Gracchi, when it was enlarged to 600. I shall have occasion afterwards to treat more particularly of the constitution of this body.

Rome was now gradually advancing in population and power; but her progress was not so rapid as to alarm the other states of Italy. In the time of the elder Tarquin there were frequent wars with the Sabines, Latins, and Etruscans, which generally terminated to the advantage of the Romans; but the vanquished nations were always very speedily in a condition to renew hostilities.

The city itself was increasing very much in extent and magnificence. Tarquin caused the walls to be built of hewn stone; he surrounded the *forum* with a covered corridore or arcades of pillars; he built the Circus Maximus, or Hippodrome, for the celebration of public games, for races and athletic exercises. This building was situated between the Aventine and Palatine hills. It was enlarged and embellished at different times; and in the age of the elder Pliny, was capable of containing 260,000 spectators, all seated. Tarquinius Priscus likewise constructed the *cloacæ*, those amazing drains or common sewers, which remain to this day the wonder of all who view them. The *cloaca maxima* is sixteen feet in width, thirteen in depth, and of hewn stone arched over. Works of this kind would seem to lead to the belief of a prodigious increase of this city in size and population, when such immense structures were formed within the period of 150 years from its foundation. But these appearances certainly afford rational ground for a different conclusion or conjecture. The immensity of those *cloacæ*, so unsuitable to such a city as we must suppose Rome to have been in the days of the elder Tarquin (for Livy acknowledges that they were judged unsuitable, from their large size, to the extent of the city, even in his time,) naturally induces a suspicion, that those works were the remains of a more ancient and much more splendid city, on the ruins of which the followers of Romulus had chosen to settle. The like we know to have taken place in different parts of Asia, where several of the greatest cities of antiquity, after they had gone to decay, and been for ages desolate and uninhabited, have revived after a period of many centuries, and from villages grafted on their ruins, have become pretty considerable towns, though far inferior to their ancient size and magnificence. Were we here to offer a conjecture, it would be, that the foundation of Rome is to be carried back many ages beyond the commonly received era, and that this city had anciently been the residence of a part of that great and polished nation, the Etruscans.

Tarquin, during some of his wars, had vowed to erect a temple to Jupiter, Juno, and Minerva; but he lived only to see the work begun. In digging for the foundation of this structure, on the top of the Tarpeian hill, the skull of a man was found;—a very ordinary occurrence, but which the augurs declared to be a presage that Rome was one day to become the head, or mistress of the universe. The new temple was from this incident called *Capitolium*. If the anecdote is true, it shows how early the Romans entertained views of empire and dominion.

Tarquin had adopted a young man, Servius, the son of a female captive, and had given him his daughter in marriage. He was a youth of talents, and soon gained the esteem both of the senators and people; so that there was every prospect of his succeeding to the throne upon the death of his father-in-law. Two sons of Ancus Martius were yet alive, who naturally looked likewise towards that dignity, to which they endeavored to pave the way by assassinating Tarquinius Priscus. This treasonable act they perpetrated in the thirty-eighth year of his reign; but their crime did not meet with the reward of success.*

CHAPTER II.

SERVIUS TULLIUS, sixth King of Rome—His Political Talents—Artful division of the People into Classes and Centuries—The Census—Lustrum—Tarquinius Superbus—End of the Regal government—Reflections on this Period—Constitution of the Senate—Narrow Territory of the State—Exaggerated Accounts of its Military Force—Uncertainty of its Early History.

SERVIUS TULLIUS had very naturally cherished the ambitious design of mounting the throne, upon the death of his father-in-law. On that event, he thought it prudent to employ some artifice. He gave out, that the king, though dangerously wounded, was still alive, and had empowered him, in the meantime, to administer the government, and to bring to punishment his assassins. He procured, accordingly, a sentence of death to be pronounced on the sons of Ancus; but they escaped their fate by flying from Rome, and seeking an asylum among the Volscians. Servius, thus rid of his competitors, proclaimed the king's death, and found no obstacle to his elevation to the vacant dignity.

* In the time of the elder Tarquin, Nebuchadnezzar made the conquest of Jerusalem, and carried the Jews into captivity. Solon, in the same period, was employed in new modelling the constitution, and giving laws to the republic of Athens.

As the succession of Servius had wanted all the usual formalities, there having been no regular election by the people, nor any inauguration by the usual consultation of the auspices, the new sovereign wisely bent his whole attention to ingratiating himself with his subjects by every method that could procure popularity. He paid the debts of the poorer citizens by dividing among them such lands as were his own property, and others of which they had been illegally deprived by the richer citizens. He adorned the city with useful edifices; he was successful in the wars carried on with the neighboring nations; and the people, pleased with the moderation he showed in the exercise of power, soon forgot his usurpation.

