

University of North Carolina at Asheville

“A Great National Sin”- Opposition to Dueling in Early National America

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The fall of Hamilton owes its existence to mad deliberation, and is marked by violence. The time, the place, the circumstances, are arranged with barbarous coolness. The instrument of death is levelled in day-light, and with well directed skill-pointed at his heart. Alas! The event has proven that it was but too well directed. Wounded, mortally wounded on the very spot which still smooched [sic] with the blood of a favorite son, into the arms of his indiscreet and cruel friend, the father fell!¹

This quote was from a sermon by Eliphalet Nott delivered on July 29, 1804, less than a month after the death of former Secretary of the Treasury, Alexander Hamilton in a duel with Vice President Aaron Burr. Nott captured the shock and outrage that the nation felt at the violent and premature death of one of America's leading political figures. The practice of dueling, which was solidified as a fixture of the culture of honor after the Revolutionary War, had always been met with some opposition in America. However, following the death of Alexander Hamilton opposition to the practice reached new heights. In the North, Hamilton's death sparked a movement of opposition to dueling particularly among ministers. This movement of opposition is reflected in the laws that were passed in the years immediately following the death of Hamilton. The arguments that ministers made can be arranged into several broad categories which include; arguments that the duel was uncivilized, biblical, honor, and political arguments.

There are several areas of historiography on the subject of dueling and a number of important scholarly works within each of these areas. Most works focus on the function of the duel in society and how it was able to gain momentum as an acceptable form of settling disputes among affluent members of society. There are a number of important scholarly works that focus on dueling in Europe. V.G. Kiernan argues in, *The Duel in European History: Honour and the Reign of Aristocracy*, that the duel was a

¹ Eliphalet Nott, "A Discourse delivered in the city of Albany, occasioned by the death of Gen. Alexander Hamilton July 29, 1804" (Greenfield, Massachusetts: John Denio, 1805), 4.

way for the aristocracy to prove and defend their manhood and superior rank in society.² The works of Markku Peltonen, Kevin McAleer, Ian Gilmour, James N. McCord, and Peter Spierenburg also makes this point as well.³ Peltonen's *The Duel in Early Modern England: Civility, Politeness, and Honor* contains a chapter on anti-dueling campaigns between 1660 and 1720 in England. Peltonen looks at religious and political arguments made against dueling in England during this time period and notes that laws were being passed as more and more people argued against the practice.⁴

Another aspect of the historiography on dueling are the works that have been written on dueling in America. Joanne Freeman's *Affairs of Honor: National Politics in the New Republic* is crucial to the understanding of how dueling functioned and was supported in early national America. Michael Bellesiles and Roger G Kennedy also look at dueling in their works and tend to agree with Freeman.⁵ Dueling was a way to preserve status. Scholars agree in this culture of honor the men who were in the upper echelon of political society were highly sensitive to public opinion. If they felt their reputation was waning or had been attacked, the duel was the ultimate way to prove their

² V.G. Kieran, *The Duel in European History: Honour and the Reign of Aristocracy* (Oxford: Oxford University Press, 1989), 53

³ James N. McCord, Jr. "Politics and Honor in Early-Nineteenth Century England: The Dukes' Duel," *The Huntington Library Quarterly*, Vol. 62, no.1/2. (1999) pp.88-114, <http://links.jstor.org/sici?sici=0018-7895%281999%2962%3A1%2F2%3C88%3APAHIEE%3E2.0.CO%2B2-C> (accessed September 121, 2007). Peltonen, Kevin McAleer, *The Cult of Honor in Fin-de-Siecle Germany* (New Jersey: Princeton University Press, 1994), 42. V.G. Kiernan, *The Duel in European History: Honour and the Reign of Aristocracy* (Oxford: Oxford University Press, 1989), 135. Ian Gilmour, *Riot, Risings and Revolution: Governance and Violence in Eighteenth-Century England* (London: Pimlico, 1992), 262., Pieter Spierenburg, *Men and Violence: Gender, Honor, and Rituals in Modern Europe and America* (Ohio State University Press, 1998), 10-25.

⁴ Peltonen, 201-262.

