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ART. I.—*A Residence of twenty-one years in the Sandwich Islands; or the Civil, Religious and Political History of those Islands; comprising a particular view of the Missionary operations connected with the introduction and progress of Christianity and Civilization among the Hawaiian people.* By Hiram Bingham, A. M., Member of the American Oriental Society, and late Missionary of the American Board. Hartford and New York. 1847. pp. 616.

It is possible that among the readers of Mr. Bingham's volume are some who read, at the time of its appearance, the history of that voyage of Captain Cook, Clerke and Gore, which gave to the world the first information of the existence of the Sandwich Islands. To much younger persons, however, as well as to these, the two works must appear in wonderful contrast, even when superficially consulted. Between the times of King Terreeboo, when to be publicly invested with a linen shirt was a high mark of royalty; when the solemn offering of swine, in the successive stages of the living, strangled and baked animal, was the most distinguished honour that could be returned to the foreign "Orono," and that too as a religious sacrifice—and the times of the

originated by sympathy; but on the impulse of principles which, original in themselves, originate the sympathy that we feel. When we see an unoffending individual subjected in his person to the wanton insult of a blow, or in his property to the inroad of some ruthless depredation—we do not need to witness the resentment of his bosom, ere a like or a kindred feeling shall arise as by infection in our own; nor mentally to place ourselves in his situation, and thus to ascertain how we should feel aggrieved or affronted by the treatment that we see him to experience. The circumstance of not being the sufferer myself may give a greater authority to my judgment—because a judgment unwarped by the passions or the partialities of selfishness: but still it is a judgment that comes forth without that process of internal manufacture, of which Dr. Smith conceives it to be the resulting commodity. We judge as immediately and directly on a question of equity between one man and another, as we can on a question of equality between one line and another: And when that equity is violated, there is as instantaneous an emotion awakened in the heart of me the spectator, as there is in the heart of him the sufferer. With him it is anger. With me it is denominated indignation—the one being the resentment of him who simply feels, that he has been disturbed or encroached upon the enjoyment of that which he hath habitually regarded to be his own; the other a resentment felt on perceiving a like encroachment on that which might equitably or rightfully be regarded as his own.”

The X. chapter on “Perfect and Imperfect Obligation,” is properly a continuance of the same subject, and contains a number of original and discriminating remarks, worthy the attention of the reader.

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### ART. III.—*Duelling—Code of Honour.*

A duel is a combat with deadly weapons between two persons agreeably to previous arrangements. It differs from a boxing match because in it no weapons are used. It differs from a rencounter, because that is a sudden combat without pre-meditation. The boxing match and rencounter may be as immoral and as fatal in their consequences as the duel, but neither of them is a duel, neither of them, in our country at least, is regulated by the code of honour.

There have been four kinds of duels in the world. The first was where two hostile armies agreed to select each a champion to meet and fight. Thus David and Goliath fought. Thus Diomedes and Æneas fought. The combat between the 'Ho-

ratii and Curatii, though not a *duel*, yet involved the same general principle. This kind of combat is not necessarily contrary to sound morality. No man esteems David's conduct, in the matter of Goliath, immoral. The motive to such combat may be the saving of much blood. Whether it will ever again be wise or lawful to resort to this mode of ending contests is a point on which three brief remarks only are offered. The first is that the question cannot arise in our country, the laws governing our armies by their whole scope forbidding it. Another remark is that the consent of the sovereign power would be necessary to give obligation to any contract for terminating hostilities in a given manner upon the issue of such a combat. Such consent can never in our country be given. The third remark is that the whole subject of such combats belongs to writers on the laws of war and not to moralists. Further remarks on the point are not therefore demanded in this essay.

The second kind of duel is not in use amongst us. It was introduced into the South of Europe by the Northern barbarians. It was a superstition. It was an ordeal. Without authority, and therefore presumptuously, and wickedly it pledged divine interposition to show, by the result, who was innocent and who was guilty. Such systematic folly and wickedness all civilized nations now reject. Yet the practice, without, for some time, losing much of its superstition, was engrafted on the chivalry, which at one time so much abounded among the barons and gentry of Europe.

Thus arose the third kind of duel. At first these duellists fought not for themselves, but for some humbler person, or for some fair lady. This system was legalized, and for ages constituted a part of the feudal system. The chief thing noticeable in it was the folly of its origin, and its criminal waste of human life. Although knights commonly fought in harness, and therefore were much protected, yet they became so skillful as frequently to give deadly wounds between the joints of the harness. Great multitudes thus perished.