It is remarked by Montesquieu, as one cause of the rapid advancement of Rome in the first ages of her state, that all her kings were great men. Servius Tullius was a prince possessed of superior political abilities. There is nothing more worthy of attention than the measures which he took for the reformation of those abuses which had gradually arisen from the indeterminate nature of the Roman constitution, and particularly that artful and ingenious arrangement of the people into classes and centuries, by which he contrived to throw the whole power of the state into the hands of the superior order of citizens, without injury or offence to a numerous populace, whose happiness is best consulted by removing them from all actual concern in the machine of government. Of this arrangement it is necessary for the proper intelligence of the revolutions of the Roman commonwealth that a particular account should here be given.

From the time that the Romans had associated the Sabines and the people of Alba to the rights of citizens, the urban and the rustic tribes were composed of three distinct nations, each of which had an equal share in the government. Each tribe being divided into ten *curiæ*, and each *curia* having an equal vote in the comitia or public assemblies, as every individual had in his *curia*, all questions were determined by the majority of the suffrages of individuals. There was no preëminence or distinction between the *curiæ*, and the order in which they gave their votes was determined by lot.

This was a very equitable and reasonable arrangement so long as there were few distinctions among the citizens, and no great inequality of fortunes. But when riches came to be unequally distributed, it was easy to foresee numberless inconveniences from this equality of power. The indigent or the worthless would court every revolution which gave them a chance of bettering their fortunes; and the rich had an easy road to the gratification of the most dangerous ambition by purchasing with bribes the votes of the poor.

One grievance, likewise, which was very severely felt under the former constitution, was, that all taxes were paid by the head,

without regard to the unequal wealth of individuals. This impolitic and unjust distribution, of which the poor had the highest reason to complain, furnished Servius with an excellent pretence for effecting that reformation which he meditated. He undertook to remove easily the poorer citizens from all share in the government, by exempting them from all public burdens, and making these fall solely on the rich.

After explaining to the people at large the necessity as well as the justice of regulating the taxes and contributions of individuals according to their measure of wealth, he required, by a public edict, that each citizen should declare, upon oath, his name, his dwelling, the number of his children, their age, and the value of his whole property, under the penalty of having his goods confiscated, being publicly scourged, and sold for a slave.

After this numeration, which was called *census*, Servius divided the whole body of the citizens, without distinction of rank, birth, or nation, into *four tribes*, named, from the quarters where they dwelt, *Palatine*, *Suburran*, *Collatine* and *Esquiline*. These comprehended only such as dwelt within the city. He formed other *tribes* of such as enjoyed the privilege of Roman citizens, but lived without the walls, or in the country. Of these the number is uncertain, some authors making the rustic tribes amount to fifteen, others to seventeen, and others again to twenty-six. The number probably varied, according as the Romans extended their frontier. These rustic tribes are frequently mentioned in the Roman history. It is only necessary to remark at present, that in early times it was held more honorable to be included in those of the city; but this distinction did not always continue.

Besides this local division from the places where the different citizens had their dwelling-houses, Servius divided the whole body of the people into six *classes*, and each class into several *centuries*; but these classes did not each contain the same number of centuries. It is to be observed that a century was so termed, not as in itself consisting of one hundred men, but as being obliged to furnish and to maintain that number of soldiers for the service of the state, in time of war. In the first class there were no less than ninety-eight centuries. These were the richest citizens; such as were worth at least 100 *minæ*, about 300*l.* sterling. The second class consisted of twenty-two centuries, and comprehended such as were worth 75 *minæ*, about 225*l.* sterling. The third class contained twenty centuries, of such as were worth 50 *minæ*, or 150*l.* sterling. The fourth, of twenty-two centuries, or such as were worth half that sum; and in the fifth were thirty centuries, of those worth 12 *minæ*, or 36*l.* sterling. The last class, though the most numerous of the whole, formed but a single century; and under this class were comprehended all the poor citizens. Thus the whole body of the Roman people was divided into one hundred and ninety-three centuries—or portions of citi

zens so termed, as furnishing and supporting each one hundred soldiers in time of war. The last class, the poor citizens, were exempted from all taxes and public burdens; they were called *Capite Censi*, as only making up a number; or were sometimes termed *Proletarii*, as contributing to the use of the state only by raising progeny. The other classes were rated for their proportions of the public taxes, at so much for each century. The military centuries of the different classes formed separate bodies of distinct rank; those of the first class being the highest, and those of the last the lowest; they were distinguished likewise by the arms they bore. The one-half of each century of soldiers, namely, those above forty-five years of age, were reserved for the protection of the city.