⁵ Michael A. Bellesiles., ed. *Lethal Imagination: Violence and Brutality in American History* (New York and London: New York University Press, 1999), 87-88, Roger G. Kennedy, *Burr, Hamilton, and Jefferson: A Study in Character* (Oxford: Oxford University Press, 1989), 83.

status.⁶ There are also a number of scholarly works that explore Southern honor which also emphasize this point including; Bertram Wyatt-Brown, Jack K. Williams, Steven M. Stowe, Clayton Cramer, and Kenneth Greenberg.⁷

The Alexander Hamilton and Aaron Burr duel is the most well known and most analyzed duel in American history. Most works written on this duel seek to explain why these two prominent leaders fought each other on the dueling field. While there are a significant amount of scholarly works written on the duel, there are two in particular that give the best account. Joanne Freeman presents the best analysis of the Hamilton and Burr duel in *Affairs of Honor: National Politics in the New Republic*. In chapter four entitled “Duelling as Politics,” Freeman asserts that while dueling was against the moral and religious values of Hamilton, it would have been political suicide for him not to respond to the challenge sent to him by Burr. The duel was an attempt by Hamilton to prove to the nation and to himself that he was courageous leader.⁸ W.J. Rorabaugh tends to agree with this assertion. “As political leaders, neither Burr nor Hamilton could afford the consequence of being seen as dishonored.”⁹ This would mean losing their place in society which they had worked hard to maintain.

The majority of scholarly works do not discuss in detail the opposition to dueling, particularly those that focus on dueling in America, those that do briefly mention anti-dueling legislation as being ineffective because it was poorly enforced. The historiography on dueling generally does not go into detail about what arguments the opponents to the practice raised, however, there are a couple of works that look at the

⁶ Freeman, 169.

⁷ Wyatt-Brown, *Honor and Violence in the Old South*, 54.

⁸ Freeman, 166.

opposition to the practice more closely than the others. W.J. Rorabaugh in his article entitled, “The Political Duel in the Early Republic: Burr v. Hamilton,” argued that dueling was not widely accepted in 1804. This is reflected in the laws that virtually every state had prohibiting duels and which provided harsh punishment to duelists.¹⁰

Jack K. Williams’ *Dueling the Old South: Vignettes of Social* also examines the opposition to dueling in some detail. He dedicated an entire chapter to “dueling’s opponents” and draws the conclusion that there were “vigorous and vocal opponents” of the practice coming primarily from newspaper editors and ministers. He argues that while laws were in place they were not “rigidly executed” to efficiently put an end to the practice. He also notes that public opinion generally refused to denounce dueling as a crime.¹¹ While this book focuses on the South, this seems to be the consensus among scholars for the North as well. However, scholars such as Rorabaugh argue that the attack on dueling significantly hampered the practice in the North. He argues that Lyman Beecher’s sermon, preached in 1806, was particularly influential. Rorabaugh asserts that the decline was probably contributed to the organized movement of opposition adopted in the North after the death of Hamilton.¹²

To understand why an opposition arose to dueling after the death of Hamilton, it is important to know some of the general components of how dueling worked and how it functioned in America. Duelists followed an elaborate set of rules when conducting an affair of honor. The most important and comprehensive of these rules was the Code Duello, a set of twenty-six rules developed by Irishmen in 1777. It was not until 1838 that

⁹ W.J. Rorabaugh, “The Political Duel in the Early Republic: Burr v. Hamilton,” *Journal of the Early Republic*, Vol. 15, No. 1 (Spring, 1995), pp. 1-23, <http://www.jstor.org>, accessed September 20, 2007, 18.

¹⁰ Rorabaugh, 19

an American version of the Code Duello was first published by South Carolina governor, John Lyde Wilson.¹³ Therefore, American duelists looked to the European Code Duello for conducting a duel.

The duelist was called the principal in the affair and he chose a second who mediated the affair, accompanied him to the dueling field and who generally acted as an agent for the duelist. Some of the rules of the Code Duello included: the challenged chose the ground, the challenger chose distance, while the seconds coordinated the time and terms of the firing. No apology could be accepted after the duelists had taken their ground until fire had been exchanged. Seconds were bound to attempt to reconcile.¹⁴ If the seconds could not negotiate there were other hindrances that interrupted the affair. The flintlock pistols that were used in duels in America were not reliable and they often misfired or simply did not function properly.¹⁵

The duel had already been a part of aristocratic culture in Europe for centuries; therefore it seemed a logical adoption for affluent Americans, as many traditions had found their way from Europe to America. It was not until after the Revolutionary War that dueling gained serious proportions in the United States due to interaction with the French and British soldiers who were already well versed in the code of honor.¹⁶ In America political duels were the most prominent. The adoption of the duel during this

¹¹ Williams, 71.

