

magnitude. But the catalogue is longer and more fearful than many would suppose. It appears, also, that this barbarous practice has ingulphed within its vortex, noblemen, statesmen, orators, and warriors. For in this list will be found the names of the Dukes of York, Norfolk, and Richmond, Lords Shelburne, Macartney, Townsend, Bellamont, Exmouth, Talbot, Lauderdale, Lonsdale, Camelford, Paget, Castlereagh, Belgrave, and Petersham—as well as of Pitt, Fox, Sheridan, Canning, Tierney, and even Wellington.

Mr. Joseph Hamilton, of Dublin, states that a Captain Kernan had killed or wounded 14 persons in Duels;—that Major Spread challenged 8 officers, and wounded 4 of them upon a single day; and that George Robert Fitzgerald was introduced to the King of France as an Irishman who had previously fought 26 fatal duels! An officer who collected the reports of 172 cases, found 63 individuals were killed, and 96 wounded. He says that constituted as society at present is, the noblemen and gentlemen of the United Kingdom have no adequate security against a challenge or an offence. Thus every officer in the army or navy is placed in painful difficulty, between the existing military code, and the disrepute which is attendant on its strict observance; for, while he is punishable by the criminal law for slaying a fellow-subject in a Duel, he is at the same time compelled, by the despotic and unwritten code of military honour, not to endure an insult, nor refuse a challenge. Several British officers indeed have been so spurned by their associates, that they were compelled to retire from the public service, because they acted in obedience to the articles of war, and the injunctions of their sovereign, in refusing to fight Duels for the most trifling causes of quarrel.

I would ask whether such a state of things as this ought to be suffered to continue for a single moment longer;—the religion of the country denouncing a practice which is, nevertheless, followed by the highest personages in the state—the civil laws of the country denouncing a practice which is, nevertheless, followed by the legislators, the judges, and the legal profession at large—the military law denouncing a practice which must, nevertheless, be followed by naval and military officers, or their society be shunned, and their prosperity in the service for ever destroyed. What must be the inevitable effects of all this, but to bring the authority of religion, law, and discipline, equally into contempt, and to set up the fickle goddess of Fashion as the supreme power in the state?

As the legal authorities upon the subject may not be familiar to all readers, I will venture to quote only a few. Judge Blackstone, in his Commentaries, says: "Deliberate Duelling is contrary to the laws of God and man; and therefore the law has justly fixed the crime and punishment of murder on principals, and seconds also." Judge Foster, in his Discourse on Crown Law, says: "Deliberate Duelling, if death ensue, is, in the eye of the law, murder." Sir Edward Coke, in his Institutes, says: "Single combats, between any of the king's subjects, is strictly prohibited by the laws of this realm, and on this principle, that in states governed by law, no man, in consequence of any injury whatever, ought to indulge the principle of private revenge." Sir Matthew Hale says: "This is a plain case, and without any question. If one kill another in fight, even upon the provocation of him that is killed, this is murder." Mr. Justice Grose, Mr. Justice Buller, and others of great eminence, might be also cited, all concurring as they do in the same view; namely, that no amount of provocation—no sense of wounded honour—no feeling of personal insult—no extent of private wrong—can ever justify, or even palliate, so false a method of seeking redress.

The remedy that I shall venture to propose for this evil, will be found to be very simple, perfectly practicable, justified by precedent, warranted by analogy, and sanctioned by experience and success. It is founded on these two single principles. 1st. That there shall be competent tribunals,