It was very evident that the poorer citizens had no reason to complain of this new establishment, which exempted the greater part from all taxes, and proportioned the burdens of the rest to their share of wealth; but there was something necessary to indemnify and conciliate the rich. For this purpose, Servius ordained that in future the people should be assembled and give their votes by centuries; the first class, consisting of ninety-eight centuries, always having the precedence in voting. Such was the arrangement of the *Comitia Centuriata*, in which, henceforward, the chief magistrates were elected, the laws framed, peace and war resolved on, and, in a word, in which the supreme power of the state was vested. The *Comitia Curiata*, where the people were assembled by *Curiæ*, were now held only for the election of some of the priests, and a few of the inferior magistrates. The *Comitia* were held in the *Campus Martius*, without the city. The people walked thither preceded by their officers and *insignia*, in all the order of a military procession, but without arms. The king alone had the power of calling these assemblies, after consulting the auspices.

As in the *Comitia Centuriata* all the centuries, or the whole body of the people, were called to the assembly, the whole of the citizens seemed to have an equal share in the public deliberations. Yet this was far from being the case. The poorer classes came necessarily to be deprived of all influence in the public measures: for as there were in all the six classes one hundred and ninety-three centuries, and the first class consisted of no less than ninety-eight of these, who always gave their votes first, if these were of one mind, which generally happened in important questions, the suffrages of the rest were of no avail, and were not asked. If the first class was not unanimous, the second came to have a vote; but there was very rarely any opportunity for the inferior classes to exercise their right of suffrage. Thus the whole power of the state was artfully removed from the body of the people at large to the richer classes; and such was the ingenuity of this policy, that all were pleased with it. The rich were willing to pay for their

influence in the state, and the poor were glad to exchange authority for immunities. They were satisfied with the appearance of consequence which they enjoyed by being called to the *Comitia;* and it was not till ambitious men, to use them as instruments for their own designs, rendered them jealous of their situation, that they began to express any discontent.

The *Census* was concluded by a ceremony called *Lustrum*, or an expiation. The king presided at the sacrifice of a bull, a ram, and a hog, which were first led three times round the Campus Martius. Hence the sacrifice was called *Suovetaurilia*, or sometimes *Taurilia*. It was performed every *five* years, and thence that period was termed *Lustrum*.

Religion had been the earliest bond of union among the states of Greece. Temples had been erected at the common charge of the different republics, which accustomed them to consider themselves as one nation. After this model Servius undertook to unite the states of Latium. In order that they might regard Rome as a metropolis, he persuaded them to build at their common charges a magnificent temple to Diana on the Aventine Mount, and to repair thither once a year to perform sacrifice. Thus the Romans contracted a strict alliance with the Latian states, which mainly contributed to increase their power. Servius was a genuine and enlightened patriot. In all the changes which he effected in the constitution of the state, he had no other end than the public good. Of the disinterested nature of his conduct he had prepared to give the most effectual demonstration, by resigning the crown and returning to the condition of a private citizen, when, to the regret of his subjects, he fell a victim to the most atrocious treason. His infamous daughter, Tullia, married to Tarquinius, the grandson of Priscus, conspired with her husband to dethrone and put to death her father; and this excellent prince was assassinated, after a reign of forty-four years.

Tarquinius had gained the throne by the foulest of crimes, and he resolved to secure himself in it by violence. He acquired from his manners the surname of *Superbus*, pride being the usual attendant of tyranny and cruelty. Montesquieu has attempted to vindicate the character of this tyrant, and even to eulogize his virtues, as Lord Orford has displayed his talents in a vindication of our English Tarquin, Richard III., and both with nearly the same success. We may admire the ingenuity of the advocate who tries his powers in such arduous attempts, but we cannot judge them entitled to praise. Let the man of ingenuity stand forth as the champion of virtue, which too often suffers from the envenomed tooth of envy and detraction. In this benevolent office he will find abundant scope and exercise for his talents: but to lessen the criminality of the avowedly vicious—to exculpate from one or from a few slight offences where the blackest crimes have deservedly consigned a character to infamy—in such attempts there is much

demerit; for the salutary horror of vice is thus weakened and diminished, and virtue herself is defrauded by lessening the value of her just reward.

