

also practised in Germany and in most parts of the north. Such likewise was formerly the custom in France, and such it ought to be in all polished nations. A sentence, at a distance from the throne, may be dictated by cabal, prejudice or ignorance. Such little intrigues are unknown to monarchs, who are continually surrounded by great objects. The members of the supreme council are more enlightened, less liable to prejudice, and better qualified than a provincial judge, to determine whether the state require severe punishments. In short, when inferior courts have judged according to the letter of the law, which possibly may be rigorous, the council mitigates the sentence according to the true spirit of all laws, which teaches, never to sacrifice a man, but in evident necessity.

C H A P. XII.

On Torture.

ALL mankind being exposed to the attempts of violence or perfidy, detest the crimes of which they may possibly be the