¹² Rorabaugh, 20-22.

¹³ John Lyde Wilson, "The Code of Honor; or Rules for the Government of Principals and Seconds in Duelling" (Charleston, S.C.: James Phinney, 1858).

¹⁴ Hamilton Cochran, *Famous American Duels and Hostile Encounters* (Philadelphia and New York: Chilton Books, 1963), 289-293.

¹⁵ Warren Schwartz, Keith Baxterm and David Ryan, "The Duel: Can These Gentlemen be Acting Efficiently," *The Journal of Legal Studies*, Vol. 13, No. 2. (June, 1984), pp.321-355.

<http://links.jstor.org/sici?sici=0047-2530%28198406%2913%3A2%3C321%3ATDCTGB%3E2.0.CC%3B2-H> (accessed April 5, 2007), 322-327.

¹⁶ Wyatt-Brown, 43.

time period is significant because the culture of honor was a source of stability in the demanding and unpredictable political atmosphere prevalent in the early-national period.¹⁷

The Alexander Hamilton and Aaron Burr duel exemplified the system of honor that was prevalent in the early national period of American politics. Each man had achieved great success in the political arena, Hamilton's career peaking when he became Secretary of the Treasury and Burr's when he became Vice President in 1801. Hamilton and Burr were both concerned with preserving their status in the political arena. The rivalry between these two men peaked in 1804 when both men were involved in New York state politics. Burr's ambition of becoming governor of New York was threatening to Hamilton because he did not want Burr taking over his influence in the Federalist Party.¹⁸ Hamilton stated that Burr was a "dangerous man, and one who ought not be trusted with the reigns of government."¹⁹ When Burr learned of the humiliating comments Hamilton had said about him he demanded an explanation and when Hamilton refused, Burr challenged him.²⁰ On July 11 on the banks of Weehawken, Hamilton was mortally wounded in the duel.

In 1804, northern states were already making a move to outlaw dueling if they had not done so already. Burr was indicted for murder in both New York and New Jersey, however he was later acquitted, but his political career had been destroyed. He was

¹⁷ Freeman, xiv.

¹⁸ Freeman, 159-162.

¹⁹ William Peter Van Ness, "A correct statement on the late melancholy affair of honor, between General Hamilton and Col. Burr, in which the former unfortunately fell, July 11, 1804. Containing the whole of the correspondence between the parties and the seconds-particulars of the interview-the death of Gen. Hamilton, and his will –and an account of the funeral honors paid to his memory, &c: to which is added a candid examination of the whole affair in a letter to a friend by Lysander" (New York: G.&R. Waite, 1804 [microform]), 47.

²⁰ Rorabaugh, 9.

politically ostracized and forced to leave the North.²¹ Hamilton's death had caused reactions of lamentation throughout the country and ministers used this as a time to speak out against the practice that had taken Hamilton's life.

Many individuals who were removed from the culture of honor that supported the duel, increasingly viewed it as a ritual of violence.²² Two influential anti-dueling sermons were written by Lyman Beecher and Timothy Dwight, prominent figures of the Second Great Awakening. The Second Great Awakening, a movement of renewed emphasis on religion, led to many social reforms including women's rights, temperance and abolition. This movement targeted pernicious practices like gambling and piracy as well. Among these reforms also included the attack on dueling, a movement propelled by the death of Alexander Hamilton. Members of the clergy were very active in reform during this time period, particularly in New England. They became the most outspoken opponents of the duel, raising many important arguments against the practice. The arguments made by the clergy have been arranged into several broad categories; arguments that the duel was uncivilized, biblical, honor, and political arguments. Finally, anti-dueling associations and laws that were passed in the years immediately following the death of Hamilton will be examined.

The wave of opposition that arose among the clergy is evident in the sermons that were preached and published immediately following the death of Hamilton. Hamilton's achievements along with his prominent and respected place in society caused many to become concerned about the practice. If Hamilton had fallen in a duel, a professed Christian and leader of the country, then who was next and how many more would be

²¹ Rorabaugh, 19.

