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SONG.

Go not, O perfect Day!
O Day so beautiful, so golden bright,
A little longer stay!
Soon in thy western window fades the light;
Soon comes the Night!
Delay!
Go not, O perfect Day!
Go not, dear Life, away!
Dear Life, one's cheerful friend and guest of yore,
A little longer stay!
Soon wilt thou steal from us, and shut the door,
And come no more!
Delay!
Go not, dear Life, away!
—Robertson Trowbridge, in *Lippincott's Magazine*.

A FAMOUS DUELIST.

Some Interesting Stories of a Noted French Fire-Eater.

Duelling is not an ancient institution. No traces of it are to be found among any of the nations of antiquity. The medieval trial by brute force would seem to have been the foundation of the modern duel. The first recognition of single combat as a regular judicial proceeding is to be found in the laws of Gundebald, King of the Burgundians, at the beginning of the sixth century. The practice spread rapidly among the warlike Franks, and in the reign of Charlemagne, three hundred years later, it had become so universal that not only the parties in a common suit at law, but the witnesses and even the judges were constantly summoned to mortal combat in support of the justice of their cause, the truth of their testimony or the uprightness of their decisions. This manner of trial was afterward restricted by Louis VII to the decision of criminal accusations of civil causes, when, as shown by the ordinance he rendered in 1168, the object of the dispute exceeded five "sols," or cents, in value—five cents in those days being, of course, a much larger sum than it is to-day.

These laws and customs are the sources of the duel; and it is from this ancient practice of making the sword the scale of justice that the modern duel, modified from time to time, has descended to us. Single combat as a judicial proceeding did not, however, survive the fifteenth century, and with its gradual disappearance the modern duel became the recognized means of vindicating offended honor. Italy was the first great field for this modified single combat. Thence the rage spread with redoubled fury into France, Spain and Great Britain. In England we hear little of it before the profligate days of the Stuarts. But it is France that affords the most detailed and authorized records of dueling. The French Kings and Parliament long maintained its formal and practical legality. Henry II presided, with his whole court, at the combat between M. de LaChataigneraie and M. de Jarnac, caused by a scandal, which terminated in the death of La Chataigneraie; when de Jarnac, his hands yet reeking with his kinsman's blood, raised them to Heaven and exclaimed: "Not unto me, O Lord, but unto Thy name be thanks." Charles IX. was the last French King who presided at one of these exhibitions; so he was also the first who sought to check the practice by naming a "Court of Honor" for the satisfaction of offenses committed against its laws. In Henry IV.'s reign, and in defiance of his edicts inflicting the penalty of death on all duellists, there fell in duels no fewer than four thousand of his subjects, while upwards of fourteen thousand pardons were granted for fighting.

About half way up the Rue de Jour, near the Sainte-Eustache Church, in Paris, is an old house, rendered conspicuous by a wide porch and extensive stock-in-trade of china. This, two centuries ago, was the Hotel de Roynumont, built by Philippe Hurault, Bishop of Chartres and Abbe of Roynumont. Later on, it was occupied by Francois de Montmorency, Comte de Bouteville, who made it a general rendezvous for the duellists of Paris. All the gentlemen of the court, eager to challenge any of their peers over some love intrigue, or who for some personal motive looked daggers at each other on the Place Royale or the Cour la Reine, met at the mansion in the Rue du Jour. Here they were hospitably received and entertained; they were offered a cold collation with wines and liquors before entering the lists, and those who had forgotten to bring weapons were provided with a goodly selection of polished steel. Throughout the morning there was an incessant clash of blades, each thrust and parry being watched with intense interest by veterans, who, after old scores had been wiped off, and the resident surgeon had bandaged the combatants' wounds, were invited with the duellists and their seconds,

to luncheon with the Comte de Bouteville.

It would doubtless be a vain quest to seek, nowadays, for a single representative of this defunct race of duellists, a race to which Choquart evidently belonged. He must have had ancestors among the exquisites of the reign of Louis XIII, the swash-bucklers of the Hotel de Roynumont, or the splendid corps of musketeers of Louis XV. Choquart's mania for dueling, his ever-recurring provocations to decide a difference at the sword's point made of him a public character; and his reputation was perhaps heightened rather than diminished by the fact that his most terrible challenges were unable to withstand the offer of a peaceful solution over a bowl of punch. His guileless talk and southern accent, his peculiar way of liping and other physical oddities, gave to his daily Odyssey a smack of the most genuine comic buffoonery.

When the mania for fighting was strong within him it was difficult to evade his mood. One day he would enter a coffee-house, take his seat and say to a near neighbor:

"After you, the *Figaro*, please."
"Sir," the other would politely respond, "it is not the *Figaro*, but the *Constitutionnel* that I am reading."
"Oh! you would give me the lie, would you? Take care, sir, or by Heavens! I'll teach you better manners."

