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AURELIA;

OR,

THE JEWS OF CAPENA GATE.

Freely Translated from the French of M. A. Quinton

PART SECOND.—THE SLAVE.

CHAPTER X.—(CONTINUED.)

Pliny-the-Younger then rose to open the case. It had been decided, the case being one of peculiar importance, that the lawyers should be entitled to as my clepsydras as would absorb the day's sitting of the court.

With all the science of a great jurisconsult, and the eloquence of a brilliant orator, heightened by the burning indignation of a noble heart, he explained how the legislation which gave such impious rights to parents over their children, after subsisting too long, was at last disappearing under the double influence of public opinion and of the highest intellects among the jurisconsults, who repudiated it openly as barbarous and inhuman.

The admirable picture which he traced of the condition of public morals, of the disposition of the public mind and its tendency to more generous ideas, was so powerful in energetic simplicity and virtuous splendor, that when rising almost to sublimity, he beseeched the judges to associate themselves with this great movement towards a new life, and to let the iniquities of former days be buried with the past, the whole assemblage was carried away and interrupted him by their cries of enthusiasm and a thunder of applause.

Marcus Regulus, meanwhile, raised his hands to heaven as if protesting against these remarks on the tutelary institutions of the empire. The large black bandage which concealed half of his face, gave still more expression to the play of the uncovered features, upon which surprise and indignation were admirably depicted.

When Pliny-the-Younger came to speak of the influences which had controlled the free will of Cecilius, he was designedly very concise. He demonstrated clearly, and by means of the most elementary principles of law that Cecilius, harassed in every direction by Parmenon's claim which threatened his liberty, by the letter of the city prefect which made him fear for his last resources, and by the citation of the Pontiffs which placed him under the terror of an accusation of sacrilege, had necessarily given way, losing the consciousness of his own acts, and betrayed himself and his daughter with a facility that he would certainly not have shown had he enjoyed his ordinary calmness of mind and coolness of judgment.

'And I suppose,' proceeded the speaker, covering Marcus Regulus with a penetrating glance, 'that those causes were true, and that they were not a snare set for the weakness and credulity of an old man; for, if all these elements of terror were as vain as their causes were ridiculous; if they were combined with profound perversity; if a secret hand applied itself to striking repeatedly at the feelings of this wretched father so as to crush them successively, how more truly we could claim that the contract is not binding, and that this shameful sale was never freely consented to by the father!'

After a magnificent peroration in which he made a touching appeal to the conscience of the judges, Pliny-the-Younger stated that he was through with his case, and modestly resumed his seat. He had used the water of six clepsydras, or, otherwise, had spoken only two hours. The case, however, was continued until the next day, on the demand of Regulus, who affirmed that he would require an entire sitting to reply to his adversary.

Regulus seemed delighted with the turn given to the argument. On his way out of court, surrounded by his friends and clients, he criticized freely Pliny's discourse.

'He was vehement and well inspired in the first part,' he said, 'but in his conclusion he was far below his usual standard! What advantages he has given me?'

And as even wickedness finds flatterers, there were not wanting some to proclaim that Pliny's speech was pitiful, and to promise their eloquent patron an easy victory. Regulus, however, had had the sorrow to hear the acclamations and songs of the crowd who escorted Pliny in triumph.

The reply of Marcus Regulus, on the next day, was a commonplace speech, void of that eloquence which, coming from the heart speaks

to the heart, carrying conviction with it. Yet the speaker was frequently interrupted by certain exclamations such as: Very well! Bravo! Nothing better! (oultre! praeclare! festive!) accompanied by exaggerated applause.

However, it was not as on the preceding day, a whole assemblage giving way spontaneously to enthusiastic admiration; the words of praise and frequent plaudits we have mentioned came only from a few isolated individuals in the audience, who were evidently acting under orders. It was customary in those days for a speaker to provide himself with these hired admirers, and the greater his mediocrity, the more of these manifestations of mercenary zeal, the judges and the public had to bear. Marcus Regulus held these distributors of glory in high esteem.

His plan of defence was of the simplest.—He did not attempt to reply to that part of Pliny's argument where Cecilia's sale was attacked in the name of the eternal principles of morality, civilization and family ties. As might be expected, he confined himself to the purely legal grounds, and argued that the text of the law of the Twelve Tables was in perfect harmony with the public and private constitution, with the interests of the commonwealth and of the family; and that it had never been repealed by contradictory legislation or even abrogated by custom, as alleged.

He recalled all the circumstances in which the greatest citizens of Rome had exercised this right of the father; and he further established that on certain rare but recent occasions, citizens had continued, without opposition, to show by similar or analogous acts, their power over the bodies of their children.

But the speaker dwelt with greater force on the question of Cecilius' free consent.