The government of Tarquinius was regulated by principles totally opposite to those of his predecessor. He was in every sense a despot. With considerable military talents, he was successful in his wars against the Volsci and Sabines, the Latins of Gabii, and other enemies of the Roman state; and he used these conquests to ingratiate himself with the soldiery, to whom he allowed free scope to ravage and plunder in the course of hostilities; but the daily encroachments which he made on the liberties of all ranks in the state, and the extreme severity and cruelty he displayed in support of an arbitrary control, soon rendered him the object of universal detestation. The more powerful of the citizens, who, from their influence with the people, excited the fears and jealousy of the tyrant, were on various pretences arraigned and put to death. Others, against whom there was no pretext for a judicial accusation, were privately assassinated. Thus he put to death the father and the brother of *Lucius Junius*, two of the most respectable of the citizens. Lucius himself, to escape a similar fate, counterfeited fatuity, and thence acquired the denomination of *Brutus*.

This most sanguinary tyrant, whose enormous offences daily called for vengence from an injured people, was yet suffered to reign for twenty-four years, and was at length punished for a crime which was not his own. His son Sextus, equally lawless and flagitious, had committed a rape on Lucretia, the wife of Collatinus, and the injured matron, unable to survive her dishonor, stabbed herself in the presence of her husband and kindred. Brutus, a witness to this shocking scene, drew the dagger from her breast, and swore by the eternal gods to be the avenger of her death—an oath immediately taken by all who were present. The dead body of the violated Lucretia was brought into the forum, and Brutus, throwing off his assumed disguise of insanity, appeared the passionate advocate of a just revenge, and the animated orator in the cause of liberty against tyrannical oppression. The people were roused in a moment, and were prompt and unanimous in their procedure. Tarquinius was at this time absent from the city, engaged in a war with the Rutulians. The senate was assembled, and pronounced a decree which banished for ever the tyrant, and at the same time utterly abolished the name and office of king. This decree was immediately confirmed by the people in the Comitia, who at the same time added to it a tremendous sanction, devoting to the infernal gods every Roman who should by word or deed endeavor to counteract or invalidate it.

Such was the end of the regal government at Rome, which had subsisted for 244 years. On this first period of the Roman history I shall here offer a few reflections.

The constitution of the Roman government was at first nominally monarchical; but in fact the kings of Rome seem to have enjoyed but a very moderate share of those powers which ordinarily attend the monarchical government. We have seen that the regal dignity was elective, and that the choice resided in the people. It was the senate who most frequently proposed the laws, but it was the people in their Comitia who ratified them; nor could the king, without the consent of the people, proclaim war or peace. These rights of the people we find acknowledged by the people without dispute; nor does it appear, till the reign of the last Tarquin, that any attempts were made, upon the part of the throne, to extend the monarchical authority so limited and restrained.

A constitution thus attempered is not naturally the result of the first union of a savage tribe; and hence has arisen the idea of extraordinary political abilities in the founder of this monarchy, Romulus, to whom several writers have chosen to attribute the whole formation of a system which it is more reasonable to believe was the slow growth of time and of experience. With these authors, no lawgiver is supposed to have ever proceeded upon a more extensive acquaintance with the nature of the political establishments of different states, or a juster estimate of their merits and defects, than Romulus, a youth of eighteen, in that system of regulations which he laid down for those rude shepherds or robbers whom he is said to have assembled and formed into a community.

These romantic notions have, I believe, originated in a great measure from an implicit reliance on the account of the origin of the Roman state given by Dionysius of Halicarnassus, whose work, however ingenious, and in many respects estimable, is by no means to be relied on as a sure authority in tracing the early history of Rome, which he himself confesses that he has founded chiefly upon ancient fables, treated with neglect or passed over by other writers. Indeed the fables which he relates carry their own confutation along with them; for what fiction can be more absurd and incredible than to suppose an ignorant and rude youth, the leader of a gang of banditti, or the chief of a troop of shepherds, immediately after he had reared the turf walls of his projected city, calling together his followers, and delivering a labored and methodical oration on the nature of the different kinds of government, such as he had heard existed in Greece and other nations, desiring his hearers seriously to weigh the advantages and defects of those different political constitutions, and modestly concluding with a declaration that he is ready to accede with cheerfulness to whatever form they, in their aggregate wisdom, may decree? On this absurd fiction Dionysius rears the structure of a finely attempered constitution, all at once framed and adopted by this troop of barbarians; a beautiful system, judiciously blending