

# Verrine II.1



## Sections 1-23

*A prefatory review of the importance of the case and the villainy of the accused joined to reassertions of Cicero's aims and resolve and of the consequences for the senatorial order of an unjust acquittal.*

1. Verres won't turn up - he wouldn't dare!
2. He was brazen to turn up in the first place - but at least he enabled me to make a name for myself and you, members of the jury to show your courage in trying him.
3. Verres should be tried, not condemned in his absence, and be defeated despite his powerful backing.
4. \* The Roman people need to be shown that law and order is safe in the hands of the Senatorial order.
5. \* In addition to enhancing my own reputation, this trial will reaffirm public confidence in the judiciary
6. \* A guilty verdict will scotch rumours that money rules the courts; an acquittal, an judicial powers might as well be handed over. Nevertheless, such are the crimes of Verres that he no longer believes an acquittal is possible.
7. Verres' crimes, against Roman citizens, against holy places, have sent him mad.
8. Verres demands a special punishment for his crimes, and this is the object of the prosecution - not just restitution of the property he plundered.
9. Verres is no ordinary criminal but a ravager, plunderer, butcher. Even if acquitted, he wouldn't escape the wrath of the Roman people.
10. \* There is no possibility of Verres getting away with it. These judges will see to his conviction after hearing the weight of evidence against him.
11. Suppose he were acquitted: another jury in another trial would condemn him (if he survived that long) for his misappropriation of funds during his quaestorship, embezzlement of monuments from shrines.
12. Suppose he were acquitted again: he would face the treason court for having freed enemies of Rome for money (eg pirates)
13. \* Suppose he were acquitted again: he may escape courts composed of senators, or courts of any or mixed classes but he won't escape the Roman people who will believe testimony of the Knights
14. The Roman people will afford Cicero a loftier platform, if need be, and believe the witnesses of Verres' abominable crimes.
15. I prove my devotion to the state by this trial. You acknowledged this by

refusing Verres' quaestor (Quintus Caecilius Niger) the opportunity of acting as prosecutor.

16. My energy and thoroughness in collecting evidence in Sicily, and the cooperation I received from former hosts, without inflicting unnecessary expense on them.

17. On my return to Rome, Verres tried to get at the witnesses by spreading rumours that I had been bribed not to undertake a serious prosecution, and that there might be collusion in my challenging of the jurors

18. He was wrong. We have a jury of distinction and prestige.

19. Despite Verres' attempted bribery, people were reassured by my election, and yours to this trial.

20. \* With your high standing and my diligence I have already crushed any hopes Verres might have had of acquittal. Resume of first part of trial.

21. \* My struggle is for the good opinion of the Roman people and the defence of an illustrious province. It is in the public interest that the courts are seen to be bringing a man like Verres to trial and convicted.

22. \* The reputation, good name and safety of your order are on trial here. Fail now, and the Roman people will look to another class and judicial system.

23. \* Some actually want Verres acquitted so that the courts are shamed and removed from senatorial control.

## Sections 24-31

*Digression to defend the omission of a detailed indictment at the first hearing*

24. Hortensius may complain I did not offer a set speech against Verres in the first instance. Now I will.

25. You will no doubt watch closely to see if I use all the allotted time and complain if I don't.

26. \* So what if I forgo the process of adjournment - it works more in favour of the prosecution anyhow. Acilius' law is being restored here, and it's a milder statute than the current one, enacted by Glauca. But this jury will only need ONE sitting to convict you.

27. It wouldn't make any difference if I had provided a narrative of Verres' crimes e.g. against Dio of Halaesa: witnesses and records are what will

interest and convince the jurors.

28. The jurors would only pay attention when Dio himself and his associates spoke and produced records.

29. This is precisely what I did in the first part of the case; it didn't need exposition from me. The witnesses spoke plainly enough and presented the whole case for the prosecution.

30. I was compelled to adopt this strategy by your underhand tactics, Verres: putting up a rival prosecutor; trying to drag it out so that Glabrio and the jurors would be replaced.

31. I had to forgo a lengthy exposition for these reasons, and I have won praise for doing so.

## Sections 32-34

*The four divisions (partitiones) of the accusatio*

32. \* the *accusatio perpetua* begins: I will say nothing of his disgraceful acts of boyhood or youth. It is too shameful

33. I will say nothing of his life before he took up office (Cicero then catalogues them).

## Sections 34-40

### *Verres' quaestorship*

34. \* I will expose all your misdeeds from the time of your quaestorship (14 years ago): fourfold division of the presentation of the prosecution: a) Verres' quaestorship, b) when he was legate in Asia, c) when he was urban praetor, d) his governorship of Sicily

As quaestor to Cn. Carbo, despite the allowances he made for your self-indulgence and laziness, you embezzled money from the army.

