

www.e-rara.ch

The History Of The Life Of M. Tullius Cicero

Middleton, Conyers

Basil, MDCCXC [1790]

Universitätsbibliothek Basel

Shelf Mark: UBH AO II 12-15

Persistent Link: <https://doi.org/10.3931/e-rara-92833>

Sect. IV.

www.e-rara.ch

Die Plattform e-rara.ch macht die in Schweizer Bibliotheken vorhandenen Drucke online verfügbar. Das Spektrum reicht von Büchern über Karten bis zu illustrierten Materialien – von den Anfängen des Buchdrucks bis ins 20. Jahrhundert.

e-rara.ch provides online access to rare books available in Swiss libraries. The holdings extend from books and maps to illustrated material – from the beginnings of printing to the 20th century.

e-rara.ch met en ligne des reproductions numériques d'imprimés conservés dans les bibliothèques de Suisse. L'éventail va des livres aux documents iconographiques en passant par les cartes – des débuts de l'imprimerie jusqu'au 20e siècle.

e-rara.ch mette a disposizione in rete le edizioni antiche conservate nelle biblioteche svizzere. La collezione comprende libri, carte geografiche e materiale illustrato che risalgono agli inizi della tipografia fino ad arrivare al XX secolo.

Nutzungsbedingungen Dieses Digitalisat kann kostenfrei heruntergeladen werden. Die Lizenzierungsart und die Nutzungsbedingungen sind individuell zu jedem Dokument in den Titelinformationen angegeben. Für weitere Informationen siehe auch [Link]

Terms of Use This digital copy can be downloaded free of charge. The type of licensing and the terms of use are indicated in the title information for each document individually. For further information please refer to the terms of use on [Link]

Conditions d'utilisation Ce document numérique peut être téléchargé gratuitement. Son statut juridique et ses conditions d'utilisation sont précisés dans sa notice détaillée. Pour de plus amples informations, voir [Link]

Condizioni di utilizzo Questo documento può essere scaricato gratuitamente. Il tipo di licenza e le condizioni di utilizzo sono indicate nella notizia bibliografica del singolo documento. Per ulteriori informazioni vedi anche [Link]

S E C T. IV.

CICERO being now reduced to the condition of a private Senator, was to take his place on that venerable bench of Consulars, 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 farther 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 deliberation, 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 counsels 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

A. Urb. 691.

Cic. 45.

Coff.

D. JUNIUS

SILANUS,

L. LICINIUS

MURENA.

prevented¹. 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 honored 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 vigor 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 humor 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 power²: so that Cicero had nothing left, but to exert all his vigor and eloquence to repel the insolence 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 it¹. 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 Cicero⁴; 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, stopt 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 suspending both Cæsar and Metellus from the execution of their offices⁵.

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 reversed⁶. But Metellus, as it was concerted probably between them, fled away to his brother Pompey⁷, 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 mean while published an invective oration against Metellus, which is mentioned in his Epistles under the title of Metellina^s: 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 others⁹, 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 that 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
 “ ever imagined, that you should be made the sub-
 “ ject 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 speak-
 “ ing one day in the Senate of many, who were

“ sorry for my having preserved the Republic, I
“ said, that certain relations of yours, to whom
“ you could 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 man-
“ ner, 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 honors 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 mode-
“ rate laugh ensued; not upon you, but on my
“ mistake, and the frank and ingenuous confes-
“ sion of my desire to be praised by you. Now
“ in this, it must needs be owned, that nothing
“ could be said more honorably 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

“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 fol-
“lowed; how quickly I assembled the Senate
“after your allotment, how much I said in favor
“of you, when you yourself told me, that my
“speech was not only honorable 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 se-
“nate, 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 be-
“lieve, that I am exceedingly pleased with that
“affectionate and fraternal disposition of yours,

“ so full of humanity and piety; and in the se-
“ cond, 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 com-
“ plaints 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 experi-
“ enced, 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 traiterously affected, by depriving me of
“ the liberty of speaking to the people upon lay-
“ ing down my office. But his insult turned on-
“ ly to my greater honor: 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 pur-
“ suing 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. Wor-
“ thy 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 with-
“ stood 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 vigor of my Con-
“ sulship 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 of
“ it, you ought to commend my temper and pa-
“ tience, for not expostulating with you about it:
“ but since you must now be sensible, that my
“ quarrel to 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 favorably.
“ 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 defended 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 yours; 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".