'How,' he exclaimed, 'could the freedom of this consent be vitiated? By underworkings, by fraudulent suppositions, by means of terror held suspended over the head of the father!—But what can be more real than the mysterious affiliation of Cecilius with the Jews of Capena gate? Is not his daughter known to be a Christian, and then is it not natural that Honora Messio should have wished to discharge an unworthy and treacherous agent? Will it be said that the Pretor's judgment in favor of Parmenon was supposititious? Was not the transfer made by Gurgus of his claim against Cecilius a reality and an act performed in good faith?'

'It was an infamous surprise, and Parmenon and you are two great villains!' cried out the vespillo, at this mention of his name.

But his voice was immediately drowned in the furious cries of the lawyer's stipendiaries. Regulus proceeded without noticing the interruption.

'Finally,' he said, 'there remains the Pontiff's citation! Great gods! he continued, attempting an oratorical flight, 'have ye not been insulted in the face of Rome? Was not the status of the divinity venerated by young maidens contemptuously dashed to pieces on the pavement of the public street? And by whom? By a Jewess! By a Christian! By the enemy of our creed! O horror! O abomination! O sacrilege! I should throw a veil over my face and present myself in the attitude of a suppliant....'

'And your bandage and your mourning toga?' remarked Pliny-the-Younger with a smile, trying to remind his adversary of the theatrical desolation exhibited in his apparel.

But Regulus seemed struck with a well timed deafness.

'What has Parmenon done?' he continued, 'what has this honorable citizen done, to whom they would dispute to day his dearly paid property? Not only did he hand to Cecilius his title for the ten thousand sesterii, but he paid the Pontiffs! Yes, he has settled the penalty for the sacrilege and here is the receipt!'

And Regulus waved triumphantly a sheet of papyrus, the apparent proof of twenty thousand sesterii paid by the slave-trader to the Pontiffs for abandoning the prosecution.

'So,' resumed Parmenon's counsel, 'I have thirty paid thousand sesterii for rights of which they now want to deprive me on the singular pretext that I have influenced the man whom I found surrounded by these embarrassments! O good faith! O justice! As if it was I who invented the anguish and committed the crime.—As if Cecilius did not have an evident interest in escaping from the responsibilities threatened him! Well, he has done it! Can any one maintain any longer that it was not in the full liberty of his right and all the strength of his consent!'

Regulus ended with a peroration which drew several rounds of applause from his hired supporters. He showed in it skill, if not talent.—He made a gloomy picture of the misfortunes that awaited the capital of the world, if no stop was put to the dark and threatening enterprises of those accursed Christians, who sprung up in every direction and who would invade all society. Such is their audacity that they would

destroy even the emperor's power. What, then, would the divine Domitian think, if he learned that Roman magistrates have hesitated for a single instant between him and the obscure Christian which is secretly supported by persons interested in violating the rights and the majesty of the empire!

It was time that Regulus should bring his speech to an end. He was completely exhausted. The clepsydras had been repeatedly re-filled; the usual hour for closing the court was passed, and several times already the judges had sent the usher to examine the sun dials in the Forum. The trial was therefore continued until the next day, when Pliny-the-Younger would reply to Regulus.

Long before the court assembled on the following morning, the basilica Julia was besieged by an immense crowd. Never had such deep interest been manifested in the issue of a trial.—A confused clamor filled the Forum and the soil seemed to tremble under the thousands of impatient feet.

Pliny-the-Younger and Marcus Regulus who came accompanied by their clients, with the exception of Parmenon, who had not attended the pleadings, made their way with great difficulty through the compact living mass.

Pliny placed little reliance in the high philosophy of the judges or in the disposition of their minds to embrace the generous sentiments which should have moved them in favor of Cecilia.—He had reserved his most vigorous arguments for this last test. He was about to change his plan of attack and to deal Regulus personally, the most unexpected blows.

He began by narrating how Cecilius in his distress had applied to Regulus; what advice he had received from him; what perfidious insinuations he had obeyed. Then, commenting upon these facts with wonderful sagacity, and analyzing all these details with the patience of a mind which sees the truth and wishes to make it felt, the eloquent lawyer, unable to restrain his indignation, gave vent to it in these terrible words:

'O Regulus, I recognize here your dark doings! The evil is there, and I can affirm that you did it. Yes, for who is acquainted with the shameful acts of your life, for who knows your heart—that unclean sink overflowing with the foulest iniquity—there can be no doubt. Your band, red with so many murders, has alighted on this poor girl; I recognize its bloody impress! It is you who have prepared these odious snares! By all the gods! it is you who have accumulated on the head of this wretched father all the misfortunes through which he has been led to sell his daughter. O shame—O crime! Cecilius came to this man for advice, and this man played with a father's despair as the tiger plays with his prey. Oh, Regulus! truly have you been styled the most pitiless of wild beasts!....'