The kind of duel practised in civilized nations in our day combines most of the evils of former systems. It is maintained to avenge personal and family insults. It cannot be shielded or palliated by the plea of such ignorance as prevailed in the dark ages. It can in no way be justified. "Thou shalt not

kill," is the plain command of the God that made us. No acumen can reconcile the letter of this prohibition with the destruction of human life in a duel. The law is clear. No exception is made in other parts of the divine code in favour of duelling, as there plainly is in favour of taking life in lawful war, in criminal punishments by judicial process, and in defending your dwelling against house-breakers. No man pretends ever to have found in the word of God such an exception. It is not there. The contrariety betwixt duelling and the law of God is manifest and remains in full and undiminished force. The statute is unrepealed. The practice is still maintained. Were the consciences of duellists firmly bound by any law of God, *as such*, they would be bound by this. Nor is this all. The modern duel includes in itself the guilt of suicide. Those, to whom these views can be of any service, will not maintain that man is possessed of the right of taking his own life at pleasure, or of wantonly exposing it to destruction. Nor can it be necessary to prove that he, who voluntarily and unbidden by God puts himself in a position where he is hit by the ball of another, is as truly criminal as if he had fired a pistol at his own body. All this is plain. An acquaintance with the first principles of morals must lead to such conclusions. Respecting many suicides there is room for hope that the fatal deed is not committed until reason is dethroned, and the delirium of a fevered brain holds the sceptre over the man. But no such soothing reflection can be indulged when a man voluntarily, in a duel, exposes his life to danger. He cannot be regarded as mad in any other sense than that the sorcery of sin has destroyed his moral sense respecting a great law of morality. His blood, if shed, is, in a fearful sense, on himself. Though he may from the first intend to fire his own weapon into the air, and may never aim it at any human bosom, yet if he exposes his own body to the fire of an antagonist in a duel, he incurs the guilt of suicide. He is in heart a self-murderer. If he dies in the duel, he dies a self-murderer. He has done what the law of nature and the word of God forbid. The great and peculiar heinousness of this crime consists in this, that the perpetrator of it may die in an act, which admits of neither reparation, nor repentance. Not only his present life, but his eternal well-being are put in criminal and awful jeopardy every time he goes on the field. If

there he falls, and there expires, we are compelled to remember the decision of Him who cannot lie: "No murderer hath eternal life abiding in him." This is as true of a self-murderer as of any other murderer. Moreover, duelling is, in its very nature murderous. The weapons chosen are the weapons of death. The efforts of each are almost without exception for the destruction of his antagonist's life. The fact of a malignant *animus* is proven by all the circumstances attending duels, and especially by aiming a deadly weapon, with practised skill, at the person of the adversary, intending to banish him from this world. This aim is deliberate. Here is more than the guilt of manslaughter. Here is murderous intention and if life is taken, here is MURDER.

This is indeed strong but not rash language. 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." Judge Foster says: "Deliberate duelling, if death ensue, is, in the eye of the law, murder." Sir Edward Coke says: "Single combat between any of the king's subjects is strictly prohibited by the laws of the 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." Blackstone, quoting from Coke, says: "Murder is when a person, of sound memory and discretion, unlawfully killeth any reasonable creature in being, and under the king's peace, with malice aforethought, either express or implied." The entire applicability of this definition to the crime of killing in a duel will probably be granted by all, except so much as relates to malice aforethought. Even a part of this will not be denied, viz.: that if there be malice at all, it is malice aforethought. Is there malice at all? The forbidden act of shooting with intent to kill creates strong proof of malice. "This malice aforethought," says the authority just quoted, "is the grand criterion, which now distinguishes murder from other killing; and this malice prepense is not so properly spite or malevolence to the deceased in particular, as any evil design in general: the dictate of a wicked, depraved and malignant heart: and it may be either express or implied in law. Express malice is when one, with a sedate, deliberate mind and formed design, doth kill another, which formed design is evidenced by external

circumstances discovering that inward intention; as laying in wait, antecedent menaces, former grudges, and concerted schemes to do some bodily harm. This takes in the case of deliberate duelling, where both parties meet avowedly with an intent to murder: thinking it their duty as gentlemen, and claiming it as their right, to wanton with their own lives and those of their fellow-creatures; without any authority or warrant from any power either human or divine, but in direct contradiction to the laws both of God and man." Elsewhere the same thing is illustrated and confirmed by the same able writer. The foregoing authorities have been cited because their statement of principles is clear, and because being made by eminent lawyers and judges, not by divines and moralists, they must have authority with all classes of readers, who regard any human authority with the least respect. Such authorities cannot be suspected of being led away by a wild religious fervour, or by a foolish devotion to a fine-spun theory in morals.