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 humor 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 so, as not to irritate a man of 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".

" 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 dis-
“ appointed 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 conscious-
“ ness 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 distinguish-
“ ed zeal, which I have always shown for your
“ interests, has not yet sufficiently recommended
“ me to you, the public interest at least will con-
“ ciliate, and unite us. But that you may not
“ be at a loss to know what it was which I ex-
“ pected 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 giv-
“ ing 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 a-
“ mongst 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 counsels and
“ private friendship. Adieu¹². ”

Soon after Catiline's defeat, a fresh inquiry 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 vigor 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 him¹³.

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 school-fellow, 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 him¹⁴.

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, 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 it¹⁵.

Cicero therefore, in his reply, was put to the trouble of defending himself, as well as his client. "As to Torquatus's calling him a 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 upon the bench as foreigners, yet Torquatus had no right to do it, whose mother was of Asculum". 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 condemn 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 humor 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 say-
“ing 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, that there was not a man
“in Rome who would be content to take his
“place”. 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 van-
“quish; 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”. 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 them,
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 per-
“ suasion of his innocence”. ” 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 plea-
“ sure 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 rigor; 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”. ” Sylla was acquitted; but Cicero
had no great joy from his victory, or comfort
in preserving such a Citizen, who lived after-
wards in great confidence with Cæsar, and com-

manded his right wing in the battle of Pharsalia²¹; 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. 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 thirty thousand pounds, 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 all the world may see what I am doing²². 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 it's being joined to a Portico or Colonnade, called by the name of Catulus; who build 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. Gracchus²³. 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 it²⁴: where he menti-

ons several instances of great men, who by the splendor 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 honors 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 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 it²⁵.

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 friends²⁶; for it is certain, that there could be nothing dishonorable 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 Macedonia²⁷. 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 him²⁸. 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 dignity²⁹.

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 vigor of his age, and 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; disdain even honors in the common forms of the Republic; nor relishing pleasures, but what were impious, adulterous, incestuous³⁰. He had an intrigue with Cæsar's wife Pompeia, who,

according to annual custom, was now celebrating in her house those awful and mystic sacrifices of the Goddesses, 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 ceremony³¹. 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 favor of some of the damsels³².

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 of any in Rome; in the better sort, for it's 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". It had been the constant belief of the populace, that if any 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 was now found, as he tells him, that the blindness of the eyes was converted to that of the mind¹⁴.

A. Urb. 692.

Cic. 46.

Coff.

M. PUPPIUS

PISO,

M. VALERI-

USMESSALA.

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 people¹⁵. 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

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 carried³⁶: 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 chusing 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 escape³⁷.

Clodius's whole defence was, to prove himself absent at the 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 Rome³⁸. 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 affronts³⁹. 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 guilt⁴⁰. 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 raileries 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 it⁴¹.

The judges seemed to act at first with great gravity; granted every thing that was asked by the prosecutors; and demanded a guard to pro-

test them from the mob : which the Senate readily ordered, with great commendation 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 " ? "

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 sen-
tence, given in flat contradiction to his testimony,
so he made it his business on all occasions to dis-
play the iniquity of it, and to sting the several
actors in it with all the keenness of his raillery”.
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 discour-
aged for having received one single wound;
“ which was of such a nature, that it ought nei-
“ ther 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 ac-
“ quitted ; Catiline also twice ; and this man was
“ the third, whom a bench of judges had let
“ loose upon the Republic. But thou art mis-
“ taken, 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
“ vigor ; 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 “.”

Clodius, not caring to encounter Cicero by

formal speeches, chose to tease 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 Goddes. But what, says he, has a clown of Arpinum to do at the hot wells? Ask that friend of yours, replied Cicero, who had a month's mind to your Arpinum clown⁵⁵: You have bought a house, says he⁵⁶: 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 beforehand. This turned the laugh so strongly on Cicero's side, that Clodius was confounded, and forced to sit down⁵⁷. 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 delivered⁵⁸.

