

Pro Caelio 61-9: Passing on poison at the baths

[61] XXV. But it is still not stated whence the poison was procured, nor how it was prepared. It is said to have been given to Publius Licinius here, a decent and worthy young man and a friend of Caelius; that an arrangement was made with the slaves that they should come to the Senian Baths, where Licinius would meet them and hand over the box of poison. At this point I first ask what was the good of arranging for the poison to be brought to that place? Why did not those slaves go to Caelius at his house? If there still existed between Caelius and Clodia such intimacy and such close association, what suspicion could arise if one of the lady's slaves had appeared at Caelius' house? But if some disagreement now lurked between them, if their association had been broken off, if a rupture had taken place, "the cat," assuredly, "is out of the bag," and we have the reason for all these crimes and accusations. "No," [62] says the accuser, "after the slaves had revealed to their mistress the whole affair and the villainy of Caelius, this crafty lady ordered them to make every promise to Caelius, but, so that Licinius, when handing over the poison, might be caught in the act, she ordered the Senian Baths to be arranged as a meeting-place, where she might send some friends to hide, and suddenly, when Licinius had arrived and was handing over the poison, they might dart out and seize him."

XXVI. All this, gentlemen, is perfectly easy to refute. For why had she specially fixed on the public baths, where I do not see that there could be any hiding-place for men in their togas? For if they were in the forecourt they would not be hidden; but if they wanted to pack themselves away inside, they could not conveniently do so in their shoes and outdoor dress, and perhaps would not be admitted—unless possibly that lady of influence had bought the favour of the bathman by her usual farthing deal. I assure you, I was eagerly waiting to hear the names [63] of those honest gentlemen who were alleged to have witnessed the discovery of this poison in Licinius' hands; no names, in fact, have yet been mentioned. But I have no doubt that they are extremely respectable persons, in the first place because they are intimates of such a lady; secondly, because they accepted the part of being packed away in the baths, one which she could never have imposed upon them, however influential she might be, had they not been most honourable and worthy persons. But why do I speak of the worthy character of these witnesses? Let me tell you what brave, painstaking fellows they were. "They concealed themselves in the baths." Remarkable witnesses! "Then they darted out accidentally." Wonderful self-control! For they pretend that after Licinius had arrived, holding the box in his hand, and was on the point of handing it over, although he had not yet done so—then suddenly these splendid witnesses with no names flew out from their hiding-place, but that Licinius, who had already stretched out his hand to give over the box, drew it back at the sudden onset of these fellows, and took to flight. How great is the power of truth, which when opposed to human ingenuity, cunning and craft, and opposed to all the falsehood and treachery in the world, is easily able to defend itself unaided!

XXVII. For example: the whole of this little play,[64] by a poetess of experience who had already composed many comedies—how devoid it is of plot, how utterly it fails to find an ending! For how did it happen that all those fellows (for they must have been many in number, so that Licinius could be easily seized, and that what took place might be attested by many eye-witnesses) allowed Licinius to escape from their hands? How could it have been more difficult to seize him when he drew back to avoid handing over the box, than it would have been if he had handed it over? For they had been posted in readiness to seize Licinius, to catch him in the act, either when he had the poison in his hands, or when he had handed it over. This was the lady's whole idea, this was the part of those who were asked to carry it out; why you say that "they darted out accidentally," and too soon, I cannot understand. They had been asked to do this, they had been stationed there just on purpose that the poison, the plot, in fact the crime itself, might be palpably demonstrated. Could they have chosen a better time to dart [65] out than after Licinius had arrived, while holding in his hand the box of poison? For when it had been already handed over to the slaves, if the lady's friends had suddenly left their hiding-place inside the baths, and seized Licinius, he would have been found imploring protection, denying that he had handed over that box to them. And how were they to

refute him? Were they to say that they saw him? In the first place, they would be bringing on their own heads a charge of a most serious crime; secondly, they would have to say that they saw what they could not have seen from the place where they had been posted. They therefore showed themselves just at the very moment after Licinius had arrived, when he was getting out the box, stretching forth his hand, handing over the poison. So, then, we have the finale of a mime, not of a proper play; the sort of thing where, when no fit ending can be found, someone escapes from someone's clutches, off go the clappers, and we get the curtain.

XXVIII. Why was it, I ask, that when Licinius [66] was faltering, retreating, striving to escape, those warriors under their feminine orders allowed him to give them the slip? Why did they not seize him, why did they not on his own confession, in the sight of so many witnesses, and by the cry of the deed, firmly model a charge of an outrageous crime? Perhaps they were afraid that so many of them could not overpower a single man, they strong and he weak, they alert and he terrified? There is no argument in the facts, no suspicion in the case, no conclusion in the charge that can possibly be discovered. So this case, without any argument, or inference, or those indications by which light is usually thrown upon truth, is left entirely to the witnesses.

These witnesses, gentlemen, I now wait for, not only without alarm, but even with some hope of amusement. My mind is athrill at the idea [67] of seeing, in the first place, these young dandies, intimate friends of a rich and high-born lady, and, then again, those valiant warriors, posted by their commandress in ambush and in garrison at the Baths. I intend to ask them how or where they concealed themselves; whether it was a bath-tub, or a "Trojan Horse," which received and protected so many invincible warriors, waging war for a woman. In truth, I will force them to answer this question, why so many strong men did not either seize him where he stood or overtake him in his flight, a man alone and so weak, as you see; in my opinion they will never disentangle themselves if they come forward into the witness-box. Although at dinner-parties they are humorous, witty, sometimes glib over their cups, the idea of a court is one thing, that of a dining-room is another; benches here and couches there have different meanings; to face judges and fellow-revellers is not the same thing; in short, the light of the sun is far different from the light of lamps. And so we will shake out all their pretty ways, all their follies, if they come forward. But let them listen to me: let them busy themselves elsewhere, let them curry favour by other means, let them show themselves off in other ways, let them ingratiate themselves with their lady by their elegant manners, outdo the rest by their extravagance, be always by her side, lie at her feet, be her humble servants; but let them spare the life and fortunes of an innocent man.

XXIX. But, the accusers say, these slaves have [68] been manumitted with the approval of her kinsmen, most noble and illustrious persons. At last, then, we have found something which that lady may be said to have done with the approval and with the sanction of those gallant gentlemen, her relatives. But I desire to know what is the drift of that manumission; for it either means that a charge had been concocted against Caelius or that a possibility of examination had been eliminated or that a justification was found for rewarding slaves who shared so many of her secrets. "But," I am told, "her kinsmen approved." Why should they not, since you said that you reported to them facts not brought to you by others, but discovered by you yourself? And at this point do we [69] really wonder if this imaginary box has given rise to a most improper story? There is nothing which does not seem to fit into the acts of such a lady. The story has been heard of, and is in all men's mouths. You have long since understood, gentlemen, what I wish, or rather, what I do not wish to say. However, even if the story is true, it is not true of Caelius (for what had it to do with him?); it was perhaps a trick played by some young man with less modesty than wit. But if it is an invention, although not decent, yet it is a lie not without humour. In my opinion, it would not have been accepted in general talk and opinion, did not every story, which could not be told without a blush, seem perfectly to square nicely with that lady's reputation.