Killing in a duel, then, is murder—intent to kill in a duel is intent to commit murder, and it ought not to be allowed to bear any other name.

Both human and divine laws very properly guard human life with the utmost caution. Blackstone says: "If a man in a populous town throws carelessly from a housetop any tile or timber, and gives no notice to the crowd that is usually passing below, though he may see no one, yet if one thereby be killed, it is not merely manslaughter, but it is murder, and the law assigns the reason that such an act is an expression of malignity against all mankind; and even if he give loud warning, and yet it be in a place, where many persons usually pass, and one be killed, it is man-slaughter, and is punishable by the laws." If these things be so, by what principle is he turned loose unpunished, who not only is careless about human life, but who trains himself to the skilful use of deadly weapons that he may destroy it, meets a fellow-creature by arrangement, and takes away his life? Divine law is no less loud and clear in its demands for the punishment of murder. The great precept given to Noah for the race of man reads thus: "Whoso sheddeth man's blood, by man shall his blood be shed." The reason given for this law, however it may be interpreted, is of no less force in this day than in the days of Noah. It is in these words: "For in

the image of God made He man." This reason will have unabated force while the world shall stand. Other parts of scripture show no less clearly the divine mind. In the judicial law regulating murder and trial for murder in the only commonwealth whose municipal regulations God ever enacted, He repeatedly says: "The murderer shall surely be put to death;" and he assigns no other reason than this: "He is a murderer." Num. xxxv: 16, 17, 18, 19, 21. Again, "A man that doeth violence to the blood of any person shall flee to the pit; let no man stay him." Pr. xxviii: 17.

In defence of a practice so repugnant to the laws of God and man, it is sometimes pleaded that duelling is in accordance with a code of laws fit for the government of gentlemen, commonly called THE CODE OF HONOUR.

Whenever a code is mentioned, we naturally inquire for the enacting power. Where is the enacting power here? Who made these laws of honour? God did not. They are utterly repugnant to his revealed will. Nor has any legally constituted legislative body sanctioned them. Nearly all legislatures have condemned them. Yet duellists do not hesitate to bow submissively to these precepts. Nay, numbers of them have called these rules "the commandments," and thus added profanity to their other sins. But what is the code of honour? What does it require? We shall try to answer these questions, somewhat at length. A view of some of the provisions of these laws of blood and murder may lead to a greater abhorrence of them than our readers yet have. Indeed they are so bloody and devilish that it may well be doubted whether any of the laws of Draco were half so well suited to people the grave, or make earth a hell. The reader will know where to affix blame and against whom to indulge disgust, if the details offend him, as we hope they will. A detail of particulars is necessary to a right understanding of the merits of the code. A code of honour was published in Ireland in 1777. It was "settled by the gentlemen delegates of Tipperary, Galway, Mayo, Sligo, and Roscommon, and prescribed for general adoption throughout Ireland." It is still in force, at least in its leading provisions, among the gentlemen of Tipperary and Galway. The whole number of rules settled was thirty-six. To give all would be tedious. The following will be sufficient. "*Ex uno disce omnes,*" and "*Noscitur*

a sociis" are maxims fully applicable to this code. Here they are: "The first offence requires the first apology, although the retort may have been more offensive than the insult: example; A tells B he is impertinent, &c., B retorts, that he lies; yet A must make the first apology, because he gave the first offence, and then (after one fire) B may explain away the retort by subsequent apology. But if the parties would rather fight on, then, after two shots each, (but in no case before) B may explain first, and A apologize afterwards. If a doubt exist who gave the first offence, the decision rests with the seconds; if they will not decide, or cannot agree, the matter must proceed to two shots, or a hit, if the challenger requires it. When the lie direct is the first offence, the aggressor must either beg pardon in express terms; exchange two shots previous to apology; or three shots followed up by an explanation; or fire on till a severe hit be received by one party or the other. A blow is strictly prohibited under any circumstances among gentlemen, no verbal apology can be received for such an insult: the alternatives, therefore, are, the offender handing a cane to the injured party, to be used on his own back, at the same time begging pardon; firing on until one or both are disabled; or exchanging three shots, and then asking pardon without the proffer of the cane. If swords are used, the parties engage till one is well blooded, disabled or disarmed; or until, after receiving a wound, and blood being drawn, the aggressor begs pardon. N. B. A disarm is considered the same as a disable; the disarmer may (strictly) break his adversary's sword; but if it be the challenger who is disarmed, it is considered ungenerous to do so. In case the challenged be disarmed and refuses to ask pardon or atone, he must not be killed as formerly; but the challenger may lay his own sword on the aggressor's shoulder, then break the aggressor's sword, and say, 'I spare your life!' The challenged can never revive the quarrel, the challenger may. If A gives B the lie, and B retorts by a blow, (being the two greatest offences,) no reconciliation can take place till after two discharges each, or a severe hit; after which, B may beg A's pardon for the blow and then A may explain simply for the lie; because a blow is never allowable, and the offence of the lie, therefore, merges in it. N. B. Challenges for undivulged causes may be reconciled on the ground, after one shot. An explanation, or the slightest