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 complai-

fance to a man whom he despised ". 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 ; favoring " 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, &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 favor 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 ". The other Consul, Messala, was of a quite different character ; a firm and excellent magistrate, in the true interests of his country, and a constant admirer and imitator of Cicero ".

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 Cicero³³ : but this perished with the rest, or was left rather unfinished and interrupted by his death, since we find no farther mention of it in any of Cicero's later writings.

Pompey the Great returned to Rome about the beginning 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 hands³⁴. 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 perpe-

tual course of success and glory, without any flur 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 honor 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."

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", 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 Dio tells

us⁷⁷, 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 work, 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 value⁷⁸; 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 afterwards⁷⁹. 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 honor, 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 him⁸⁰.

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 “1.

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 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 “2. 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 and 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 sentiment of the matter".

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 it's 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 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 ⁶⁶. 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 nickname 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 ⁶⁷. 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 ⁶⁸.

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 ⁶⁹. 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 informations of bribery; the other declared all those enemies to the State, at whose houses the dividers of money were found¹⁸. Pompey however obtruded Afranius upon the city, by which he disgusted all the better sort both of the Senate and people¹⁹.

He had been making preparation all this summer for his Triumph, which he deferred to his birth-day, the thirtieth of September; having resided in the mean while, as usual, in the 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 Circus²⁰. 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 Sea²¹.

Quintus Cicero, who, by the help and interest

of his brother, was following him at a proper distance, through all the honors 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 a change in him. I had observed indeed
“ before, what you also mistrusted at your leaving
“ us, that he had conceived some secret disgust,
“ which shocked and filled his mind with odious
“ suspicions: which though I was often attempt-

ing 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 Dyrrha-
 chium, 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 yours; 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 gene-
“ rally 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 trou-
“ bleſome 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 mention 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 differ-
“ ence between you and me, but in a different
“ choice and method of life: whiſt I was drawn,
“ by a ſort of ambition, to the deſire and purſuit
“ of honors; you, by other maxims, in no wiſe
“ blamable, to the enjoyment of an honorable
“ retreat. But for the genuine character of pro-
“ bity, diligence, exactneſs of behaviour, I neither
prefer

“ 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 labors at
“ the bar? which I sustained before through am-
“ bition, 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 labors,
“ 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 en-
“ dearing conversation. We have often been re-
“ strained 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 humor
“ 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 hap-
“ pened to be absent when it passed; but hear-
“ ing 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 another curious
“ petition, scarce fit to be endured: which yet I
“ not only bore with, but defended. The com-
“ pany, 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 are worth, and beg-
“ ged 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 appre-
“ hend, 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 first and second 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 favorably
“ in a full house. Nothing however is yet done;
“ but the Senate appears well disposed: for Me-
“ tellus, the Consul elect, was the only one, who
“ spoke against us: though that Hero of ours,
“ 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 Con-
“ sulship 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 mean while, that Lucceius de-
“ signs 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 laugh-
 “ ing matter. What shall I write farther? What?
 “ There are many things; but for another occa-
 “ sion. 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 fifth ⁷¹. ”

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 mischief, by pursuing his maxims absurdly, and without any regard to the times⁷²: 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 Knights⁷³.

A. Urb. 693. Q. Cæcilius Metellus and L. Afranius were
 Cic. 47. now Consuls. The first had been Prætor in Cice-
 Coss. ro’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 always 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 away⁷⁵. 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 purchased⁷⁶.

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 Senate⁷⁷. 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 to be reasonable⁷⁸. 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 release the Consul⁷⁹. 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 distribution⁸⁰. 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 Government⁸¹.

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 to be 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". 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 longs, I suppose, to triumph. I wish that he was as moderate in this, as he is excellent in all other respects".

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 it's 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 acts⁴⁴. 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 intention⁴⁵.

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 the resentment of those whom he had lashed in it, for he had done that part very sparingly, but of those rather whom he had not celebrated, it being endless to mention all who had been serviceable to him⁴⁶. 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 third⁴⁷.