These last words of the orator contained a terrible allusion to the remark recently made by Metus Modestus, and generally repeated in Rome, to which we have already alluded.

Regulus was boiling with rage. He seized this opportunity to interrupt his adversary.

'Pliny,' he hissed, and his voice was as sharp as the point of a sword, 'what do you think of Metus Modestus?'

And he threw a glance of implacable defiance at the judges.

To understand the full import of this remark, it must be known that Domitian had recently banished Metus Modestus for not rendering a sentence in conformity with the imperial views. It was therefore a threat directed to the magistrates. It was not only a dangerous question for his adversary to answer, but a warning to those who might be tempted to hesitate in the present circumstance.

Regulus stood up, with flaming eyes, awaiting with hateful anxiety Pliny-the-Younger's answer.

The latter saw at once the snare:

'I shall reply to your question,' he retorted with perfect composure, 'when the magistrates will have to judge it.'

'I ask you,' insisted Regulus, trembling with rage, 'what you think of the devotion shown to Domitian by Modestus?'

'I think,' replied Pliny immediately, 'that it is not permitted to discuss a question after judgment has been rendered.'

Regulus, disconcerted by so much presence of mind, remained silent, and took his seat, still angry and threatening.

The blow had told, however. If Pliny had saved himself by his ready answer, his case was compromised and would probably be lost. He read its fate on the embarrassed countenance of the judges.

It was in vain that he made renewed efforts to repair this severe check, and that he rose to the most sublime height of eloquence. His voice was but a mere sound finding no echo in those who heard them. How could the men who had trembled and grown pale at the mention of the

terrible Domitian, listen to the appeal of injured innocence?

Pliny-the-Younger left the court-room, boiling with indignation at his adversary's wickedness, and deeply grieved at the shameful weakness of those who were about to betray their own conscience through fear of a villain's denunciation.

Regulus retired in triumphant security.

CHAPTER XI.—TORTURES AND CONSTANCY.

The trial had lasted three days; on the fourth the Recuperators again met to deliberate upon the judgment which was to be rendered in the afternoon, according to the provisions of the law of the Twelve Tables. The basilica was again filled with an anxious and silent crowd. The sixth hour of the day having arrived, Caius Sulpicius-Namerus, the senior judge, delivered the following sentence, in a solemn voice:

'It appears that Cecilius had a right to sell his daughter to Parmenon.

'It does not appear that the consent of Cecilius was influenced by any undue fear.

'Consequently, it is ordered that Cecilia remain the property of Parmenon, according to the law of the Quirites.'

The judges then retired amidst the lamentations of the young girl's friends, the murmurs of dissatisfaction of the crowd, and the acclamations of Regulus' partisans.

We have got back to the precise point at which we commenced our narrative; but before resuming it, we must say something about the sufferings which the unfortunate Cecilia had borne during the few weeks which elapsed between her mancipation to Parmenon and her purchase by the divine Aurelia.

When Marcus Regulus, through his agent, obtained possession of the young girl, it was not his design to detain her any longer than was necessary to extort from her the information he was seeking for Domitian. This end accomplished, he intended to return her to her father, provided the latter would reimburse him the amount expended by him; together with a round profit. Avarice, it will be remembered, was a leading trait in the character of this vile informer, and he never consented to lose anything as long as he could avoid it.

When, to his great astonishment, he saw the immense offers made by Flavia Domitilla for the freedom of the young girl, he asked himself, while refusing the millions of sesterii tendered to Parmenon by that wealthy and charitable matron, whether he could not secure that magnificent prey and yet detain Cecilia long enough to accomplish his purpose. He distrusted Parmenon, the legal and apparent owner of the young girl, who could, if tempted by these unheard of offers, destroy his hopes at one blow, by returning the daughter to her father.

After due reflection, Marcus Regulus ordered Parmenon to propose to Cecilius to convey the girl back to him in exchange for the million offered, provided the father would let the mancipation remain in force one month. He hoped that during this delay he could wrench from Cecilia the secrets of her friends and the names which it was so important for him to know. Cecilius, advised by Pliny-the-Younger had refused. Marcus Regulus then instructed Parmenon to bargain for a delay of one week. Cecilius replied that having had the shame of selling his daughter once, he would not confirm the infamous transaction by any such compromise.

'I want my daughter now,' he cried, 'and if you give her back to me, it is not one million of sesterii, but two millions which you will receive.'

Flavia Domitilla upon learning the refusal of her first offer had given orders that twice and even three times that sum should be offered, if necessary, to redeem Cecilia whom she loved like a sister, and who had so generously confessed her faith amidst the fearful dangers and sufferings of slavery.