hit, should be sufficient in such cases, because no personal offence transpired. But no apology can be received, in any case, after the parties have actually taken their ground, without exchange of fires. In the above case, no challenger is obliged to divulge the cause of his challenge (if private) unless required by the challenged to do so before their meeting. All imputations of cheating at play, races, &c., to be considered equivalent to a blow; but may be reconciled after one shot, on admitting their falsehood, and begging pardon publicly. No dumb shooting, or firing in the air, admissible in any case. The challenger ought not to have challenged without receiving offence; and the challenged ought, if he gave offence, to have made an apology before he came on the ground: therefore children's play must be dishonourable on one side or the other, and is accordingly prohibited. Seconds to be of equal rank in society with the principals they attend, inasmuch as a second may choose or chance to become a principal, and equality is indispensable. Challenges are never to be delivered at night, unless the party to be challenged intend leaving the place of offence before morning; for it is desirable to avoid all hot-headed proceedings. The challenged has the right to choose his own weapon, unless the challenger gives his honour he is no swordsman; after which, however, he cannot decline any second species of weapon proposed by the challenged. The challenged chooses his ground, the challenger chooses his distance; the seconds fix the time and terms of firing. The seconds load in presence of each other, unless they give their mutual honours that they have charged smooth and single, which should be held sufficient. Any wound sufficient to agitate the nerves, and necessarily make the hands shake, must end the matter for that day. In slight cases, the second hands his principal but one pistol, but in gross cases, two, holding another case ready charged in reserve. When seconds disagree, and resolve to exchange shots themselves, it must be at the same time and at right angles with their principals. No party can be allowed to bend his knee or cover his side with his left hand, but may present at any level from the hip to the eye." The above specimens of the Tipperary gentlemen's Code of Honour will no doubt satisfy *usque ad nauseam* every reader. We shall, therefore, give no more of its rules.

The Americans, we believe, have never had a meeting of

delegates to settle the practice of duelling and points of honour. Some fight by the Irish code, some by the French, some by the English, and some by a modification of all these. Some attempts have, we believe, been made to codify or digest the rules for the government of duellists in this country, but American "gentlemen," we believe, prefer, as the French and English do, more latitude than the Irish delegates gave themselves. We are free to say also that the rules commonly holding in this country are not always so sanguinary as those we have just given. But they are still sufficiently bloody to satisfy a most diabolical malice and to fill some parts of the land with murder and lamentation. The following principles may be stated as belonging to the code as practised in America. Some insults cannot be compromised or settled without fighting; a man is responsible for insults given in a drunken frolic; words do not satisfy words, nor blows blows; blows satisfy words; seconds need not see each other load; seconds go armed to the field, first to shoot the adversary of his principal, if the adversary has taken any advantage, and secondly to keep the other second in order; wounded persons are not to be permitted to fight; in slight cases parties may be reconciled so as to shake hands and part friends, after one ineffective shot, even without apology or explanation; if principals will not fight, seconds are to pronounce them cowards, and abandon them on the field; seconds on both sides are to proffer assistance to the wounded; principals must not make mouths, nor use abusive words, nor fret one another on the field; you are not bound to fight a minor unless you have made a companion of him; you are bound to fight a respectable stranger; seconds have absolute control after a challenge is given and accepted; unusual weapons, distances, times and places may be rejected; a father, brother, or son cannot be a second, nor even permitted to be on the field; time may always be claimed to make a will; &c., &c., &c. Respecting this code in all its modifications, it may safely be stated—

1. That it is shockingly immoral both in its precepts and penalties, both in theory and in practice. It violates all the charities of life, all the moral obligations, under which men live. It tramples on the laws of God. It defies the laws of the country. It reputes forbearance a weakness, and forgiveness a meanness. It exalts diabolical passions to a seat among the highest virtues.

It puts revenge and murder above patience and meekness. A system more immoral in principle and practice could not be devised.

2. This code is full of absurdity. It places the aggressor and the aggrieved on the same footing; or if the aggressor be the best shot or the smallest mark, it gives him the advantage. If a man be injured and venture to complain, by this code he may be compelled to go to the field and lose his life and have his wife written a widow and his children orphans. There is hardly an end to the ridiculous doctrines, which may be fairly drawn from its rules.