On another occasion he would introduce a like scene after this fashion:

"Now, don't keep staring at me in that offensive way, please!"
"I," expostulated the customer, "Lord bless me, sir, I didn't even see you. I was looking the other way."

"Oh! then I am a liar, am I?" And Choquart would rise from his seat in a threatening attitude.

Even the most peaceful persons could scarcely put up with such insolence. They felt like tucking up their sleeves and knocking Choquart down. Nor did he fail, at times, to meet with his deserts. He more than once stumbled on a Tartar. His best known scrape that way is worth relating. Choquart one day entered a court-yard to challenge a master-builder, who was pumping water at a fountain. The master-builder looked up surprised, caught hold of Choquart by the scruff of his neck, doubled him up, put him under the pump, and soused him like a dead rat.

The story of Choquart's adventures would fill a volume, but I will relate only one, wherein I acted as his second.

One night, at a masked ball, Choquart quarreled with a Turk. Cards were exchanged. The following day, Choquart, with his two seconds, went to his adversary's house. The Turk of the previous evening turned out to be a well-to-do upholsterer, who carried on business in the Saint-Martin quarter. On entering the premises, Choquart inquired after M. Ballu.

"What can I do for you?" asked a young and pretty woman, who came forward from the back of the shop.

"Stuff and nonsense! I don't like joking in matters of serious importance. My name is Choquart. I come for an affair of honor. A gentleman shouldn't be made to wait in this manner. Your husband is an ill-bred dog."

"Oh, excuse me, now I know what brings you. This is what I have to say. My husband went out yesterday to spend the carnival, and it has made him ill. He is in bed, and spits blood."

"Dear me," remarked Choquart, turning toward his seconds, "what a mischance! He spits blood, did you say?"

"Alas! yes sir," answered the young woman, who seemed much affected, and the doctor says that he has not six months to live."

"Dear me!" went on repeating Choquart, "spitting blood. How shall we settle matters, then? Hasn't six months to live. Well, madame, I'm not a bad fellow, whatever others may think. Now, listen to what I have to say. We are in January, aren't we? Just so. Well, I'll give your husband six months to be buried in. I shall call around and pay my respects six months hence. If, in July next, your husband isn't dead and buried, I'll treat him as a knave and deceiver, and placard his name in all the barracks of Paris."

This threat, which constantly fell from Choquart's lips, was a reminiscence of his soldier life. The thought never suggested itself that an upholsterer might not care the jingle of a brass farthing whether his name were placarded or not in all the barracks of the country.

One fine afternoon in July of that same year, Choquart took hold of my arm at the Varietes coffee-house, and said:

"Come along with me, old boy; I have a small matter which I really must clear up without further loss of time."

We took a road which led toward the Saint-Martin quarter, and, as we walked along, Choquart entered circumstantially into the particulars of the case. The upholsterer's day of

reckoning had arrived, and Choquart was bent on finding out whether his former Turk had paid the funeral draft indorsed six months previously by his wife.

"If," soliloquized Choquart, "the rogue is still alive, I'll cut off both his ears, you know. I'm justified in so doing, am I not?"

"Of course you are, my dear fellow. But let me ask, the thing occurred long ago, didn't it, and in the carnival season? And again, what did the fellow do to warrant such a feud?"

"What did he do, the villain? Just listen, and I'll tell you. I was at a masked ball given at the Renaissance Theater. I walked into the green-room, in my dress suit. I am spare of limb, as you can see. Suddenly a Turk stopped directly in front of me, and bawled out: 'Halloo, there goes the Fat Ox! Make way, please, for the Fat Ox!' Everybody roared at this sally. I was downright vexed, as you may suppose. So I made up to him and said: 'My merry friend, at noon to-morrow you shall be a dead man!'"

"He was in the wrong, certainly," I pleaded, "to insinuate so invidious a comparison between a thin man like you and a fat ox; but—"

We had reached our destination. Entering the shop, we came upon M. Ballu, the upholsterer, who all budding and blooming, was busy working at a parcel of goods.

"Oh, that's your little game, is it?" began Choquart, as soon as he set eyes on his intended victim. "You're alive, then? I thought as much. But you don't play the monkey with me any longer, Mister Turk; you've caught the wrong sow by the ear this time, let me tell you!"

"Monsieur Choquart!" exclaimed the merchant.

"Yes, sir, my name is Choquart—Choquart, do you hear, sir?—who'll have none of this tomfoolery. Your wife—where is she, your wife? She's young and pretty, but wants to run a rig upon me. Your wife, I say, averred that you were on your last legs and would be dead as a herring in less than six months, and here you are, alive and kicking. Now is that the way you keep your engagements?"

"Ah! Monsieur Choquart," rejoined the merchant, who had somewhat recovered from his first fright, "I have been ill, very ill, indeed. You'll never see me don the Turkish garb again. 'Tis over now. So let me ask you to forgive and forget any improper thing I may have said on that eventful night."