35. Verres may try to win some approval for these actions and claim to have been acting in the interests of the nobility because Carbo himself was so abominable.

36. Verres' accounts are read out to the court; 600,000 sesterces "left at Ariminum" remain unaccounted for.

37. Verres became a Sullan supporter just so he could return accounts like these. If he disapproved so strongly of Carbo he would have acted like Piso who refused to serve under L. Scipio, refusing funds and commissions with the army.

38. One who betrays the sacredness of the lot, who has proved treacherous to his own people cannot be trusted. Sulla himself did not trust him and only rewarded him with property of proscribed persons.

39. Carbo may well invite hatred, even now that he is dead, but the treachery of Verres, under a pretence of service, is an evil that threatens us all.

40. He treated you like a son. Can we believe that you suddenly turned against him? Or is this not a sign of your scheming wickedness?

## 2. Verrine II.1

### Summary

#### Sections 41-61:

*Verres' thefts of paintings and statues as a legate of Dolabella*

41. Verres behaved as badly towards Dolabella as he had towards Carbo, betraying him to his enemies and inciting hatred against him blaming him for crimes which he himself had committed. Since Dolabella actually chose Verres as his proquaestor, his betrayal is all the more disgraceful.

42. What punishment would fit a man who profaned the lot (Carbo) and the voluntary selection procedure (Dolabella) and who betrayed both? Do not interpret my brevity as making light of these charges.

43. His vile quaestorship has been described: let us now pass on to the rest of his career, starting with him as legate. I will omit the calamitous period of the Sullan depredateions - he will not be allowed to use this as any part of his defence.

44. When Dolabella was assigned CILICIA, Verres inveigled himself on to his staff as legate. For Dolabella it was disastrous. For the people on Verres' route out there it was also a disaster. E. G. ACHAIA: apart from the usual minor offences, he demanded money from the magistrate of SICYON - not an unprecedented charge, but the punishment for non-payment certainly was *almost left for dead*

45. Death by smoke for a free-born man, acclaimed by his own and by the people of Rome. Then the plundering of works of art from Achaia, and gold from the temple of Minerva at Athens. Dolabella was tried for it, but it was Verres who was the mastermind.

46. On to DELOS. The temple of Apollo was ransacked but the people dared say nothing in case Dolabella himself was involved. Verres would have got away with the lot had not a storm beached and broken his ship and Dolabella instructed the return of the loot.

47. Even for someone as inhuman and irreverent as you, Verres, this impious behaviour towards the gods surely arouses some fears and doubts about deliverance? Surely you know the story of Latona?

48. How she took refuge and gave birth to Apollo and Diana on Delos. How this island has ever since been sacred to them, so that not even the Persians dared touch it. Yet you, Verres, out of greed and evil, despoiled it apparently without a thought for the consequences.



49. His impious behaviour in ASIA (apart from the ordinary offences) included the seizure of statues from CHIOS, ERYTHRAE and HALICARNASSUS and the heartless theft of Tenes himself from TENEDOS.

50. And SAMOS! His attack on the temple of Juno caused such distress that Samian envoys reported it to C. Nero in Asia, only to be referred to Rome itself. I know about his theft of works of art from Samos from a recent visit to his house.

51. There they were, for all to see - for as long as he believed he could manipulate this court as he wished. However, once he realised his fate was sealed, those statues disappeared.

52. Hiding the loot is an admission of defeat. The testimony of Charidemus of Chios (your escort when departing from Asia) proved his innocence and your guilt over the plundering of Samos.

53. And ASPENDUS in Pamphylia! You took every statue, including the lyre-player.

54. And the temple of Diana at PERGA was pillaged by you, the gold stripped from the very statue of Diana herself. Monstrous behaviour even for an invading general, let alone a legate visiting friends and allies. In either case the loot should not have ended up in your house but as the property of the nation.

55. Great Roman generals of the past (Marcellus, Scipio, Flaminius, Paulus, Mummius) conducted great and successful campaigns, but their plunder adorns Italy, Rome and its temples. Their houses shine only with distinction and virtue - not booty.

56. These men belonged to a time when such exemplary behaviour was normal and so seem out of date now. Here is a man, P. Servilius, who recently captured the hostile city of Olympus - about the same time as you, Verres were plundering peaceful allies and friends

57. You plundered for your own benefit. Servilius' acquisitions were sanctioned by the rules of engagement, paraded and officially recorded in far greater detail than any of your private pillagings.