*Interea cursus, quos prima a parte juventa,
Quosque adeo Consul virtute animoque petisti,
Ilos retine; atque auge famam laudesque honorum.*

*That noble course, in which thy earliest youth
Was trained to virtue, liberty, and truth,
In which, when Consul, you such honor 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 Oration: 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 appendices to those of 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 orations²²; of which work there are only two or three small fragments now remaining.

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 people²³. But as all Patricians were incapable of the Tribunate, by it's 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 regular 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 favored 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 it¹¹; and declared, that he would strangle him sooner with his own hands, than suffer him to bring such a disgrace upon his family¹²: 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 Consulship¹³. But whatever face he put outwardly on this affair, it 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 interests. 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 absolution 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". 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 worst 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". But how

“ much these fish-mongers of ours 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”. ” In a third letter, he says, “ You
“ chide me gently for my union with Pompey :
“ I would not have you to think, that I fought
“ it only for my own sake; but things were come
“ to such a crisis, that if any difference 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”. 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
“ viciated 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 Capital,
“ 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.”
“ 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. ”.

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 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 honor of a Triumph and the Consulship⁹⁹. 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 favor, he preferred the solid to the specious, and dropt the Triumph, to lay hold on the Consulship¹⁰⁰. 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 approved¹⁰¹. 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 himself¹⁰². 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 laboring 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 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 vigor of Cæsar¹⁰³. But Cæsar, who formed the
scheme,

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 the superiority also over them both¹⁰⁰. 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 æra all the Roman writers date the origin of the civil wars, which afterwards ensued, and the subversion of the Republic, in which they ended¹⁰¹.

————— *tu causa malorum*

Facta tribus dominis communis Roma —

LUCAN. I. 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 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 too¹⁰⁶. 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 vigor 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 desired¹⁰⁷. 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 age¹⁰⁸. The books were all at Athens, where Servius probably died; and the manner in which Cicero writes about them to Atticus, shows 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 law¹⁰⁹, 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 showing the same dili-

"gence in this, that you usually do in all other affairs, which you take me to have much at heart, &c. ¹¹⁰."

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 Palatine: but Atticus, who was just returned from Athens, found great fault with the smallness of the windows; to which Cicero gives a jocular 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 ¹¹¹"; 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 ¹¹².

Æsar 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

A. Urb. 694.
Cic. 48.
Coff.
C. JULIUS
CÆSAR,
M. CAL-
PURNIUS
BIBULUS.

of it. But they presently found upon a trial, that the balance and constitution of the Republic was quite changed by the overbearing power of the 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 male-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 the 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 colors, 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 forms¹¹¹, 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 people¹¹². 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 discharged¹¹³; and a plain admonition given to him, what he had to expect, if he would not be more complying. For his danger was brought one step nearer, by laying the Tribunate open to Clodius, whose next attempt might 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, Citi-

zens, I pray you to confirm in the manner in which it is desired "6."

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 rights 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 *Curiae*, or wards, which seem to have been analogous to our parishes¹⁷: 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 obligations¹¹⁸. But these obstacles signified 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 mob¹¹⁹. 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 contradiction¹²². 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 Campania¹²³. 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 would never do it, was forced at last to swallow¹²⁴.

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 no body cared to enter into the affair, or to move any thing about it, he retired to his house in despair, with a resolution to shut himself up for the remaining eight months in the year, and to act no more in public but by his edicts¹²⁵. 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 pay¹¹⁴: 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 him¹¹⁵. 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 feet¹¹⁶.

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 books¹¹⁷; 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 ornament¹¹⁸; and being desired also by 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 Clodius¹¹⁹. 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 shown 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 says¹²⁰,

*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. The pretended ground of this rupture, at 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 honorable 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 au-
“ thors and promoters of the law, we shall
“ have rare sport. But to say the truth, Pub-
“ lius 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 ap-
“ pear¹¹.” 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 color to a report, by which they
hoped to impose upon Cicero, and draw some un-
wary people into a hasty declaration of themselves;
and above all, to weaken the obstruction to Clo-

dius's election from that quarter, whence it was chiefly to be apprehended.

