

NOTES ON HISTORY.

NOTE THE SECOND.

BY EDMOND HUGOMONT.

"*Senatus* ' *Ἀγίος πᾶσις*, *nil constantius, nil fortius, nil severius.*"

CICERO AD ATTICUM, I. 13.

THE tribunal of the Areopagus, thus eulogised by the Roman orator and statesman, derived its title from the place in which its sittings were held—a hill of the same name, adjoining the citadel of Athens.

Of the derivation of the name Areopagus,* or Mars' Hill, various explanations have been given; none of them, however, upheld by very strong evidence. That supported by Rollin, is, that it was so called from the circumstance of Mars having been there tried for the murder of Haliroethus, the son of Neptune,—a theory mentioned by many ancient writers, and amongst others by Suidas, who thinks he finds a corroboration of it in the peculiar jurisdiction exercised by this court over homicides. According to Eschylus,† this hill took its name from the Amazons, the daughters of Mars, having encamped there during the siege of Athens, and offered sacrifices to their patron deity. Pausanias gives the opinion current in his day, in the following words: "They say that Orestes was here tried for slaying his mother, and an altar is still shown as having been raised by Orestes, after his acquittal, to Minerva *Area*, (or the Martial,) from which the place derived its designation."

Almost equally varied have been the conjectures, (for they are little else,) as to the origin of the court which was here held. By some it is attributed to Cærops, the first king of Athens; by others to Cranaus, his successor. Cicero, again, ascribes its institution to Solon; but Plutarch‡ shows that it had existed long before the era of this lawgiver, and was only renewed and re-established by him. The eighth law of Solon's thirteenth table recognizes its previous existence, and

is even supposed, from some allusions in the Iliad, to have been in operation in the time of Homer.

Whatever might have been the origin of the Areopagus, certain it is, that it long enjoyed a high reputation for the wisdom and justice by which its proceedings were regulated, and it is mentioned by almost every writer of antiquity in terms of laudation.*

Previous to the time of Solon, the Areopagus seems to have been composed of those most conspicuous in the state, for wealth, honour, and power; but, as remodelled by him, those only who had previously served as Archons, (an office resembling the Roman Consul,) could be admitted to it as judges. Even these were not enrolled, until, having rendered an account of their administration to the people, they were declared to have rendered themselves worthy of a seat in the Areopagus; once admitted, however, the seats were retained *ad vitam aut culpam*, the court itself having alone power to depose any of its members. This constitution rendered the number of judges very variable, sometimes only consisting of fifty or sixty, and occasionally amounting to two or three hundred; but, at the same time, it ensured them to be men of ripe age, practised statesmanship, and mature judgment.

The tribunal, on its first establishment, had jurisdiction only in criminal cases, but in process of time it assumed a surveillance over the manners and customs of the people, saw to the due execution of the laws, and took cognizance of all matters connected with religion. It was at length empowered to assume, in cases of emergency, a sort of dictatorship, as well as constituted a high court of appeal in all criminal cases. Powers so varied

* From the *Ἀγίος*, Mars, and *πᾶσις*, a hill or district.

† In his *Eumenides*.

‡ In *vita Solonis*.

* For instance, by Valerius Maximus, (l. viii. c. 1) Quintilian, (l. vi. c. 1); Lucian, (*in Hermotimum*); Cicero, (*Offic.* l. i. n. 75); Juvenal, (lx. 102.)