

Caepionis odio, qui exercitum amiserat, neque re-  
 125 primi potuisse et iure esse conflata? Potuit hic  
 locus tam anceps, tam inauditus, tam lubricus, tam  
 novus sine quadam incredibili vi ac facultate dicendi  
 tractari? Quid ego de Cn. Mallii, quid de Q. Regis  
 commiseratione dicam? Quid de aliis innumerabili-  
 bus? in quibus non hoc maxime enituit, quod tibi  
 omnes dant, acumen quoddam singulare, sed haec  
 ipsa, quae nunc ad me delegare vis, ea semper in  
 te eximia et praestantia fuerunt.

126 XXIX. Tum Catulus: Ego vero, inquit, in vobis  
 hoc maxime admirari soleo, quod, cum inter vos in  
 dicendo dissimillimi sitis, ita tamen uterque vestrum  
 dicat, ut ei nihil neque a natura denegatum neque a  
 doctrina non delatum esse videatur. Qua re, Crasse,  
 neque tu tua suavitate nos privabis, ut, si quid ab  
 Antonio aut praetermissum aut relictum sit, non  
 explices; neque te, Antoni, si quid non dixeris,  
 existimabimus non potuisse potius quam a Crasso  
 dici maluisse.

127 Hic Crassus: Quin tu, inquit, Antoni, omittis  
 ista, quae proposuisti, quae nemo horum desiderat:  
 quibus ex locis ea, quae dicenda sunt in causis, re-  
 periantur; quae quamquam a te novo quodam modo  
 praeclareque dicuntur, sunt tamen et re facilliora  
 et praeceptis pervagata. Illa deprome nobis unde  
 afferas, quae saepissime tractas semperque divini-  
 tus. Depromam equidem, inquit, et quo facilius

Caepio, who had lost his army, could not have been  
 125 restrained and was justifiably kindled. Could this  
 line of argument, so hazardous, startling, treacherous  
 and unfamiliar, be handled otherwise than by  
 oratorical power and readiness truly marvellous?  
 What shall I say of the lamentation over Gnaeus  
 Mallius, or of that over Quintus Rex? What of  
 countless other cases, wherein the really unequalled  
 acuteness, universally recognized as yours, was not  
 the most brilliant feature, but those very qualifica-  
 tions, which you would now delegate to me, were  
 consistently displayed in outstanding excellence by  
 yourself?"

126 XXIX. "For my part," interposed Catulus, "the  
 thing about you two which most persistently excites  
 my wonder is, that while you are utterly different in  
 style, yet each speaks as though nothing had been  
 denied him by nature or withheld from him by train-  
 ing. And so, Crassus, you will not stint us of your  
 charm to the extent of declining to expound anything  
 passed over or left out by Antonius, nor shall we  
 suppose, Antonius, that you could have a speaker  
 more welcome to you than Crassus, to say what you  
 may have omitted to say."

127 "Not so, Antonius," continued Crassus, "rather  
 please omit that part of your programme which none  
 of our friends here wants, touching the commonplaces  
 which supply us with what we have to say in our  
 cases: although you discuss these things with brilliant  
 originality, they are for all that really rather easy  
 and widely current in maxims. Produce for us the  
 sources of what you so often handle and always in  
 inspired fashion." "I will certainly produce them,"  
 replied the other, "and, the more readily to exact

id a te exigam, quod petam, nihil tibi a me  
 128 postulanti recusabo. Meae totius orationis et  
 istius ipsius in dicendo facultatis, quam modo  
 Crassus in caelum verbis extulit, tres sunt rationes,  
 ut ante dixi: una conciliandorum hominum, altera  
 129 docendorum, tertia concitandorum. Harum trium  
 partium prima lenitatem orationis, secunda acu-  
 men, tertia vim desiderat. Nam hoc necesse est, ut  
 is, qui nobis causam adiudicaturus sit, aut inclina-  
 tione voluntatis propendeat in nos, aut defensionis  
 argumentis adducatur, aut animi permotione cogatur.  
 Sed quoniam illa pars, in qua rerum ipsarum expli-  
 catio ac defensio posita est, videtur omnem huius  
 generis quasi doctrinam continere, de ea primum  
 loquemur et pauca dicemus. Pauca enim sunt, quae  
 usu iam tractata et animo quasi notata habere  
 videamur.

130 XXX. Ac tibi sapienter monenti, Crasse, libenter  
 assentiamur, ut singularum causarum defensiones  
 quas solent magistri pueris tradere, relinquamus,  
 aperiamus autem capita ea, unde omnis ad omnem et  
 causam et orationem disputatio ducitur. Neque  
 enim, quotiens verbum aliquod est scribendum nobis,  
 totiens eius verbi litterae sunt cogitatione conqui-  
 rendae; nec quotiens causa dicenda est, totiens ad  
 eius causae seposita argumenta revolvi nos oportet,  
 sed habere certos locos, qui, ut litterae ad verbum  
 scribendum, sic illi ad causam explicandam statim  
 131 occurrant. Sed hi loci ei demum oratori prodesse  
 possunt, qui est versatus in rerum vel usu, quem aetas  
 290

what I want from you, I will refuse nothing that you  
 128 demand of me. Under my whole oratorical system  
 and that very readiness in speaking which Crassus  
 just now lauded to the skies, lie three principles, as I  
 said before, first the winning of men's favour, secondly  
 129 their enlightenment, thirdly their excitement. Of  
 these three the first calls for gentleness of style, the  
 second for acuteness, the third for energy. For, of  
 necessity, the arbitrator who is to decide in our  
 favour must either lean to our side by natural inclina-  
 tion, or be won over by the arguments for the defence,  
 or constrained by stirring his feelings. But as the  
 portion including the exposition of the actual facts  
 and the line of defence seems to include the whole  
 doctrine on this subject, we will speak of that first  
 and briefly. For there are a few points which I have  
 perhaps already handled in practice and noted in  
 my memory.

130 XXX. "And I shall gladly follow your good Employ-  
ment of  
'common-  
places.'  
 counsel, Crassus, ignoring the lines of defence  
 proper to particular types of cases, as taught  
 regularly by the professors to the boys, while I  
 open up the sources from which the whole argument  
 for every case and speech is derived. For just as,  
 whenever we have some word to write, we need not  
 search out its component letters by hard thinking,  
 so, whenever we have some case to argue, our right  
 course is not to fall back upon proofs laid away for  
 that particular type of cases, but to have in readiness  
 sundry commonplaces which will instantly present  
 themselves for setting forth the case, as the letters  
 131 do for writing the word. But these commonplaces  
 can be useful only to a speaker who is a man of  
 affairs, qualified by experience, which age assuredly