58. It is true you displayed your gains

in the forum and *Comitium* but it gave no joy to behold your ill-gotten plunder. You thought you might buy the court with this show, playing on people's natural greed.

59. Instead, you simply convinced our friends and allies (of whom there was a large number envoys in Rome at that time) that they would never get their possessions back - indeed that the destruction of the allies was now inevitable when wrongdoers could now parade their gains in the very place where previously they would have been brought to account.

60. Verres will not deny he has these works of art. He will, however, claim to have bought them, but his method and notion of accounting is absurd. It is not that he has never kept accounts (of which Antonius is wrongly accused) but that he only kept records up to the consulship of Terentius and Cassius.

61. Just show me proof of purchase (from your own, or your father's accounts) for any of the paintings or statues you acquired and you have won the day. What about the two solitary statues which even now adorn your atrium pool, taken from the temple of Juno on Samos, for instance?

#### Sections 62-85:

*The episode at Lampsacum*

62. Verres' passion for art was matched by his lust for women whom he abused wherever he went. I will not dwell on this, though the evidence is undisputable. One example will suffice.

63. LAMPSACUM in the Hellespont is both peaceful and civilised in the Greek manner. Verres came there, on his way to see client kings of Bithynia and Thrace. He was lodged with Janitor. His aides were to scout for women who might make a longer stay worthwhile.

64. His aide, Rubrius, reported that the leading citizen of the town, Philodamus, had an unmarried and pure daughter. Verres determined to move there at once. Janitor objected, so Verres schemed to get Rubrius, his favourite, to be lodged there.

65. A naive Philodamus came to Verres and objected he had no obligation to lodge attendants of legates. Verres ignored the protest and foisted Rubrius on him anyway. Philodamus preserved his reputation, responded graciously and prepared a banquet in Rubrius' honour, with a special invite to anyone of Rubrius' choosing, even dismissing his own son to make room.

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66. Rubrius invited Verres' aides who, on Verres' instructions, monopolised the toasts, then called for Philodamus' daughter to come and join in. Philodamus' protests were ignored and the house was sealed off.

67. Philodamus ordered slaves to defend his daughter, and sent for his son. Meanwhile there was uproar and assault in the house, with boiling water poured over the host. The son and the people of Lampsacum gathered in outrage at the house. Then Cornelius (Verres' lictor) was killed and Rubrius was injured. Verres fled.

68. At an assembly the next morning the people judged they had the right to avenge the insult with force. They could not tolerate such abuse of authority by mere legates and would accept the consequences of their actions.

69. They marched on Verres' house, intent on destruction. Roman businessmen, however, persuaded them that they 'would be guilty of a lesser fault if they spared a criminal than if they failed to spare a legate'.

70. Verres is a worse scoundrel than Hadrianus, but more fortunate in that he managed to avoid his fate of being burned alive. Hadrianus deserved his fate - how much more does Verres, then, and he cannot claim that actions on behalf of the state brought him to this perilous situation.

71. Verres dares not account for this disturbance at Lampsacum; but we have reputable men (Tettius and Varro) here who will support the account I have given, having heard it, in one case (C. Varro) from Philodamus himself. Clearly, fortune has allowed Verres to survive only so that you may condemn him. Verres may repeat Hortensius' assertion that Philodamus and his son were condemned by C. Nero.

72. If so, it was for the murder of Cornelius. You, Verres, were not thereby acquitted of wrongdoing. Their conviction should inspire pity, because the victim deserved to be killed. Verres primed Dolabella to intervene in the trial of Philodamus.

73. Dolabella abandoned his duty for this worthless man to travel to Nero, get the case against Philodamus heard in a tribunal with Verres, his supporter, and Dolabella himself sitting in judgement.

74. Poor Philodamus had no one to defend him. Dolabella's influence prevailed. The prosecutor was a Roman



citizen and creditor who was bribed by Verres. Despite the odds against Philodamus being stacked against him, Verres' crimes were so overwhelming that Philodamus's case was deferred for a further hearing.

75. At the second hearing, Philodamus and his son stood no chance. Excellent, but timid Nero could not withstand the insistence of aggressive Dolabella and the activities of Verres. Condemnation was extorted and the penalty demanded at once, so that as few as possible would hear of Verres' crimes.

76. The execution in the forum of Laodicea was attended by tears of father, son, Nero, Lampsacum and all Asia. Two innocent men, friends and allies of the Roman people, beheaded because of this shameless creature.

77. Did Verres mean so much to you, Dolabella, that you would desert your duty and sink so low? Did you expect Verres to be your friend? Don't you know what he did to Carbo? Now he has turned against you.