²² Freeman, 167.

compelled to follow in his footsteps. Frederick Beasley exclaimed in his sermon preached in 1811, seven years after the duel,

I had hoped that after having drunk the blood of Hamilton, that illustrious man, whose name will through all future ages be concerted with that of his country conferring and receiving immortality; I had hoped, that after having drunk the blood of Hamilton, this sanguinary demon would have been sated with the gore of human victims.²³

This sermon as well as others written at this time reflected a common theme of concern that the practice would continue to grow and rob the country of more valuable members of society. Lyman Beecher exclaimed in one of the best anti-dueling sermons that “Duelling is a great national sin”²⁴ and the rulers of this country have hands that are “full of blood.”²⁵ Many sermons preached and published from 1804 immediately after the death of Alexander Hamilton complained that dueling had become a considerable problem in the United States. Therefore, due to the growing concern for the problem, ministers felt the need to raise arguments against the practice in hopes of making the nation aware of this problem that they felt was plaguing it.

Many sermons emphasized that since dueling originated in the barbarous Gothic age this uncivilized practice should not be occurring in the advanced American society of the nineteenth century.²⁶ Eliphalet Nott argued,

The polished Greek knew nothing of it-the noble Roman was above it. But though Greece and Rome knew nothing of duelling, it exists. It exists among us; and it exists at once the most rash, the most absurd and guilty practice that disgraced a Christian nation.²⁷

²³ Beasley, 6.

²⁴ Lyman Beecher, “The Remedy for Duelling, a sermon” [microform] (New York: J. Seymour, 1806), 31.

²⁵ Beecher, 3.

²⁶ James Abercrombie, “A Sermon occasioned by the death of Gen. Alexander Hamilton, who was killed by Aaron Burr, ESQ. Vice President of the United States, in a duel, July 11, 1804: Preached, in Christ-Church and St. Peter’s, Philadelphia, on Sunday, July 22nd, 1804” [microform] (Philadelphia: H. Maxwell, 1804), 35.

²⁷ Nott, Eliphalet 6-7

Dueling should not be practiced in a nation that had advanced past the indulgence of passion. According to ministers like Nott and James Abercrombie, Americans were supposed to be civilized beings because they had been exposed to education and most importantly the Christian religion.²⁸

In a letter to Aaron Burr upon the death of Hamilton, “Philanthropos,” emphasized that the Gothic judicial duel, which was an early form of the modern duel, was more civilized than the modern duel that had become so prevalent in America. The judicial duel, “which arose during the ages of Gothic ignorance, barbarism, and superstition, in the northern countries of Europe” according to “Philanthropos”, was “confined to capital crimes” and “required a certain proof that the crime had been perpetrated.”²⁹ Single combat for the decision of public causes had the sanction of law; however for settling personal differences it did not. Therefore, the point that “Philanthropos” emphasized was that while settling personal disputes with single combat was not even permitted by law in the Gothic ages, it was often overlooked in America and went unpunished.

The duel that had spread throughout the modern world dealt with “personal disputes and private offenses.”³⁰ According to Frederick Beasley dueling during the age of chivalry was done to prove military skill and glory or to champion the weak and oppressed. Beasley in his 1811 sermon on dueling asserted that “the valorous knight of the Middle Ages was dedicated to his warlike enterprises by the sacred rites of his

²⁸ Abercrombie, 35.

²⁹ Philanthropos, “A Letter to Aaron Burr, Vice-President of the United States of America, on the barbarous origin, the criminal nature and the baneful effects of duels; occasioned by his fatal interview with the deceased and much lamented General Alexander Hamilton” [microform] (New York: Printed for the author, and sold by John Low, William Barlas, and John Reid, 1804), 7.

³⁰ Philanthropos, 8.

religion.”³¹ The members of the clergy, particularly Nott, Beasley, and “Philanthropos” firmly argued that the duel that was present in the nineteenth century was much worse than the duel that existed in the middle ages. They employed exaggeration in order to get their point across that this practice that originated in a “barbaric” age should not be practiced in the civilized enlightened world of the nineteenth century. The clergy glorified the knights of the Middle Ages, arguing that they fought for the greater good and their duels were justified, but the duels of America were completely barbaric and uncivilized and only served to pollute the nation. This made the practice seem even more barbaric if the duel practiced in the middle ages appeared to be more civilized than the duel that existed in the nineteenth century.

