was confined; and, amidst the alarm and confusion this would occasion, to force my way to her, bear her through the flames, support her in our flight, whilst my strength sufficed, and to trust to circumstances for the rest. This project was no sooner conceived than executed: A neighbouring lamp afforded me fire, and the dry woden work of the house soon burst into a flame. I was, unrecognized, among the first to give the alarm, rushed safely through the flames, and bore her, half dead with terror and surprise, beyond the city gates. But, alas, how seldom does our strength second our will! The exertions I had already made---the weight of my beloved burthen---the length of the way, and my own bodily weakness from long confinement, overcame me about a mile from the gates of the town, and I sank senseless upon the ground, exhausted by fatigue and loss of blood from a wound I had received in my neck during the fire. My unhappy partner attempted to support me, but in vain; her weakness required assistance for herself. Besides, we were already missed, our pursuers arrived, secured us, and once more dragged us back to our prisons.

'I was now, as I had foreseen, and dreaded, more closely confined than before, and my death unavoidable; but even this reflection strengthened my desperate resolution once more to dare all hazards---to succeed or perish. My gaoler belonged to that class of rough hardened wretches, in whose breasts every feeling of humanity seems totally extinct. One day I surprised him asleep. Despair gave me strength; I found means to get rid of my chains, stole the key out of his pocket, and was already half out of the door, when he awoke, and sprang furiously after me. I was the younger, and, in the scuffle which ensued, proved likewise the stronger. I grappled with him, and seizing him by the throat, fastened him with so firm a grasp to the wall, as to render it impossible for him to cry out for assistence. I then demanded of him to swear not to betray my escape, but instead of replying the wretch, unperceived by me, drew a knife from his pocket, with which he attempted to stab me in the back. I, however, wrested it from him; and, as a clearly perceived that if he lived, all chance of saving my own life was lost. I buried it twice in his throat, left him dying on the ground, and fled. Again I reached her I adored in safety; for she was, I well knew, on account of her dangerous state, allowed to be at liberty on bail---and once more we resolved to fly together. But the retributive arm of the avenger of blood was close behind me---we were pursued, retaken, and now, within a few days, an ignominious and inevitable death awaits me. Oh how welcome to me is its approach!---Is it possible, think you, I can regret to leave a world, which has branded my name with infamy, and heaped upon my soul an accumulated mass of the deepest and most irremediable misery?'

Here the unfortunate man concluded his history, and heroically has he kept his promise of patiently, yet firmly, and manfully, submitting to his fate---Oh! I could tell you much of his courage in the last awful hour---of his heart-rending interview with his miserable wife---of his repentance, piety, and holy confidence of pardon, but you must forgive me if I break off this long letter abruptly. This poor youth has become so dear to me, that I cannot think of him without tears; and, if your's have not already fallen over his melancholy history, the blame must lie upon the unskilfulness of my description, which may have weakened the interest and compassion his unhappy fate would otherwise have excited.

Deputy-Surveyors

ARE requested to send their appointments to the *Surveyor-General's* office; and those desirous of having their authority renewed, will submit to an inspection their Surveying Instruments, and themselves to an examination touching their qualifications.

A. LOCKWOOD,
Surveyor-Gen.

Fredericton, 9th August, 1819.

From the Star of the 17th Aug.

Ought Duels to be tolerated?

THE decision of this question may be quickly formed. He surely who will argue in favour of the practice of duelling must with his mouth approve what his heart condemns. It is a practice so foolish, unreasonable and illegal in itself, and so pernicious in its consequences, that no true friend of society, I had almost said, no reasonable man will countenance it. But lest I should be thought speaking without good grounds or building a superstructure without lying a proper foundation, I shall endeavour in the sequel of this paper as shortly as I can, to state my reasons for giving my verdict against the practice of duelling.---I shall argue against it: 1st, By tracing it to its source.---It is an aphorism of Lord Cook's, that "to trace an error to its source is to refute it." If we turn our views back to the days when Europe was overrun with barbarity, there we will behold the first germ of that infamous practice which I now reprobate. In the early history of the European nations, when after those vast convulsions into which they had been thrown by the erruptions of those barbarous tribes; who overwhelmed the whole civilized world like a torrent, all social distinctions were put to an end, and the ties with which one man is joined to another were broken. In these ages, I say, we find that the destestable practice of judicial combat was universally in vogue. When, according to any one's apprehensions, he was aggrieved by his neighbour, nothing was more common than for the person who thus supposed himself injured, however slight the injury may have been, to challenge his adversary to the field and there to decide the quarrel by the sword.

