsidium ei misit. Corn. Nep. in vit. Attic. 10.

lest, in that revolution of affairs, and extinction of the public liberty, they should ever be produced to his hurt, or the diminution of his credit with their new masters.

But his interest with the reigning powers was soon established on a more solid foundation than that of his personal merit, by the marriage of his only daughter with M. Agrippa: which was first proposed and brought about by Antony. This introduced him to the friendship and familiarity of Augustus, whose minister and favourite Agrippa was; and to whom he himself became afterwards nearly allied, by the marriage of his grand-daughter with his successor Tiberius[1]. Thus he added dignity to his quiet; and lived to a good old age, in the very manner in which he wished, happy and honourable; and remote from all trouble or the apprehension of danger. But that he still lives in the fame and memory of ages, is entirely owing to the circumstance of his having been Cicero's friend; for this, after all, was the chief honour of his life: and as Seneca truly observed, it was the epistles of Cicero which preserved him from oblivion; and neither his son Agrippa, nor grandson Tiberius, nor great grandson Drusus, would have been of any service to him, if Cicero's name, by drawing Atticus's along with it, had not given him an immortality[2].

[1] Atque harum nuptiarum, non enim est celandum, conciliator fuit Antonius. [Ibid. 12.] Nata est autem Attico neptis ex Agrippa. Hanc Cæsar vix annicolam, Tiberio Claudio Neroni, Drusilla nato, privigno suo despondit. Quæ conjunctio necessitudinem eorum sanxit. Ibid. 19.

[2] Nomen Attici perire Ciceronis epistolæ non sinunt. Nihil illi profuisset gener Agrippa et Tiberius progener, et Drusus pronepos: inter tam magna nomina taceretur, nisi Cicero illum applicuisset. Senec. Ep. 21.

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