3. This code is useless. It elicits no truth in any controversy. It determines not who is innocent, or who guilty. By common consent it proves no man a hero. It seldom proves a man a coward. It does not even prove a man to be a good marksman, or a good swordsman. Innumerable cases show the truth of this last remark. In 1815 the English almost invariably killed the French officers with the sword, the former unskilled and the latter expert swordsmen. A few years ago —, no shot with a rifle, killed —, who was one of the sharpest shooters with that weapon. Duelling cannot add to the solid reputation of any man. Surely it never adds to the comfort of the duellist himself.

4. This code is very bloody, not only in its laws, but also in its results. During the first eighteen years of the reign of Henry the Fourth, 4,000 gentlemen perished by duels in France alone. In 172 consecutive duels 63 persons were killed and 96 wounded and 48 of them desperately. This last statement is made on the faith of an official paper which was prepared in England. A few years ago four individuals were killed in four successive duels in the same section of our country. Some men have fought ten, others twenty, and some as high as thirty duels, and in a majority of cases have either killed their antagonists or given a dreadful wound. There was such a man in this country a few years ago. He has now gone to eternity. Such men become a terror to all around them. In some parts of our country there is scarcely a family of high standing whose peace has not been disturbed, or whose dreadful fears have not been awakened, or whose joy has not been turned to mourning at some time by the worship of this modern Moloch. In the space

of eighteen months three of the friends of the writer of this article fell in duels. This code smells horribly of blood.

Indeed, it is impossible to look into the code of honour, however it may be modified, without observing at every step its utter contrariety to right, and truth, and reason and charity. It is variable. A challenged adversary disarmed "must not be *killed* as formerly." Neither is there any certainty, except in the death of one of the parties, that a serious quarrel can ever be settled. The old maxim, "*Interest reipublicae finem esse litium*," can have no place here. A man may be challenged, fight, be disarmed, yea, be "well-blooded," and yet after all be called out again. Nor is it true that the lie and the blow are the two greatest offences." Seduction and murder are worse in the judgment of all men except duellists. Why would it not do as well to ask pardon or make an apology before two shots, or one shot, or a hit as before? It is worthy of notice, that gaming, racing, &c., are in the Irish code connected with duelling, and if common fame does not lie beyond her wont, there is much cheating at gaming, racing, &c. He who is cheated, however, must by this code pocket his loss, and say not a word. This code calls not for evidence, but a pistol. If A calls B impertinent and B retorts you are a liar, why does not the lie satisfy for the charge of impertinence? Or if A strikes B with his hand and B *canes* A soundly, why must B go further? Because the spirit of *vengeance* is the spirit of this code. Why may not a father, a brother, or a son be present at a duel and witness the valour of a son, or brother, or father, or at least close their eyes if killed? Because the yearnings of natural affection may be too strong to allow the work of murder to proceed gracefully and coolly. Why may not a gentleman fight a minor under any circumstances? Because it would be cruel to kill the poor boy, or send him home to his mother with a mortal wound? But is it more cruel to write a woman childless than to write her a widow, and her children orphans? This code requires principals to be passive except as directed by seconds. The second keeps the honour of his friend. What right has any man to become passive in an affair involving murder? Can there be any thing more preposterous than two men shooting at each other because the seconds "will not decide or cannot agree, whether A or B gave the first offence?" Why

may not an apology be given after the parties take position on the field? Reason would say that an apology for a wrong was always due and was always in order. Why should a man be allowed to call another to account for an offence not stated? But has this code no tender mercies? Yes! but they are few and soon told. You may claim time to make a will. How benignant and considerate! If one party be wounded, the second of the other party should proffer assistance. A very good and soothing nurse must he be, who has just loaded the pistol by which I have been mortally wounded! These are all the tender mercies of the code. A short story of tenderness, to be sure. But there is gallantry in a duel! aye, ladies's honour is to be protected. But how can it benefit a lady that her favourite should be shot down? If anything of passion or unfairness appear in these views, let it be shewn, and it shall be esteemed as it deserves. But it is hard to write on such a subject with the *sang froid*, with which one would eat a beef-steak, or despatch a melon. Indignation, if ever justifiable, might rise high when speaking of this bloody and murderous code.