Nay, what was more monstrously absurd we find that not only questions about matters of facts but also questions about private opinions were decided in a similar manner. When a point of controversy between one individual and another or between one party and another arose, it was no uncommon thing to determine the point by a combat betwixt two champions espousing different opinions; thus according to the absurd ideas of these rude ages, appealing to the decision of Heaven upon matters which they considered as of the greatest importance. That this custom, so absurd and barbarous in itself, was the source of that custom no less absurd and no less barbarous which to this day prevails in modern Europe under a different name, cannot be denied by any one who considers the history of the fact itself and the nature of the two practices when compared together, and is asserted by the celebrated author of the history of the Emperor Charles V. in the following words: "The ideas concerning the point of honour which we are apt to consider as a modern refinement, as well as the practice of duelling so contrary to every principle of reason, to which it gives rise, are derived from the notions of our ancestors, while in a state of society very little improved." That such a practice as this should still prevail in a country where refinement of manners has arrived almost at the highest pitch of perfection, where the sciences and arts have been cultivated with ardour and success, not to say, where the light of Christianity which for so many ages was obscured by the shades of barbarism has long shone with meridian splendour, must surely appear to every impartial observer to be a fact of a most astonishing as well as of a most lamentable kind: 2d, The practice of duelling is extremely foolish.---Viewed as a *punishment* in what light does it appear?---Is there the least shadow of reason in its appearance? Nay, does it not appear to the mind untinctured by prejudice in a light bordering on madness! This would not be the case were the person who sends the challenge, not to expose his own life. But as it is, it is an equal chance whether the person offending shall fall or the person offended. They both go to the field together and experience teaches us that the one as frequently falls as the other.

Considered as a reparation for an affront, in what light does duelling appear? Why it appears in as absurd a light as it does when viewed as a punishment. For I would ask the advocates in its favour, wherein the satisfaction consists? or how fighting a duel tends to undo the injury that is already done or to compensate for the damage already sustained?

The truth is, it is not intended either as a punishment or as a reparation, a law of honour having annexed the imputation of cowardice to patience under an affront, challenges are given and accepted with no other design than to prevent or wipe off this suspicion, without malice against the adversary, generally without a wish to destroy him.

But I would ask, is not such a law just as foolish as if duelling was designed as a punishment or as a reparation? We grant that it may wipe off the suspicion of *cowardice*, but will it not leave in its place the idea of *weakness*? weakness in sacrificing the offended person's own life, or at any rate of sacrificing all the happiness to be found in life, in sacrificing these to the insignificant sneer of the fool or the malicious reproach of an enemy? By coming off victorious from the field of combat instead of having the wound which his reputation had sustained bound up, his reputation, his honour, and the laurels which once flourished on his brow are blasted forever. Rewards are offered for his apprehension and he is sometimes brought to the common gibbet and has a termination put to his life before the eyes of a gazing multitude.---Where then is his honour? It has fled like a dream and has left nothing in its stead but disgrace and punishment. At any rate, although justice should not lay hold of the successful duellist, yet there are few so destitute of every humane affection as not to repent of the deed, few whom conscious guilt does not haunt like a Ghost; few to whom memory does not act as a cruel engine to rake up the ashes of their wicked deed; and few upon whose souls conscience will not prey like the gnawing vulture.

But abstracting from the foolishness of the law of honour, I would ask, whether a regard to our own reputation is or is not sufficient to justify the taking away the life of another? I am conscious every reasonable man will reply, that it is *not*.

3d. The practice of duelling is extremely *injurious*.---Is it a proper way of discovering truth? Instead of examining witnesses, weighing circumstances with cool deliberation in order to find out who is the aggressor, a challenge is sent by one who imagines another to have injured him and as it would be reckoned cowardly in him instead of accepting the challenge to go to the challenger and protest his innocence, a duel is fought and frequently an innocent man falls.

