cruelty has never been reckoned, ſold at one time fifty- three thouſand captives for ſlaves. Nor did the ſlaves in Rome conſiſt only of foreigners taken in war. By one of the laws of the twelve tables, creditors were em­powered to seize their inſolvent debtors, and keep them in their houſes till, by their ſervices or labour, they had diſcharged the ſum they owed : and in the beginning of the commonwealth they were authoriſed to ſell ſuch debtors, and even to put them to death @@(f). The chil­dren of ſlaves were the property not of the common­wealth, or of their own parents, but of their maſters ; and thus was ſlavery perpetuated in the families of ſuch unhappy men as fell into that ſtate, whether through the chance of war or the cruelty of a sordid cre­ditor @@(g). The conſequence was, that the number of ſlaves belonging to the rich Patricians was almoſt incre­dible. Caius Cæcilius Iſidorus, who died about ſeven years before the Chriſtian era, left to his heirs 4116 ſlaves ; and if any one of thoſe wretched creatures made an unſucceſsful attempt to regain his liberty, or was even ſuſpected of ſuch a deſign, he was marked on the forehead with a red hot iron @@(h). In Sicily, during the moſt flouriſhing periods of the commonwealth, it ſeems to have been cuſtomary for maſters to mark their ſlaves in this manner ; at leaſt we know that ſuch was the practice of Damophilus, who, not ſatisfied with this ſecurity, ſhut up his ſlaves every night in cloſe priſons, and led them out like beaſts in the morning to their daily labour in the field. Hence aroſe the ſervile war in Sicily.

Though many laws were enacted by Auguſtus and other patriotic emperors to diminiſh the power of cre­ditors over their inſolvent debtors ; though the influence of the mild ſpirit of Chriſtianity tended much to meli­orate the condition of ſlaves, even under Pagan maſters; and though the emperor Adrian made it capital to kill

a ſlave without a just reaſon ; yet this infamous commerce prevailed univerſally in the empire for many ages after the converſion of Conſtantine to the religion of Chriſt. It was not indeed completely aboliſhed even in the reign of Juſtinian; and in many countries which had once been provinces of the empire it continued long after the empire itſelf had fallen to pieces.

It has already been obſerved, that among the ancient Germans it was not uncommon for an ardent gameſter to loſe his perſonal liberty by a throw of the dice. This was indeed a ſtrong proof of lavage manners ; but the general condition of ſlaves among thoſe ſavages ſeems to have been much better than among the poliſhed Greeks and Romans. In Germany the ſlaves were generally attached to the soil, and only employed in tending cat­tle, and carrying on the busineſs of agriculture ; for the menial offices of every great man’s houſe were per­formed by his wife and children. Such ſlaves were ſeldom beaten, or chained, or impriſoned. Sometimes in­deed they were killed by their maſters in a fit of ſud­den paſſion ; but none were conſidered as materials of commerce, except thoſe who had originally been free­men, and loſt their freedom by play. Theſe, indeed, the ſucceſsful gameſter was very ready to ſell, both be­cauſe he felt them an uſeleſs burden, and becauſe their preſence continually put him in mind of that ſtate to which a throw of the dice might one day reduce him­ſelf.

Such is the account which Tacitus gives @@\* of ſlavery among the ancient Germans. The Anglo-Saxons, how­ever, after they were ſettled in this iſland ſeem not to have carried on that traffic ſo honourably. By a ſtatute of Alfred the Great @@\*, the purchaſe of a *man,* a *horſe,* or an *ox,* without a voucher to warrant the ſale, was ſtrictly forbidden. That law was, doubtleſs, enacted to prevent the st*ealing* of *men* and cattle ; but it ſhows

@@@[m]\* De Mor. Germ. 24. 25.

@@@[m]\* Wilkins' Collection of Laws from Ethelbert to Henry III.

@@@(f) After a certain number of citations, the law granted to the debtor thirty days of grace to raiſe the ſum for which he was accountable. The words of the law are : “ Æris confeſſi, rebuſque jure judicatis, triginti dies juſti ſunto. Poſt dein manum endojacito.—Vincito aut nervo, aut compedibus.” “ When the debt is confeſſed, and the trial paſſed, let there be thirty days of forbearance : afterwards lay hands on him ; bind him either with a cord or fetters.” After the thirty days were expired, if the debtor had not diſcharged the debt, he was led to the prætor, who delivered him over to the mercy of his creditors ; theſe bound him and kept him in chains for the space of ſixty days. Afterwards, for three market-days ſucceſſively, the debtor was brought to the tri­bunal of the prætor ; then a public crier proclaimed in the forum the debt for which the priſoner was detained. It often happened, that rich perſons redeemed the priſoner by paying his debts; but if nobody appeared in be­half of the debtor after the third market-day, the creditor had a right to inflict the puniſhments appointed by the law. “ Tertiis nundinis capite pœnas dato aut trans Tiberim peregre venumduito ;” that is, “ Let him on the third market-day be puniſhed with death, or ſold beyond the Tiber as a ſlave.” If there were ſeveral creditors, they were allowed, in conſequence of this ſevere law, to divide the body of the priſoner into ſeveral parts, and ſhare it among them in proportion to the ſum which they demanded.

@@@(g) This is evident from the ſtory of Appius and Virginia. See Rome, n⁰ 113.

@@@( h ) How capriciouſly and unjuſtly this infamous mark was impressed, we learn from the ſtory of Reſtio. This man being proſcribed, and a reward offered for his head by the triumvirs Octavianus, Antony, and Lepidus, concealed himſelf from the fury of the tyrants in the beſt way that he could. A ſlave whom he had marked with the hot iron having found out the place of his retreat, conducted him to a cave, and there ſupported him for ſome time with what he earned by his daily labour. At length a company of ſoldiers coming that way, and approaching the cave, the faithful ſlave, alarmed at the danger his maſter was in, followed them cloſe, and fall­ing upon a poor peaſant, killed him in their preſence, and cut off his head, crying out, “ I am now revenged on my maſter for the marks with which he has branded me.” The ſoldiers, ſeeing the infamous marks on his fore­head, and not doubting but he had killed Reſtio, ſnatched the head out of his hand, and returned with it in all haste to the triumvirs. They were no fooner gone, than the ſlave conveyed his maſter to the ſea-side, where they had the good luck to find one oſ Sextius Pompeius’s veſſels, which tranſported them ſafe into Sicily.