Some may say that the practice of duelling maintains in the world much of that courage, which is so useful in emergencies, and so ornamental to human character. We do not deny the value of true courage. It is an enviable quality. But what is it and who has it? Is it recklessness of life? Does it delight in the smell of blood? Is it malignant as a fiend? No man has true courage except so far as he is a good man. "The righteous are as bold as a lion, but the wicked flee when no man pursueth." Burke says: "The only *real* courage is generated by the fear of God. He who fears God, fears nothing else." Addison says that courage "is that heroic spirit inspired by the conviction that our cause being just, God will protect us in its prosecution." Even Seneca, whose mind was unenlightened either by Christianity or modern civilization, says that "courage is properly the contempt of hazards *according to reason*; but that to run into danger from *mere passion* is rather a daring and brutal fierceness, than an honourable courage." Cicero, in some respects the greatest of heathen philosophers, says, "that sort of courage which disregards the rules of justice, and is displayed, not for the public good, but for private

selfish ends, is altogether blameable; and so far from being a part of true virtue, that it is indeed a piece of the most barbarous inhumanity." Plato says, "As that sort of knowledge which is not directed by the rules of justice ought rather to have the name of design and subtlety, than wisdom and prudence; just so that bold and adventurous mind, which is hurried on by the stream of its own passions, and not for the good of the public, should rather have the name of *foolhardy* and *daring*, than valiant and courageous." Addison elsewhere says: "Courage that grows from constitution, very often forsakes a man when he has occasion for it; and when it is only a kind of instinct in the soul, it breaks out, on all occasions, without judgment or discretion; but that courage, which arises from a sense of duty, and from a fear of offending Him that made us, always acts in an uniform manner, and according to the dictates of right reason." That admirable writer, the Duc de Sully, whose cool and generous courage was never questioned, speaking of duels, says: "That which arms us against our friends or countrymen, in contempt of all laws, as well divine as human, is but a brutal fierceness, madness, and real pusillanimity." When courage is calm, rational, firm, mild and just, all good men respect it and do most reverent obeisance to it. It is truth and justice and honour sitting on a throne of virtue. It has no malignity. It neither raves nor rages. It never secretly thirsts for vengeance. It is no more like the false courage of the duellist than gold is like cinders. That destitution of nervous sensibility, which enables some to wear an aspect of indifference in the midst of danger, if a good quality at all, is possessed in a much higher degree by the opossum or the oyster, than by any of your point of honour men. True courage, therefore, is neither evinced nor promoted by duelling. None will deny that cowards go to the field, and act with apparent coolness. And no one, whose opportunities of observation have been considerable, doubts that on an amiable man the effect of killing an antagonist in a duel is to make him nervous, restless, timid and melancholy. Some such seem to anticipate the pains of hell. A dreadful sound is in their ears. Their punishment seems to be greater than they can bear. Two young bloods were about to fight not long since. The seconds of each applied to a famous duellist, who had killed

his man, for some instruction how to proceed. To each of them he said before they left him: "Be sure that you arrange things so that both the principals shall be killed." He said this in a very serious way. The inference drawn by both from what he said, was, that, in his judgment, life was intolerable to a duellist, who had killed another.

A good writer, speaking on this subject, supposes the duellist to have escaped hanging and all legal consequences, and to be still in the bosom of his family and friends, and then says: "How fares it with him in the court of conscience? Is he able to keep off the grim arrests of that? Can he drown the cry of blood, and bribe his own thoughts to let him alone? Can he fray off the vulture from his breast, that night and day is gnawing his heart, and wounding it with ghastly and amazing reflections?"

Whether it is that God has done it for the defence of men's lives, or whether it is the unnaturalness of the sin, or whatsoever else may be the cause, certain it is, that there is nothing which dogs the conscience so incessantly, fastens upon it so closely, and tears it so furiously, as the dismal sense of blood-guiltiness. The man perhaps endeavours to be merry; he goes about his business; he enjoys his cups and his jolly company; and, possibly, if he fought for revenge, he is applauded and admired by some; if he fought for a mistress, he is smiled upon for a day. But when in the midst of all his gaieties, his conscience shall come and sound him in his ear: "Sir, you are to remember that you have murdered a man, and, what is more, you have murdered a soul, you have sacrificed an immortal nature, the image of God . . . to a pique, a punctilio, to the love of a pitiful creature, lighter than vanity, and emptier than the air; and these are the worthy causes for which your brother now lies in the regions of darkness and misery, without relief, without recovery; an eternal sacrifice to a short passion, a rash anger and a sudden revenge."

