

and important, it is evident, might become dangerous in the hands of unskilful or designing persons ; but the composition of the court was such, that they were almost invariably wielded with wisdom, justice, and moderation. The Areopagus became a sort of conservative power and safeguard in the state, and was looked up to by the Athenians with the utmost veneration and confidence, notwithstanding that, in the exercise of its power of reviewing the popular decrees, it did not hesitate to annul and disallow some of those most eagerly supported by the multitude.

Superior to all considerations of party or popular favour, the Areopagus also endeavoured to secure themselves from all prejudice, of whatsoever kind, in the individual cases brought before them, and to form their judgment on the plain unvarnished merits of the question. For this purpose, their sittings, in criminal cases, were held at night, that the sight of the prisoner to be tried neither move them to compassion nor to dislike ; the pleaders on either side were restrained from all eloquent periods and irrelevant flights of fancy, confined to a simple statement of facts, and forbidden to excite the feelings of their audience by either exordium or peroration. The court was held in an open space on the summit of the hill, distant from any abode, and retired from all distracting sounds. In the centre were placed the prisoner and accuser, in seats of solid silver* ; around them, on benches cut from the living rock, sat the judges. A severe stillness, suited to the occasion and the hour, reigned amid their ranks, and none opened his lips, saving occasionally at the close of the pleadings, to pronounce his solemn and deliberate judgment. More generally, however, the same silence was preserved even in delivering their suffrages. In a corner of the area were placed two urns—one of wood, called the “Urn of Compassion”—the other of brass, known as the “Urn of Death.” Each member of the court was furnished with a small flint, which he deposited in one or other of these vases, and judgment was pronounced according to the number found in each. If it happened at any time that both contained an equal number of votes, a flint was dropped into the “Urn of Compassion,” in the name of Minerva, the tutelary deity of Athens,—and the prisoner was acquitted. During the reign of the thirty tyrants, in Athens, they changed the mode of voting in the Areopagus, to enable them to gather the individual opinion of each member on any political question brought before them. Instead of slipping the flints secretly into the urns, as before, the Areopagites were obliged to deposit

them openly on two tables, in the centre of the assembly, one called the “Table of Life”—the other, the “Table of Death.”

Many of their decrees have been preserved by ancient authors, along with the cases which gave rise to them ; and of these we present a few :

Chloe was accused of not having preserved in her attire the dignified plainness and simplicity worthy of an Athenian dame. This was her sentence : “Let her name be struck out from the register of matrons, and inscribed in that of the courtesans.”

Lastenia, jealous of her lover, and anxious to fix his wavering affections, procured a love potion and administered it to him. It proved a mortal poison, and the distracted girl was brought before the Areopagus on a charge of murder. “Lastenia is acquitted !” was the award ; “she is less guilty than unfortunate.”

One of their own number, Aristonius, was accused of cruelty. Whilst walking in the fields, a linnet, pursued by a sparrow-hawk, sought refuge in the bosom of the Areopagite, who, instead of affording the protection thus trustingly claimed, twisted the neck of the poor bird. The court gave its decision as follows : “A cruel heart is totally unfit for the duties of a citizen : let Aristonius be expelled from the Areopagus, and rendered incapable of ever holding any office in the state.”

“They condemned a child to be put to death,” says Rollin,* “for making it his pastime to put out the eyes of quails ; conceiving this sanguinary inclination as the mark of a very wicked disposition, which might one day prove fatal to many, if it were suffered to grow up with impunity.”

A woman was brought before Dolabella, Proconsul of Asia, accused of having poisoned her husband and her son. She admitted the fact, but spoke as follows, in her defence : “I had to my first husband a son whom I tenderly loved, and whose virtues rendered him worthy of my affection. My second husband, and the son whom I bore to him, murdered my favourite child. I thought it would have been unjust to have suffered those two monsters of barbarity to live. If you think, sir, that I have committed a crime, it is your province to punish it : I certainly shall never repent of it.” There was in this a sort of rude justice, so much in accordance with the unenlightened spirit of the times, as to embarrass the judgment of the Proconsul ; and he remitted the case to Athens, for the decision of the Areopagus. After a patient examination of the case, that court, thinking that she had received such

* Book x. chap. l.

† Said to have been presented to the tribunal by Orestes.

† Aulus Gellius, as quoted in *Encyclopædia Britannica* in verbo.