Despite his usual self-control, Marcus Regulus could scarcely conceal his emotion when Parmenon reported that Cecilia's friends offered to double the sum first proposed, if the young girl was immediately set in liberty.

'Come with me,' he said to the slave dealer, after reflecting an instant; 'in a few hours that immense sum will be ours! What a magnificent result, Parmenon! By all the gods, this is more than I ever hoped!'

The informer and his worthy accomplice proceeded to the latter's tavern. Regulus hoped to extort by bribes and threats, an immediate confession from Cecilia.

'Send the girl here,' he said to Parmenon, and leave us. I shall recall you directly.'

Parmenon obeyed, and Cecilia was in the presence of her real persecutor.

'My dear child,' said the arch-hypocrite, 'I have come to restore you to freedom and your father.'

Cecilia started, a hopeful surprise sent a fugitive glow to her delicate features; but this feeling soon vanished when she met the cold,

anxious gaze of this man whom she had never seen, and whose sight caused her an instinctive fear. She stepped back, involuntarily; but gathering courage, she replied:

'I thank you, my lord. I shall always remember your generosity!'

Regulus had not failed to perceive the impression caused by his presence. He was angry thereat, and resolved to stop at nothing to attain his object. There was besides, little time to lose!

'Yes,' he repeated, 'I come to restore you to freedom and your father, but on one condition....'

Cecilia looked up. She was firm now.

'That condition,' resumed Regulus, who had made a slight pause, 'is that you will reveal to me all the mysteries of the sect to which you belong, and tell me the names of those who are like you Christians!'

'O my God!' the young girl muttered with unspeakable contempt, 'I felt that this man had not come to save but to destroy me!'

'Well?' asked Regulus, who feigned not to have heard.

'Well, my lord,' replied Cecilia, 'you must know that the Christians confess their faith but do not betray their brethren.'

'So you refuse to reply to my questions?—Take care!' exclaimed the wretch.

'I certainly refuse to betray,' the courageous girl replied, unhesitatingly.

'Very well,' said Regulus with a sneer.—'We shall see if we can't make you change your mind,' he added threateningly; and he called Parmenon.

'Show her,' said the informer to his accomplice, 'what a master is, and whether, when he questions, a slave can refuse to reply.'

The slave dealer drew from under his garments a long, narrow and thick strap of leather, of the kind styled 'taurea,' and uncovering the young girl's shoulders, commenced striking her violently. The first blows of the lash, cutting into the flesh like a sharp-pointed instrument, made the blood trickle in abundant drops.

The poor child who suffered for the first time this cruel torture, could not restrain her tears and her groans of anguish.

'Now,' said Regulus, making a sign to Parmenon to stop, 'will you speak?'

'Never!' replied firmly the heroic girl.

'Come,' Parmenon, it seems the dose was too mild. Begin again.'

And Parmenon, with stolid indifference, again plied the lash. But Cecilia's will seemed to grow stronger as her tortures increased: a single cry did not escape from her lips. But she prayed fervently.

'Strike! strike again!' cried the fiend, hoping still to conquer this tender girl whose strength was giving way.

But the child's constancy and courage were greater even than the rage of her torturers.—Parmenon was compelled to stop. His arm had grown tired. And, besides, Cecilia had sunk senseless to the ground—an inert and bloody mass.

'Curses on the girl!' cried Regulus. 'Oh! those Christians! it is impossible to conquer them! What shall I do?'

The brute's fiendish rage had led him too far. How could he return the girl now to her father, in this dreadful condition? It was useless to think of it. Besides, she had not spoken, and Regulus would never consent to release her without knowing her secrets and the names of so many illustrious people. Battered to lose those two millions of sesterii, the thought of which awakened avarice, thin to neglect this chance which once lost might never present itself again. This vile and cruel man still hoped to make his victim speak. Her heroism did not excite his admiration, but his hateful rage.

'What is this sum,' he argued, 'compared to the reward which awaits me if I succeed? A mere trifle. No, I shall not release her until she shall have spoken. And she shall do it! she shall speak! On my life I shall conquer her, or she will perish!'

'I shall be back to-morrow,' he said to Parmenon. 'It will not be too late. Until to-morrow, then, take care of your slave, so she may be in good condition in case we have to send her back.'

On the next day and the day following, Regulus tried, by the same means, to overcome what he termed the obstinacy of the young girl. Cecilia, in a short time, had tasted all the tortures of slavery, all the sufferings that her father had mentioned to her to make her abjure her faith.

But why should we sadden the reader with the spectacle of these horrors? Has he not already understood that Cecilia's constancy would tire the rage of her persecutors?

Marcus Regulus found himself powerless against the resignation of his victim. He had lost the fruits of his infamous act, and he had not succeeded in obtaining the information he so ardently desired. He knew that Flavia Domi