For a system thus composed and bringing forth such fruits who dares to apologize? The system was born in superstition, nourished in depravity, and justified only by the frenzies of passion. It is a system forbidden by all sacred principles of law, reason, morals and religion, against which the solemn protesta-

tions of the living, the keen regrets of the dying,\* the unsheltered orphanage and the early widowhood of thousands lift up their awful voice; a system, whose habiliments are rolled in blood, whose tender mercies are refined cruelty, whose brightest hopes are turned into the agonies of the damned by the fearful looking-for of judgment; a system, which outrages all the charities of life, invades the sanctuary of domestic love, and pours horror and anguish into the bosoms of the innocent and unoffending.

Shall any rise up and demand that we award to such a system the meed of honour? The demand can never be granted. Humanity and God forbid it. Honour is a sacred thing. Honour is not lawless. Honour is not cruel. Honour delights in the approbation of the good and the wise who never approve of murder in a duel or in any other way. Honour is tender-hearted, humane, generous. Honour never contemns the ties of humanity. Honour casts from her even her own rights, when insisting upon them does a great wrong to others. Honour never willingly mingles the tears of widows and orphans with the blood of husbands and fathers. Honour is far above pure selfishness. She looks at the things of others. She bows to the majesty of law; she listens to the conclusions of reason and the dictates of conscience; she obeys the voice of God.

So long as this system shall find defenders and advocates amongst us, human life will be wasted on punctilios, transcendent worth and talent will be the mark, against which pique and ambition will direct their deadliest shafts, the land will be polluted with blood, the tokens of heaven's wrath against the land will be seen in the untimely death of men, whose services were demanded both by their families and by the state, and the monuments of our wickedness will be found in every graveyard, and there will come upon us the curse of them, that build a town with blood and a city by iniquity, for the stone shall cry out of the wall, and the beam out of the timber shall answer it. Have not sighs enough been heard and groans enough been uttered, and widows enough been made, and babes enough been thrown fatherless upon that hand of charity which has nothing in it, and gray hairs enough gone down sorrowing to the grave, and blood enough been spilled to satisfy the most

\* See Alexander Hamilton's dying views of duelling.

deluded devotees of a system, which has made many a spot in our land an Aceldama and a Golgotha, a field of blood and the place of a skull?

CAN ANY THING BE DONE TO ARREST THE EVIL? is a question of great importance. It may with confidence be answered in the affirmative. Public sentiment can be rectified, where it is now wrong. A code allowing fornication, adultery, drunkenness, extreme revenge, cruelty to inferiors, a refusal to pay just debts, and murder, cannot bear the test of serious and thorough examination. Let all, who hate deeds of blood do their duty and much can be done to stay the destroyer. Now is a good time for the friends of law, order and religion to exert themselves. The laws of the states are strongly against it. The judiciary of the country is openly on the side of law and peace. When the judges of the Supreme Court of the United States were invited by a committee of the House of Representatives to attend the funeral of Mr. — they conferred together on the subject, and, “after mature deliberation,” adopted the following resolutions:

“Resolved, That the justices of the Supreme Court entertain a high respect for the character of the deceased, sincerely deplore his untimely death, and sympathize with his bereaved family in the heavy affliction which has fallen upon them.

“Resolved, That with every desire to manifest their respect for the House of Representatives, and the Committee of the House, by whom they have been invited, and for the memory of the lamented deceased, the justices of the Supreme Court cannot, consistently with the duties they owe to the public, attend in their official characters the funeral of one, who has fallen in a duel.

“Ordered, That these proceedings be entered on the minutes of the Court, and that the Chief Justice enclose a copy to the chairman of the committee of the House of Representatives.”

Such mildness and firmness, such sympathy for the suffering and such determination not to swerve from duty are above all praise. The example set was worthy of its authors and their high station. If all men in high places would equally do their duty, thousands would bless them.

The course of our present Chief Magistrate, both before and since he began to fill his present office, deserves high admira-

tion. When Speaker of the House of Representatives he fearlessly performed his duty in the face of taunt and provocation. He is now commended in no quarter more than by some at least, who gave the highest provocation. Since his term, as President, commenced, he has dismissed from the Navy every one, from a Commandant to a Midshipman, who has engaged in a duel. Duels in the regular army seldom occur. There has not at any time been a duel between officers of the army, who had been trained at West Point. This speaks well for that institution. May our Naval School at Annapolis prove as great a blessing in this respect. Let all men, who administer the laws follow these bright examples of fearlessness in the discharge of duty. And let all men, who revere law and love their kind, testify against the practice. Let mothers teach their sons that killing in a duel is murder; let wives soothe their irritated husbands, and assert their rights not to be left mourning widows; let young ladies discountenance the gallants, who come into their society, reeking with blood; in short, let all persons unite and do their duty in this behalf and the work will be done. Especially let the pulpit and the press do their duty, and we may hope for better notions, better principles, better rules for the government of gentlemen, and less of the awful work of this "*bellum inter duos*."