78. Is there to be no limit to your passions, Verres? Will you send men marauding wherever if you cannot find satisfaction locally? Can you deny that the people of Lampsacum wanted to burn you, a legate of the Roman people, alive? I have your correspondence with Nero which proves it.

79. Did the people of Lampsacum pose a threat to Rome? We would normally declare war on a state which so treated one of our legates.

80. Yet, as you yourself wrote to Nero, they created a most serious disturbance against you. Why? If it was due to the actions of Rubrius, why did they not come to you to complain, rather than attack you? Witness statements, and Rubrius' continued silence are eloquent confirmation of your involvement and guilt.

81. So great are your crimes that those wronged by you could not wait for the law to deal with you. These people are not uncivilised. They respect Rome and are happy to be subjects of ours. The strength of their pain is evidenced by their recourse to violence against a legate.

\*82. Do not force allies to have to

resort to such means of self-protection. They are depending on you, the jury, to make Verres pay the penalty. And do you, Verres imagine that despite your violent and shameful behaviour, that you escaped from the sword of friends to find refuge here. You are mistaken.

83. The condemnation of Philostratus and his son do not prove that the attack on you was unjust. I will use your own testimony to show that you off-loaded the blame on to others, but that these supposed guilty ones were not punished. Your letter to Nero blames Themistagoras and Thessalus for stirring up the people against you, yet nowhere are you taking action against them, not even at the trial of Philodamus.

84. In evidence you said you would take proceedings against them on another occasion. Yet despite the harm done to the office of legate, you have taken no such legal action. Why not? Was it not your duty to have them summoned by the consuls?

85. The outrage done to M. Aurelius Scaurus by the eminent Pericles of Ephesus (being prevented from forcibly removing a runaway slave from the temple of Diana) resulted in his being summoned to answer for his actions in Rome. Don't you think that if you had reported your bad treatment at Lampsacum to the Senate, everyone would have rallied to your cause, considering it to be a danger to us all and determined to ensure that the status of legate should be safeguarded?

#### Sections 86 - 90

##### *The theft of the Milesian galley*

86. The Lampsacum affair displayed his wanton lust. His treatment of the MILESIAANS was just as serious and showed his avarice. He secured from them a splendid galley, for protection purposes, to sail to Myndus - but not before he had plundered their wool and caused them other expenses. I won't go into detail but ...

87. On arrival at Myndus, he sent the crew packing, sold the ship to Magius and Fannius (now regarded by the Senate as enemies of the the State) who then sailed it around all the enemies of the Roman People. What greed! What cheek! Did you think the Milesians wouldn't complain?!



### Summary

88. Did you think the charge would be dropped because Dolabella, at your request, had taken action against the commander of the galley, and seen to the erasing of his report on the affair from public records? This has always been your mistaken belief, especially in Sicily: that if all public record of your deeds is removed then there can be no sustainable charge against you. The Sicilians, however, gave the lie to this theory in the first hearing, now know that the Milesians only complied with the instruction of Dolabella while they had to, but in his absence, recorded again in full what had happened.

89. The records survive intact at Miletus. The record shows that one of their ships is missing, and that this is not due to pirates, or storms but to the brigandage of a legate.

90. Milesian envoys, presently at Rome, will speak out about what happened to that ship; they have a sense of what is right and will testify against Verres, despite the imminence of consular support for him in February. Verres is the pirate.

### Sections 90 - 102

*Verres' misdeeds as a guardian and proquaestor.*

90. In Malleolus' death he saw two gains for himself - his appointment as proquaestor, and the guardianship of the younger Malleolus, together with the opportunity to attack his property.

91. Malleolus, himself avaricious, had considerable amounts of silver with him in his province, together with many craftsmen and slaves. After his death, Verres helped himself to it and sold off what was left.

92. Back in Rome, Verres made no record of his vast gains, and claimed the skilled slaves in his house were his own - when they in fact belonged to his ward. When pressed, he quoted a figure of 1 million sesterces brought back from the province (2½ million is the probable sum), then fiddled the account book, changing it to 600,000 and he claimed it had been paid over to the slave, Chrsogonus. This figure matches the amount belonging to Carbo.

93. 50,000 of this amount was certainly not paid over. Most of the slaves are still in his possession. Wasn't Asia enough for you to despoil? Why plunder a young boy, your own ward? He is here, with mother and grandmother to testify against you.

94. Guardianship, fraternity, and

friendship have all been sullied by you. Give the boy his property back! Why put his whole family through the pain of giving evidence in court. Read out the witness statements!