"One moment," said Choquart, "not quite so fast, please. Do not tender your excuses in the regular form?"

"Faith, I don't quite understand what form that is. But this I know, for I have inquired about you and learned that you are a right good fellow. Come, I have a roasted leg of mutton with kidney-beans. Will you do me the honor to dine with me, you and your friend? My wife will be overjoyed. Aglae, why don't you come? Here is M. Choquart, who accepts an invitation to dine with us."

Of course I nodded assent, while it was not over difficult to read on Choquart's relaxing countenance that the roasted leg of mutton had found the way to his heart.

"Then again," added M. Ballu, who now felt that he had the game in his own hands, "I have a certain Madeira about which I should like to have your opinion, Monsieur Choquart."

"You have no Madeira, sir," retorted Choquart, with a deep frown over his eyelids.

"But"—

"I say you have no Madeira, sir," exclaimed the duelist, raising his voice and gesticulating like a madman. "And please take notice that I am not to be contradicted on this point. I have drunk but one glass of genuine Madeira during the whole course of my life. 'Twas at the Tuilleries. Yes, sir, I had just recovered from sickness, and was on duty at the King's dinner. A glass of Madeira having been poured out for Louis XVIII, his Majesty, turning toward the cup-bearer, said: 'Hand that to Choquart, and give him my compliments.' Do you hear me now?"

"But, Monsieur Choquart, I assure you"—

"I say that you have no Madeira, sir," screeched Choquart, who had grown furious, and brought his hand down with terrific force on the wooden counter. "If you once more dare to say that you have Madeira wine I'll tear your head clean off from your shoulders!—And what else did you say you had?"

"Well," said the merchant, who was somewhat staggered at this sudden fit of passion, "I've a leg of mutton with kidney-beans."

"A leg of mutton," said Choquart, in a soft tone of voice, "that's good, when well roasted. But I'm confident 'twill be overdone. Have you got such a thing as a spit?"

"A spit? I should say I had," burst out M. Ballu, with kindling eyes. "Only just pass this way, gentlemen and see for yourselves."

The merchant led us into a comfort-

able back shop, which answered the purpose of a dining-room. There on the hearth, in front of a bright blazing fire, a fine leg of mutton majestically turned on a spit, like a planet round the sun.

"That looks nice," remarked Choquart, after a moment of silent contemplation. "You are not altogether an idiot. A man who knows the worth of a spit deserves to live. But why don't you baste your leg of mutton?" So saying Choquart took up the ladle, and began pouring over the meat the rich steaming juice. At that moment the merchant's wife came in.

"Ah, good day, madame, good day to you!" said Choquart, as he leant over and deluged the savory roast. "Well, you see what has happened. Your husband isn't dead after all. Dear me, how shall we get to arrange the matter? 'Tis very provoking, very."

"Alas, sir, 'twas a severe trial. God, in His goodness, has spared his life. I trust the lesson will be of service to him."

"God in His goodness?" went on muttering Choquart. "That's all very well. But we haven't settled our little difficulty as yet."

"Come, now, Choquart," said I, interrupting him pretty sharply, "we've had enough on that score. M. Ballu has tendered you his best excuses in my presence and cordially invited you to dinner. What more do you want?"

"Dear me," said Choquart, still fascinated by the leg of mutton, "I do think it is beginning to burn at the joint."

The difficulty was now over, and the duelist completely disarmed. We all had dinner. Choquart recounted his duels to the upholsterer, and drank with great gusto his "spurious" Madeira.

Choquart died in poverty. For over twenty years he had lived on a small pension granted him by the Comte de Chambord. When, however, he received five hundred francs, his wont was to give his friends a supper which cost the same sum, so that on certain days of the year he went supperless to bed. Still, he was extremely punctilious in money matters. Another chapter will throw light on this side of his character.

Several years ago, we were supping, after midnight, at the Vaudeville coffee-house. Among those present were Bouffe, the lessee and manager of the Vaudeville Theater; Briffaut, the journalist; Dr. Lallemand, who was the proprietor of the Passage Radziwill; an old notary of the name of Dubois; Armand Marrast, then a writer on the staff of the *Tribune*; an old sheriff's officer, called Mouton, and Choquart. The latter had, as usual, grown tender over the fate of the Princes belonging to the elder line; and Mouton, the sheriff's officer, whose political sympathies inclined toward the Republic, went so far as to say that Charles X. was an old idiot. At this, Choquart, pale with rage, rose from his seat, and said to Mouton:

"I have taken an oath to slap the face of any man who insults my King. I shall now, therefore, slap yours."