Let all men calmly and seriously settle the point that they never will fight a duel. Let no man put off the decision till the day of temptation shall come. That will be the time to *try* principles, not to *form* them. In arriving at conclusions, let every man well weigh what is said by a good writer: "In the judgment of that religion, which requires purity of heart, and of that Being, to whom thought is action, he cannot be esteemed innocent of this crime, who lives in a settled, habitual determination to commit it whenever circumstances shall call upon him so to do. This is a consideration which places the crime of duelling on a different footing from almost any other. Indeed, there is perhaps no other, which mankind habitually and deliberately resolves to practice when the temptation shall occur. It shows also that the crime of duelling (in this sense of pre-conceived determination to commit it whenever the occasion may demand) is far more general among the higher classes than is commonly supposed, and that the sum of the guilt, which this practice

produces is great, beyond what has perhaps been ever conceived. It will be the writer's comfort to have solemnly suggested this consideration to the consciences of those, by whom this impious practice might be suppressed. If such there be, which he is strongly inclined to believe, their's is the crime, and their's the responsibility of suffering it to continue."

The question may still be asked, what is a gentleman to do, who is slandered and insulted and wronged? The answer is, let him appeal to his good character, let him make a public defence by speech and the press, or let him apply to the laws of the land. If these will not defend him, he has a bad cause, or the matter is not worth contending for, or he is called to exercise that fortitude which is at times the sublimest of virtues, magnanimity in adversity. "It is the glory of a man to pass over a transgression." But, says one, what shall I do, if challenged? The answer is plain. Reply, if you truly can, as Col. Gardiner: "I am not afraid of fighting, but I am afraid of sinning." If you cannot say you are not afraid of fighting, say, "I am afraid of fighting, but far more afraid of sinning." There has never been a duel, in which the challenged might not have assigned reasonable, strong and, in the judgment of all good men, satisfactory reasons why he should not accept. "I neither am, nor wish to be, a murderer," any but a murderer might truly assign, and it would be sufficient.

This article, already long, would be imperfect, if it failed to convey a clear and distinct statement that an awful responsibility rests upon seconds. In a large number of cases they are no less guilty and in some cases they are certainly more guilty than the principals. There is no more solemn office than that of counsellor, especially in so awful a matter as that involving life. The penal statutes of no state or kingdom, so far as we know, is too severe against this class of evil-doers.

It is not customary, nor does it coincide with our ideas of fitness, often to quote poetry on such a subject, but the following lines are so well written and so pertinent to our purpose that we are constrained to insert them. They are from Pollok, who is describing the world of lost men. He says:

"With groans that made no pause, lamenting there  
Were seen the duellist and suicide.  
This thought, but thought amiss, that of himself

He was entire proprietor, and so  
 When he was tired of Time, with his own hand  
 He opened the portals of Eternity,  
 And sooner than the devils hoped, arrived  
 In Hell. The other, of resentment quick,  
 And for a word, a look, a gesture, deemed  
 Not scrupulously *exact* in all respects,  
 Prompt to revenge, went to the cited field,  
 For double murder armed, his own, and his  
 That as himself he was ordained to love.  
 The first, in pagan books of early times,  
 Was heroism pronounced, and greatly praised  
 In fashion's glossary of latter days.  
 The last was Honour called, and spirit high.  
 Alas! 'twas mortal spirit, honour, which  
 Forgot to wake at the last trumpet's voice  
 Bearing the signature of time alone,  
 Uncurrent in Eternity, and base.  
 Wise men suspected this before; for they  
 Could never understand what honour meant,  
 Or why that should be honour termed, which made  
 Man murder man, and broke the laws of God  
 Most wantonly. Sometimes, indeed, the grave,  
 And those of Christian creed imagined, spoke  
 Admiringly of honour, lauding much  
 The noble youth, who, after many rounds  
 Of boxing, died; or to the pistol shot  
 His breast exposed, his soul to endless pain;  
 But they who most admired, and understood  
 This honour best, and on its altar laid  
 Their lives, most obviously were fools; and what  
 Fools only, and the wicked understood,  
 The wise agreed was some delusive shade,  
 That with the mist of time should disappear."

The author of this article, though from education, principle and profession never inclined, nor invited to take part in any affair of honour, has seen something of the misery brought on by duels. He has heard the father's deep lament, the sister's awful shriek, the mother's heart-rending soliloquy, the child's piteous cry of anguish, all brought on by the duel. God of mercy! stop this dreadful and needless effusion of human blood.