95. I need not mention Milyades, Lycia, Pamphylia, Pisidia, Phrygia: all ravaged by him as proquaestor. But I must refer to his practice (employed later in Sicily) of requisitioning supplies, but then extorting money in their stead. Sanctioned by Dolabella, but perpetrated by Verres.

96. The case of the Myliades will serve as example: you estimated, collected, and kept the money supposedly paid to Dolabella.

97. When Scaurus prosecuted Dolabella, he soon found out about your infamies, Verres, and so he was able to use you - and you were more than willing - in his prosecution. You gave information against Dolabella.

98. I could have used treacherous witnesses like these, men who shared in Verres' pillaging, but that is not my style. I prefer to shine more as a defender than prosecutor. Verres still did not dare return his accounts to the treasury before Dolabella was condemned, making some spurious excuse. His accounts when quaestor? 3 lines long! His accounts when legate? only submitted after the one man who could dispute them was out of the way! His accounts as praetor? still not published to this day!

99. He claims he was waiting for the return of his quaestor before submitting his accounts? No need! In any case they have returned now, so why no accounts now?! Read out these items reckoned in the assessments against Dolabella.

100. Both Dolabella's and Verres' accounts of receipts and payments record false amounts, allowing inaccurate assessments to be made and large sums of money to go unrecorded. Verres used such monies with which to buy his way into the office of Praetor.

101. He certainly wasn't elected to this post because of anything praiseworthy. His lifestyle, before becoming quaestor, was corrupt; his quaestorship, as you know, was scandalous. Yet he openly

boasted about it and avoided prosecution by bribery.

102. You must be stupid, Verres, to imagine that you could avoid suspicion by not recording these illicit payments. The recipients did! And it's not just your accounts that count in this case.

### Sections 103 - 127:

*Verres' praetorship: abuses of his judicial powers.*

103. His illustrious praetorship! Everyone here knows the charges and many have their own personal grievances against him. It is not negligence if I miss anything out. Time does not permit. I will talk only about his criminal administration of justice and maintenance of public buildings.

104. When Verres obtained the urban praetorship, the omens were good for him and Chelidon, but not for the Roman people. When Annus Asselus died his daughter inherited his property. This was his natural wish - the law allowed it, since Annus was not on the census rolls.

105. As praetor-elect, Verres persuaded L. Annus (next in line in the will) that, by his edict, he could acquire the inheritance. Verres then approached the girl's mother.

106. His attempt to get the guardians to hand the money over was rebuffed since they could not see any way of legitimately recording the transfer, and avoiding danger to themselves. They had reckoned without Verres' unscrupulous edict. It cited an anti-feminist law of Voconius. What irony! Verres is fond of women and infatuated with Chelidon. What a jurist he is!

107. P. Annus' will was quite proper. How can you now pass an edict which, in retrospect, renders it null and void. You cite the Voconian Law, yet it never deprived any woman of her inheritance. It merely provided that IN FUTURE no woman could be made heir by any man on the census rolls.

108. The *lex Voconia* is not retrospective, neither is any other law except in cases of extreme evil. The *lex Cornelia*, for instance, and others dealing with forging of wills etc only provide for judicial action starting from a particular date.

109. Look at the *Atinian, Furian, Fusian* laws - and the *Voconian* and all the others dealing with civil law: the right to take legal action applies *subsequent* to the passing of the law. Praetorian edicts are legal for just one year - but yours go beyond - back to another praetor's term of office.

# 5.

## Verrine II.1



### Summary

110. Your wording of this edict makes it quite clear that you are not concerned with categories but with individuals. It is an edict created for a particular case and a particular individual, and motivated by money, not justice.

111. No subsequent praetor has thought your edict worthy of retention, however well you might have embellished it with words. Similar cases have arisen (sc. Annaea), but no one has followed your example. You alone are guilty not only of altering living wills but also rescinding those of the dead.

112. You yourself omitted this key clause in your Sicilian edict, always intending to call on it only *in extremis*. But you cannot deny having repudiated it in the first place. Anyone who has a daughter and who believes they should be cherished will, like me, be appalled by this affair.

113. Why have you done such a wrong to P. Annius?! Shall a praetor have the power to deprive the heir of his inheritance? Will this girl be deprived of possessions, basic rights, everything?! No wonder he was chased out of Lampsacum. No wonder he had to sneak out of Syracuse!

114. A father's wish for his daughter is blocked by you. For no reason, as far as I can see. You will find no one to agree with your action. Only people prepared to punish you for it - or at least see you arraigned before this court. When documents relating to a will are not produced, the case is treated just as if the man died intestate, with the estate going to the one making the strongest claim. It has always been thus.