Since many opponents of dueling were members of the clergy, many arguments against the practice were biblical. Samuel Spring argued in his 1804 sermon as a response to the Alexander Hamilton/Aaron Burr duel that “the duellist and the Christian are different characters, and must not by any means be blended and confounded.”³² Spring stressed that dueling was a violation of the sixth commandment, “Thou Shalt Not Kill.” He argued that “when a man with premeditated malice takes away the life of his neighbor, he violates the sixth commandment.”³³ Members of the clergy particularly Spring and Nott specified the only occasions in which it is lawful to kill another human being was during lawful warfare, in executing a sentence of the civil magistrate and in self-defense.³⁴

³¹ Frederick Beasley, “A Sermon on Duelling, delivered in Christ-Church, Baltimore, April 28, 1811” [microform] (Baltimore: Joseph Robinson, 1811), 8.

³² Samuel Spring, “The Sixth Commandment Friendly to Virtue, Honor, and Politeness: a discourse, in consequence of the late duel, addressed to the North Congregational Society of Newburyport, August 5, 1804.” [microform] (Newburyport, Massachusetts: E.W. Allen, 1804), 20

³³ Samuel Spring, “The Sixth Commandment Friendly to Virtue, Honor, and Politeness: a discourse, in consequence of the late duel, addressed to the North Congregational Society of Newburyport, August 5, 1804.” [microform] (Newburyport, Massachusetts: E.W. Allen, 1804), 5.

³⁴ Nott, 8.

According to Spring's argument God created humans to be valuable and members of society, a "public agent," and the duelist robbed society of this right. Spring exclaimed that man was made to benefit society and for someone to take a life away harmed society as a whole. According to this argument men were created to be productive members of society and the duelists by taking away the life of a man was harming society's well-being. Without beneficial members society could not thrive. This could also be used as a political argument. Men who could have been very useful members of society never get the chance because their time is cut short on the dueling field. Alexander Hamilton had already had a very important role in the government and military and could have done much more if he had lived.³⁵

Another prominent biblical argument used by the clergy was that it was not the place of the duelist to decide whether a person should live or die. God created life and only had the right to extinguish life.³⁶ Spring exclaimed, "It is inexpressibly criminal to violate the holy commandment of God, because God alone is the disposer and arbiter of life and death."³⁷ This was an act of defiance against God. It was not the place of the duelist to judge and by committing this sin he was making a decision that only God had a right to do.

Several of the ministers including Timothy Dwight and Eliphalet Nott emphasized Genesis 9:6 which states "Whoso sheddeth man's blood, by man shall his blood be shed."³⁸ This argument was used to try and deter men from participating in a duel by

³⁵ Beecher, 22.

³⁶ Spring, 15

³⁷ Spring, 10.

³⁸ Nott, 8.

saying that the crime of murder would not go unpunished. Sooner or later the murderer would be punished by having his own blood shed.

Spring argued that men were required by the sixth commandment to not only preserve the life of others, but their own lives.³⁹ “Thou Shalt not Kill,” not only specified that one would not kill another human being, but would not kill themselves as well. In the eyes of the clergy every duelist was considered a murderer. Even if the duelist did not have the intention of taking the life of his adversary, then he chose instead to sacrifice his own life. If a man went into a duel with the intention of not firing at his opponent, but instead put his life into the hands of his opponent then the duelist was a self-murderer because he “prefers death and worldly honor before life and world disgrace.”⁴⁰ In other words in this case, dueling was suicide, because the duelist allowed his opponent to take his life.

Revenge was also against the word of God because the Bible said “If ye forgive not men their trespasses, neither will your heavenly father forgive you.”⁴¹ Forgiveness is one of the fundamental ideas taught by Christianity and the duelist completely disregarded this teaching because he demanded satisfaction to keep his honor and reputation intact. No one was safe if men were allowed to avenge their own wrongs.⁴² If a man of honor felt he had been offended then he could settle it by taking the life of the person that he thought wronged him. No trial was held and no evidence presented for accusations.

Duelists argued that the duel was fought because it was reparation for injuries and the law

³⁹ Philanthropos, 16.

⁴⁰ Spring, 15.

⁴¹ Dwight, 23.