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 honorably 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". 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 vigor 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 ad-
“ dicted 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 ap-
“ peared 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, con-
“ futed, and outdone in swearing : so that they
“ never chose the best and worthiest men for wit-
“ nesses, 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,
“ livelihood, and praise on the success of an im-
“ pudent 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 ” . ” 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 Flac-
“ cus’s side, with public testimonies and decrees
“ in his favor. — 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 propa-
“ gated ; for the possession of whose city, the
“ Gods themselves are said to have contended on
“ the account of it’s beauty ; which is of so great
“ antiquity, that it is reported to have brought
“ forth it’s 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 frame 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

“ 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 foldier, 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 coun-
 “ try, the customs, and the language of all Gre-
 “ cians, surrounded by the nations of Gaul, and
 “ washed by the waves of barbarism, is so wisely
 “ governed by the counsels of an aristocracy, that
 “ it is easier to praise their constitution, than to
 “ imitate it ”. One part of the charge 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 rendez-vous of their country-
 men: 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 nu-
 “ merous 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 Jerusa-
“ lem, Flaccus, by a public edict, prohibited
“ the exportation of it from Asia: and where is
“ there a man, Judges, who does not truly ap-
“ plaud this act? The Senate, on several different
“ occasions, but more severely in my Consulship,
“ condemned the exportation of gold. To with-
“ stand this barbarous superstition was a piece
“ therefore of laudable discipline; and, out of
“ regard to the Republic, to condemn the multi-
“ tude 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 it’s
 “ religion ; we have ours : while Jerusalem flourish-
 “ ed, and Judæa was at peace with us, yet their
 “ religious rites were held inconsistent with the
 “ splendor of this Empire, the gravity of the
 “ Roman name, and the institutions of our an-
 “ cestors : but much 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 Gods¹³⁶.” 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 fedi-
 “ tious :” 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 favor of the
 “ Republic ; many, against the wickedness of the
 “ conspirators : yet some people thought the Re-
 “ public 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 con-
“ demned by you: upon whose condemnation a
“ sepulchre was dressed up to Catiline, and cele-
“ brated with a feast and concourse of our auda-
“ cious 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 honors to Cethegus; recal
“ 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 by any other method;
“ or if, in the name of the people, they had
“ stirred up the unwary multitude against me,
“ I could better have born 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 lan-
“ guage. If any one therefore call me hither, 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 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 opi-
 “ nion, that they ought to vote me rewards, ra-
 “ ther than punishment ”.” 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 com-
 passion : “ 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 de-
 “ prived, 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 ad-
 mirable 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 intrusted with the command of foreign
 provinces ; who by their distance from any im-
 mediate control, are often tempted, by the in-
 solence of power, to acts of great oppression.

The Triumvirate was now dreaded and detest-
 ed 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 hiss¹³⁸. 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 them¹³⁹. 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 Republic¹⁴⁰? His edicts however provoked Cæsar so far, that he attempted to excite the mob to storm his house, and drag him out by force: and Vatinius actually made an assault upon it, though without success¹⁴¹. 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 destruction¹⁴².

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 quieted¹⁴³. 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, paultry 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 height: —and as Appelles 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 colors of my art, become of a sudden so deformed: for though no body 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"¹⁴."

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 himself¹⁵: 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 dignity¹⁶. 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; whether 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 it¹⁷. 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 successful, and drew Pompey quite away from him; 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 disco-

“ very, if Curio had not prevented him. But
 “ being now examined before the Senate, he de-
 “ nied at first his having any such discourse with
 “ Curio; but presently recanted, and offered to
 “ discover what he knew, upon promise of par-
 “ don, 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 con-
 “ founded him, and showed 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 Ga-
 “ binus gave his show of Gladiators, and that
 “ Paullus was to be the leader in the attack;
 “ but it appeared, that Paullus was in Macedo-
 “ nia at that very time. The Senate therefore
 “ ordered Vettius to be clapt into irons, and that
 “ if any man released him, he should be deemed
 “ a public enemy. ”

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 show 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 design¹⁴⁹. 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 it's 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 Conspirators¹⁵⁰.

