



N<sup>o</sup> 97. Thursday, June 21.

*Projecere animas* —————

Virg.

**A**MONG the loose Papers which I have frequently spoken of heretofore, I find a Conversation between *Pharamond* and *Eucrate* upon the Subject of Duels, and the Copy of an Edi<sup>c</sup>t issued in Consequence of that Discourse.

*EUCRATE* argued, That nothing but the most severe and vindictive Punishments, such as placing the Bodies of the Offenders in Chains, and putting them to Death by the most exquisite Torments, would be sufficient to extirpate a Crime which had so long prevail'd and was so firmly fixed in the Opinion of the World as great and laudable; but the King answer'd, That indeed Instances of Ignominy were necessary in the Cure of this Evil; but considering that it prevail'd only among such as had a Nicety in their Sense of Honour, and that it often happen'd that a Duel was fought to save Appearances to the World, when both Parties were in their Hearts in Amity and Reconciliation to each other; it was evident, that turning the Mode another way would effectually put a stop to what had Being only as a Mode. That to such Persons, Poverty and Shame were Torments sufficient: That he would not go further in punishing in others Crimes which he was satisfied he himself was most guilty of, in that he might have prevented them by speaking his Displeasure sooner. Besides which the King said, he was in general averse to Tortures, which was putting human Nature it self, rather than the Criminal, to Disgrace; and that he would be sure not to use this Means where the Crime was but an ill Effect arising from a laudable Cause, the Fear of Shame. The King, at the same time, spoke with much Grace upon the Subject of Mercy; and repented of many Acts of that kind which had a magnificent Aspect in the doing, but dreadful Consequences in the Example. Mercy to Particulars, he observed,

served, was Cruelty in the General: That though a Prince could not revive a dead Man by taking the Life of him who killed him, neither could he make Reparation to the next that should die by the evil Example; or answer to himself for the Partiality, in not pardoning the next as well as the former Offender. ‘ As for me, says *Pharamond*, ‘ I have conquer’d *France*, and yet have ‘ given Laws to my People: The Laws are my Methods ‘ of Life; they are not a Diminution but a Direction to ‘ my Power. I am still absolute to distinguish the Innocent and the Virtuous, to give Honours to the Brave ‘ and Generous: I am absolute in my Good-will; none ‘ can oppose my Bounty, or prescribe Rules for my Favour. While I can, as I please, reward the Good, I ‘ am under no Pain that I cannot pardon the Wicked: ‘ For which Reason, continued *Pharamond*, I will effectually put a stop to this Evil, by exposing no more the ‘ Tenderness of my Nature to the Importunity of having ‘ the same Respect to those who are miserable by their ‘ Fault, and those who are so by their Misfortune. Flatterers (concluded the King smiling) repeat to us Princes, ‘ that we are Heaven’s Vicegerents; let us be so, and ‘ let the only thing out of our Power be *to do ill*.

SOON after the Evening wherein *Pharamond* and *Eucrate* had this Conversation, the following Edict was published.

*Pharamond’s Edict against Duels.*

*Pharamond, King of the Gauls, to all his loving Subjects sendeth Greeting.*

‘ **W**HEREAS it has come to our Royal Notice ‘ and Observation, that in Contempt of all ‘ Laws Divine and Human, it is of late become a Custom among the Nobility and Gentry of this our Kingdom, upon slight and trivial, as well as great and urgent Provocations, to invite each other into the Field, ‘ there by their own Hands, and of their own Authority, to decide their Controversies by Combat; We have ‘ thought fit to take the said Custom into our Royal ‘ Consideration, and find, upon Inquiry into the usual ‘ Causes whereon such fatal Decisions have arisen, that ‘ by

' by this wicked Custom, maugre all the Precepts of our  
 ' holy Religion, and the Rules of right Reason, the  
 ' greatest Act of the human Mind, *Forgiveness of Injuries*,  
 ' is become vile and shameful; that the Rules of good  
 ' Society and virtuous Conversation are hereby inverted;  
 ' that the Loose, the Vain, and the Impudent, insult the  
 ' Careful, the Discreet, and the Modest; that all Virtue  
 ' is suppressed, and all Vice supported, in the one Act  
 ' of being capable to dare to the Death. We have also  
 ' further, with great Sorrow of Mind, observed that  
 ' this dreadful Action, by long Impunity, (our Royal  
 ' Attention being employed upon Matters of more general  
 ' Concern) is become honourable, and the Refusal  
 ' to engage in it ignominious. In these Our Royal  
 ' Cares and Inquiries We are yet farther made to understand,  
 ' that the Persons of most eminent Worth, and  
 ' most hopeful Abilities, accompanied with the strongest  
 ' Passion for true Glory, are such as are most liable to be  
 ' involved in the Dangers arising from this Licence.  
 ' Now taking the said Premises into our serious Consideration,  
 ' and well weighing that all such Emergencies  
 ' (wherein the Mind is incapable of commanding it self,  
 ' and where the Injury is too sudden or too exquisite to be  
 ' born) are particularly provided for by Laws heretofore  
 ' enacted; and that the Qualities of less Injuries, like  
 ' those of Ingratitude, are too nice and delicate to come  
 ' under general Rules; We do resolve to blot this Fashion,  
 ' or Wantonness of Anger, out of the Minds of Our Subjects,  
 ' by Our Royal Resolutions declared in this Edict  
 ' as follow.

' NO Person who either sends or accepts a Challenge,  
 ' or the Posterity of either, tho' no Death ensues thereupon,  
 ' shall be, after the Publication of this our Edict,  
 ' capable of bearing Office in these our Dominions.

' THE Person who shall prove the sending or receiving  
 ' a Challenge, shall receive to his own Use and Property,  
 ' the whole Personal Estate of both Parties; and their real  
 ' Estate shall be immediately vested in the next  
 ' Heir of the Offenders, in as ample Manner as if the said  
 ' Offenders were actually deceased.

' IN Cases where the Laws (which we have already  
 ' granted to our Subjects) admit of an Appeal for Blood;  
 ' when