The situation was exceedingly grave, and every body felt dreadfully uncomfortable. Choquart suddenly stopped short, and said:

"Dear me! I owe Mouton a louis, and can not strike him without first reimbursing the money. It would be ungentlemanly in me to act otherwise. Briffaut, lend me a louis, will you, that I may slap Mouton's face?"

"I have no change," answered Briffaut.

"Bouffe, quick, lend me a louis, that I may cuff Mouton's ears!"

"My dear Choquart," replied Bouffe, "I shall be only too happy to lend you four times the amount outside of this place, but I can not lend you a louis for the purpose you mention."

At that moment I entered the coffee-house.

"Ah! here comes Vilemot," exclaimed Choquart, and bounding toward me he said, hurriedly: "Lend me a louis. Quick! I want to box Mouton's ears, and delicacy requires that I should first give back the louis I owe him."

I was at a loss to make out what he meant.

"Don't lend it, don't lend it!" cried out those who were present.

At that time of life, especially, I had a strong reluctance to lend a louis, so I drew back.

The most amusing part of the story is that Bouffe persuaded Mouton to believe that he was no longer in safety.

"A louis, you see, is no large sum," said Bouffe; "Choquart is bound to have a spare one some day, and he will carry out his threat. If I were you I should lend him twenty louis; he'll never be able to give back so large a sum, and you are safe for the rest of your life."

So, after supper, Mouton offered to lend Choquart twenty louis, who was dumfounded at the proposal. He saw

the danger, but danger had special attraction for him. He pocketed the gold pieces, and said to Mouton as he did so:

"Never mind; we are not quits yet. The first time I receive my pension you shall get your ears boxed all the same."

Choquart, however, was never able to command so fabulous a sum as twenty louis at any one time, nor to wreak righteous vengeance on the offender who had insulted and slandered his King.—*Boston Courier Translation from the French of Auguste Villemot.*

THE CONSTITUTION.

Difficulties Encountered by the Framers of the Incomparable Document.

The constitution of the United States is so brief and so simple that some of our readers may very naturally wonder why it should have been so difficult to make. The convention which formed it, numbering at first fifty-eight members, met from the close of May to the 17th of September, 1787. An able body of statesmen has perhaps never assembled, and they labored with intense and anxious concentration of effort for nearly four months. Yet the result of their exertions was a document of short and easy paragraphs that could be printed in two or three of these columns, and slowly read in less than an hour. But consider the knotty questions involved in each of those quiet, simple little sentences. The first section of the first article settled one of the most perplexing of them all, by ordaining that Congress should consist of two houses. Now, the inconveniences of having two legislative bodies were about as well-known to the members of the convention as they can be to us.

Those inconveniences are great and numerous. The convention had to consider the obstructive and extremely conservative character of the British House of Lords. They had also to weigh the probable consequences of confiding all the law-making power to a single house. Here was a great question, not yet finally settled, perhaps. The short paragraph which settled it in the United States for a century, contains the result of countless hours of study, reflection and discussion.

Then, again, there was the question, so important to Rhode Island, New Jersey and Delaware: How shall the smaller States be protected against the superior power and wealth of the larger? In the Continental Congress they had voted by States, a system which had made Delaware's vote of equal weight with that of Virginia; a concession felt by the larger States to be unjust, unwise and not to be endured. On this rock the convention nearly went to pieces, and it was only after some weeks of most anxious, and we may truly say agonizing, discussion, that the convention reached the expedient of having the States equally represented in the Senate, but represented according to population in the House.

A fearfully difficult matter to arrange grew out of slavery. No one was willing to have the odious word *slave*, or any of its derivatives, in the constitution of a country claiming to be, and meaning to be, the freest under the sun. But the slaves existed; there were supposed to be a million of them. They were an element of power, and in some of the Southern States they were too important not to be considered in the conditions of union.

South Carolina, with her slaves counted out, would have been so insignificant a member of the Union, that she never could have willingly joined it with that proviso. On the other hand, how could the free states concede to the slave States an added weight in the Union proportioned to the number of their slaves, and this without so much as using the offensive and incongruous word? At the same time, the Northern States, where slaves were few—for there was hardly a State in which there were not some slaves—were compensated by adding to the word "representatives" the words "and direct taxes." The South was to have its slaves counted in making up the representation in each State, but it must also pay for them.

This was the hardest problem the convention had to solve, and they solved it in the way which, upon the whole, was best for the time. We need not shrink from the avowal that this device of Article 1, Section 2, which allowed the Southern States to count five slaves as three white people in the appointment of representatives and direct taxes, was the least compromising compromise that was possible then. The dreadful word, however, was not employed. The slaves came in at the end of an enumeration as "three fifths of all other persons"—a dainty device worthy of Dr. Franklin.—*Youth's Companion.*

"Oh, pray let me have my way this time," said a young gentleman to his lady love. "Well, Willie, I suppose I must this once; but you know that after we are married I shall have a Will of my own."—*Harper's Bazar.*