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 them¹⁵¹. The distribution of the Provinces was, by ancient usage and express law, their undoubted prerogative; which had never been invaded or attempted by the people¹⁵²; 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 right, which they had never exercised, or pretended to before¹³³. 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 authority¹³⁴.

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 of 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 your-
“ self 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 ¹⁵. — 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 divine-
“ ly ¹⁶. — 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; 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 de-
“ pends on your coming before he enters into his
“ Magistracy ¹⁷. 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, &c. ¹¹⁸."

Cæsar's whole aim in this affair was to subdue Cicero's spirit, and distress him so far, as to force him to a dependence 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 odious¹¹⁹; 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 honorable 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 it¹²⁰; 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 the friendly offers which he made to him ¹¹. Pompey all this while, to prevent his throwing himself perhaps 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 ¹².

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 Italy¹⁴³. This was the situation of affairs, when Clodius entered upon the Tribune; 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 vigor of his health and flower of his age, not without suspicion 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 conjuncture¹⁴⁴.

By Metellus's death a place became vacant in the college of Augurs: and though Cicero was so shy of accepting any favor from the Triumvirate, yet he seems inclined to have accepted this, if it had

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 beginning¹⁵⁵. 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 dropt only to Atticus, to whom he used to open all his thoughts with the same freedom, with which they offered themselves to his own mind¹⁵⁶: 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 case¹⁵⁷: 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 he 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 ¹⁶⁸. But that day was now come; and Rome saw in this year, what it had never seen before in peaceful times since it's foundation, two profligate men advanced to that high dignity.

A. Urb. 695.

Cic. 49.

Coff.

L. CALPURNIUS PISO,

A. GABINI-

US.

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 ¹⁶⁹: 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 ¹⁷⁰. 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 the best Governments of the Empire; for Piso, Macedonia, with Greece and Thessaly; for Gabinius, Cilicia: and when this 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 ¹⁷¹. 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 Country¹⁷².

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 dirt¹⁷³. 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 splendor of his great family, and the smoaky 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 man¹⁷⁴.

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, honor, 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 his Tribune, 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 done¹⁷⁵. 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 sentence¹⁷⁶. These laws, though generally agreeable, 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 color of incorporating those societies, gave Clodius an opportunity of gathering an army, and enlisting into his service all the scum and dregs of the City¹⁷⁷. 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 him¹⁷⁸: 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 it¹⁷⁹.

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 water¹⁸⁰. 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 alledged 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 him¹⁸¹. But Cicero soon gathered friends

enough about him to secure him from such insults; "the whole body of the Knights and the young Nobility, to the number of twenty-thousand", 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 favor. 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 service¹⁸³;” 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 resume their ordinary dress¹⁸⁴.
“ And where is there,” says Cicero, “in all
“ history, a more illustrious testimony to the honor
“ 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?¹⁸⁵.”

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, reached 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 blunders¹⁸⁶.

As the other Consul, Piso, had not yet explicitly declared himself, so 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 his 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 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 busi-
“ ness to humor him on this occasion, as Cicero
“ had humored his Colleague 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 himself¹⁸⁷:” which was all that
they could get from him.

Clodius, all the while, was not idle, but pushed on his law with great vigor; 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 wounds¹⁸⁸. 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 cruelty¹⁸⁹. 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 past¹⁰." This
 answer was artful, and agreeable to the part which
 he was then acting; 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 other¹¹.

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 Fufian 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 whatsoever¹². The two laws,
 now repealed, had been in force about a hundred
 years¹³; 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"; 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 confidants at Cicero's house, to watch his coming thither, and to admonish him by whispers and billets put into 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". 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 humor 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 safety¹⁹; 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 ¹⁹⁷.” 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 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 ¹⁹⁸.

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 slipped out a 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; alledging in excuse to himself, the necessity, which he was under, of acting nothing against the will of Cæsar ¹⁹⁹.” 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 ²⁰⁰.

A little before his retreat he took a small statue of Minerva, which had long been revered 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 ²⁰¹. 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 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.

SECT.