The practice, however, is not injurious merely in this respect; it is so likewise when it is considered that by it society is frequently deprived of its best members. It is a certain fact that those men who are not the most illustrious patterns of virtue, but who on the contrary are the slaves of some favourite vice, notwithstanding prove of the greatest advantage to the society with which they stand connected. The generality of duellists are of this description, but still there are exceptions. Sometimes men who are respectable in the eyes of the world are brought to fight a duel by receiving a challenge from one of an opposite description. Thus we find that the two greatest Monarchs of the age in which they lived, namely Charles V. and Francis I. were upon the point of engaging in judicial combat, but after several messages concerning the arrangement of all the circumstances relative to the combat, accompanied with mutual reproaches, bordering on the most indecent scurrility, all thoughts of this duel were entirely laid aside. The transaction between these two Monarchs, however, strongly countenanced the practice. Upon every affront or injury which seemed to touch his honour, a gentleman thought himself entitled to draw his sword and to call on his adversary to make reparation. Such an opinion introduced among men of fierce courage, of high spirit, and of rude manners, when offence was often given and revenge was always prompt, produced most fatal consequences. Much of the best blood in Christendom was shed; many useful lives were sacrificed; and at some periods, war itself hath scarce been more destructive than these contests of honour. The same thing we have instances of in later times. General Hamilton, one of the brightest ornaments of which humanity could boast, accepted a challenge, repaired to the field of combat, entered the lists with his antagonist, but alas, he fell and left the civilized world to lament his untimely loss. In a recent case which has covered a whole community with gloom, similar has been the sad result. But the practice of duelling is not only injurious to society, but it is also injurious to the survivor, because he frequently destroys his best friend. We know not to what degree of malignity any injury is to be imputed; or how much its guilt, if we were to inspect the mind of him who committed it, could be extenuated by mistake, precipitance or negligence. We cannot be certain how much more we feel than was intended to be inflicted, or how much we increase the mischief to ourselves by voluntary aggravations. In the heat of passion, when the power of judgment is in a manner suspended, and when the still small voice of reason is stifled through the influence of that confusion and disorder which for a time reign in the breast, I say in such circumstances as these we are ready to charge to design the effects of accident; we may think the blow violent only because we have made ourselves delicate and tender, and thus are led at length to unsheath the sword against a friend and to imbrue our hands in the blood of one whom we loved with the most ardent affection. When this is the case (as it frequently is) with what poignant grief must it sting the one who survives, when in the moments of calm reflection, he recalls to his mind the happiness which they had experienced in each others company, the kind offices which they had done each other, and the interest which they had in each others welfare!

4th. The practice of duelling is illegal.---Murder is forbidden and wherever human life is taken away otherwise than by public authority there is murder. "The value and security of human life," says Dr. Paley, "make the law against murder necessary, for I do not see what other idea or definition of murder can be admitted which will not let in so much private violence as to render society a scene of peril and bloodshed. If unauthorised laws of honor be allowed to create exceptions to divine prohibitions, then is an end of all morality as founded on the will of the Deity, and the obligation of every duty may at one time or other be discharged by the caprice and fluctuations of fashion."

But not to insist upon its being prohibited by *divine* laws; murder is contrary to the laws of the country in which we live. This is a fact so well known and the proofs of this law being put in practice are so many, as renders it unnecessary to say any thing more upon it.

Some may be ready to deny that duelling is *murder*, but this I shall prove it to be in the words of the learned Archdeacon of CARLISLE, formerly quoted. "Take away the circumstance of the duellist's exposing his own life," says he, "and it becomes assassination, add this circumstance and what difference does it make? none but this, that fewer perhaps will imitate the example, and human life will be somewhat more safe when it cannot be attacked without equal danger to the aggressor's own.---Experience, however, proves that there is fortitude enough in most men to undertake this hazard, and were it otherwise the defence at best would be only that which a highway-man or house breaker might plead, whose attempt had been so daring and desperate that few were likely to repeat the same."

Even granting that duelling were not *murder*, still it is contrary to the laws of the country.---It has been said on the late occasion, that there is no precedent in favour of the execution of the law, where all has been fair and honorable on both sides; but what of this? Is the nature and spirit of the law changed? By no means. That duellists are not more frequently punished in an exemplary manner, is not owing to the nature of the laws themselves, but to the connivance of those who are entrusted with their execution. Still, however, this is no excuse for those who are guilty, for to all intents and purposes they act contrary to one of those statutory laws which form the basis of the British constitution, and to which they are bound by every tie to yield an unreserved obedience.

But the practice is not only unlawful in this respect; it is also an illegal way of proceeding. It is in fact wresting the power of distributing justice out of the hands of the civil magistrate. The duellist pretends to judge his own cause, and to apportion his own recompense for imagined injuries; and what baneful consequences must arise to society from such a procedure? Truly not much better than if laws were altogether wanting. The life of no man would be safe for a single day; the innocent could receive no protection; society