

Your committee have deemed it within their province to enquire and examine into the origin of the custom of duelling, and, with that view, have made some research, and find it the product of feudal ignorance and barbarity. The duel (*oellum inter duos*) is a combat at a time and place appointed, in consequence of a challenge. It must be *premeditated*; otherwise, it is called a *rencounter*. Of this we have many striking instances, both in sacred and profane history. But these combats were very different from the duel, as it is now practised. In the ancient history of civilized nations, such a species of warfare is not to be found. It is a peculiarity of modern times.—The origin of the duel is to be sought in the superstitious customs of the Scandinavians and other northern nations. Among all such nations, courage seems to have been the ruling principle. This principle, impatient of the forms of law, impelled them to avenge their own wrongs at the point of the sword; and whoever declined to do so, was branded with the appellation of cowardice, and looked upon as infamous. This practice was intimately connected with their notions of religion. The prosperous were regarded as the objects of the divine favor; while the afflicted were looked upon as suffering the punishment of their crimes. Hence the single combat was viewed as a direct appeal to heaven; and he on whose side victory declared, was believed to have the juster cause.

Under the feudal system, the duel was warmly patronised. The haughty barons, regardless of the principles of law and justice, considered their sword as the avenger of their wrongs. They were ignorant and untractable; they were fierce, cruel and oppressive.—The administration of public justice was impeded by the force of private animosities. Every kingdom was distracted by the private quarrels and petty wars of a lawless aristocracy. War and the duel were the ruling passions, to which all considerations—of religion, justice and humanity—were made to bend. In this state of things, a few, possessed of more enlightened views and better principles, endeavored to control this torrent of unprincipled courage and military violence: hence originated chivalry, which modified, although it increased, the practice of duelling. Chivalry tended much to soften the manners of the age in which it originated;—it taught mankind to carry the civilities of peace into the operations of war, and to mingle politeness with the use of the sword;—it roused the soul from its lethargy, and invigorated the human character: but, while it produced these effects, it gave birth to *punctilious* refinement, and sowed the first seeds of fantastic honor—the bitterness of whose fruits is still felt in the modern duel. Every youth of distinction, being trained in the school of honor, was taught to consider military fame and personal valor as the only source of glory; and to preserve this valor from degenerating into brute force, a new code of punctilious observances was introduced, on the principles of which the laws of