

ly dragoon society, by fear of personal violence, into to silence and seeming acquiescence, with respect to their conduct. Another class accept challenges and even challenge and fight, for the very reason that they want true courage; they have not moral and independent firmness enough to disregard the giddy assertions of that idle part of the community, who say a man is a coward because he refuses to fight. Nervous and timid men of the foregoing description, if they come off unslain, fail to obtain their objects; *society will not believe them brave.* There is an instinct in our nature that mocks every art on this subject. No man ever persuaded the world he was fearless, unless the fact was so,—who ever heard of a brave and fearless man exciting another to a duel, to the destruction of himself, his poor undefending wife, and helpless infants, without using all means possible to adjust it? No one. It is the working of cruelty, insidious cunning and malice, under the seemly garb of friendship that does this. Such are duelling and its consequences, and such generally, the characters of the men who engage in the practice, which if it does not involve wickedness and criminality, crime deserves no name and morality no place in the human heart—*they do not exist if this be no crime.* To restrain the blind and criminal passions that drive to ruin the fearless and valuable man; to restrain the wicked vanity of the noisy coxcomb, and to protect from his misguided fears of giddy and idle ridicule, the physically weak and nervous man, have mankind generally and Tennessee in particular, legislated to punish duelling. We are told this is only a kind of honorable *homicide!* The law knows it as a wicked and wilful murder, and it is our duty to treat it as such—we are placed here firmly and fearlessly to execute the laws of the land—not *visionary* codes, framed to subserve the purposes of destruction.”

Your committee having thus examined the subject, and submitted their views, beg to be discharged from the further consideration of the subject.

JOSEPH S. COTTMAN,  
From the Committee on Judicial Proceedings.