⁴² Hezebiah N. Woodruff, “The Danger of Ambition considered, in a sermon, preached at Scipio, N.Y., Lor’d Day, August 12, 1804; Occasioned by the death of General Alexander Hamilton, who fell in a duel with Aaron Burr, Vice-President of the United States of America: On the 11th of July, 1804” [microform] (Albany, New York: Charles R. and George Webster, 1804), 19.

did not protect against damage to honor. However, opponents in the clergy answered with the argument that it was God's duty to punish sins.⁴³ Dueling enabled each man to become his own avenger and takes that duty of punishment away from the justice system and ultimately God.

Some of the clergy used the biblical argument that the duelist had committed a sin that would not go unpunished by God. The duelist would perish in hell for the crime that he had committed. The minister, Frederick Beasley made this point very clear when he exclaimed, "By this single act of insanity, you cancel all your claims to that great salvation which hath been purchased for you by the precious blood of the Son of God, and abandon, at the very moment...the vital interests of your immortal soul."⁴⁴ Unless he asked for forgiveness and made amends the duelist was doomed. Because Hamilton had denounced the practice on his death bed many argued that he been forgiven and Hamilton should be looked to as a model. "Let the last words of Hamilton to his country, let his dying regrets, let public grief melt your hearts, let his blood unjustly shed, rouse America from her slumbers, and excite her determined opposition."⁴⁵ Nott emphasized that some of Hamilton's last words as well. On his death bed Hamilton exclaimed, "I have a tender reliance on the mercy of God in Christ." Nott asserted that "Religion alone abides him on his death-bed. He dies a Christian."⁴⁶ Hamilton had shown that he had been mistaken when he accepted the duel and that it was not an acceptable practice, therefore he could rest in peace.

⁴³ Beasley, 11-12.

⁴⁴ Beasley, 17.

⁴⁵ John M'Donald, "A Sermon on the premature and lamented death of General Alexander Hamilton"[microform] (Albany, New York: John Barber, 1804), 29.

⁴⁶ Nott, 20.

Opponents to dueling also made several important arguments based on the concept of honor. The clergy argued that the duelist had a false conception of honor. The well known minister, Timothy Dwight, who also was the cousin of Aaron Burr, argued that “there is neither delicacy, nor honour, in giving, or taking, affronts easily, and suddenly; nor in justifying them on the one hand, or in revenging them on the other.”⁴⁷ The duelist’s honor tempts him into crime.⁴⁸ According to this argument the duelist valued what everyone thought of him and would do anything to have the public’s good opinion. Therefore, instead of doing what was right and honorable they did whatever they could to better their name.

Members of the clergy argued that duelist had a false conception of bravery as well. Dwight argued that genuine bravery was employed to combat a real and true evil. Some argued that the duelist was a brave man because he risked his life. Dwight argued that if that was all that was needed to be considered a brave man then the highwayman, burglar, and pirate were also brave men. However, according to Dwight’s argument, a man was only considered brave when “some real good is intended, and may hopefully be accomplished. “No man is truly great who has not resolution to withstand, and will not invariably and undauntedly withstand every false and ruinous public opinion”⁴⁹ A man who is not able to stand by himself and disregard public opinion is guilty of cowardice.⁵⁰ Dwight’s argument was that true bravery and courage should consist of withdrawing

⁴⁷ Dwight, 14.

⁴⁸ Beecher, 7.

⁴⁹ Dwight, 11-12.

⁵⁰ Dwight, 13.

oneself from the individual who desired to duel or seek an amenable resolution that did not occur on the dueling field.⁵¹

There were also a number of political arguments that some of the clergy used against dueling. Lyman Beecher argued that voting for a duelist and letting them go unpunished was against the principles of religion. Civil government was very important to the nation and must be handled by honest and lawful men.⁵² According to Beecher the duelist had no concern for the public good, but was only concerned with promoting himself.⁵³ The duelist's regard for his reputation caused him to "abandon the public good and pursue his private interest."⁵⁴ Beecher even went so far as to say that the acceptance of the duelist in society weakened the public's abhorrence for criminal activity in general.⁵⁵ The details of duels were published in the papers for all to read, familiarizing people with murder, the ritual was performed in day-light, and many were aware that it was taking place.⁵⁶ Moreover, the duelist was corrupting the laws of the nation. There was no protection of law when the individual took the law into their own hands.⁵⁷ If duelists were elected to offices they were being rewarded for their crimes and the public was equally responsible for tolerating the crime.⁵⁸

Some members of the clergy placed a lot of emphasis on the guilt of dueling. This argument appealed to the duelist, maintaining that the practice would continue to corrupt and haunt him long after his participation in an affair of honor. This was particularly employed when the clergy discussed Burr in their sermons. Some ministers directed their

⁵¹ Beasley, 26.

⁵² Beecher, 4.

⁵³ Beecher, 7.

⁵⁴ Beecher, 8.

⁵⁵ Beecher, 11.

⁵⁶ Beecher, 25.

⁵⁷ Beecher, 11.

anger at Aaron Burr as the deliberate murderer of Alexander Hamilton. “Philanthropos” wrote a letter to Vice President Aaron Burr in 1804, very soon after the fatal duel. In this quote, the author stressed the guilt that Aaron Burr should feel at this crime he had committed.

Fatal moment, indeed, to united America! The gloom which has spread, will not be soon dissipated. Generations yet unborn will lament the premature demise of the friend of America; and execrate the hand that deprived her of him. The nation sustains the loss; you bear the guilt, your punishment, greater than you can bear?⁵⁹

This sermon depicted Burr as a very evil man who deliberately set out to kill Hamilton and had gained absolutely nothing, but he would lose everything for what he did to Hamilton.

“Philanthropos” also stressed that this crime would continue to haunt Burr.

What do you think, sir, of the irreparable injury you have done to the once happy, but not wretched, family of your deceased antagonist? The now widowed mother, the now fatherless children, you have wounded in the most tender part; and filled with many sorrows. Cruel deed!⁶⁰

“Philanthropos” wanted to emphasize the guilt of this practice. To do this he used images of the wife and children grieving over the lifeless body of the husband and father who has fell in a duel to evoke the message that nothing good comes from this practice, only heartache.

As can be seen, ministers put more guilt on the challenger in the affair. This is particularly evident in Hezekiah Woodruff’s sermon. Woodruff, a minister of the Church of Christ in Scipio, New York, exclaimed that the history of single combat has shown that the challenger was generally the winner of the contest. His explanation for this was that

⁵⁸ Beecher, 31-32.

⁵⁹ “Philanthropos”, 20.

⁶⁰ “Philanthropos”, 19.

“It is evidence that his heart is steeled with murderous intention.”⁶¹ On the other hand the challenged party was forced by the “culture of honor,” or the fact that he would be shunned from society and deemed a coward if he did not respond and accept the challenge. Therefore, Woodruff argued that the challenged party entered the contest reluctantly and yielded to the enemy.⁶² According to Woodruff, the challenged party was only participating to prove that he was a man of honor. He was not going into the duel with the intent to take the life of his opponent. It is important to note that since this sermon was a response to Alexander Hamilton’s death, the author could possibly be lashing out at Burr for the death of Hamilton. The clergy emphasized that Hamilton was forced by the culture of honor to accept the challenge and his heart was not in it, while Burr was displaying his murderous intent by challenging Hamilton.

Hezekiah Woodruff in his 1804 sermon occasioned by the death of Alexander Hamilton explained “The Danger of Ambition” and how this characteristic of the duelist was very harmful. Woodruff argued that ambition drove men to make foolish and hasty mistakes in order to promote themselves. Woodruff claimed that ambitious men were always out for their own advancement and therefore this characteristic was always evil and selfish⁶³ and there was nothing that could “dampen the flame of growing ambition” not even the cries of the widow or the fatherless children.⁶⁴ Ambition was polluting the nation.

⁶¹ Woodruff, 19.

⁶² Woodruff, 19.

⁶³ Woodruff, 7.

⁶⁴ Woodruff, 10.

Some of the clergy attacked dueling for also being absurd. Dueling offered the same punishment no matter how serious or minor the offense.⁶⁵ Timothy Dwight argued in a sermon that as a punishment the duel was highly ineffective because “the person injured exposes himself equally with the injurer.”⁶⁶ He went on to add that “The injurer only ought to suffer or be exposed to suffer. And is my enemy, because he has robbed me of my character, to be permitted also to rob me of my life.”⁶⁷ Frederick Beasley also pointed out that the punishment, possibly death, is vastly disproportionate to the offense committed.⁶⁸ Also, if both parties possessed the same skill level, then “innocence and crime are placed on the same level.”⁶⁹ Dwight argued that it would be better to throw a dice in the air to decide the matter because the chances would be the same. On the other hand if the participants have unequal skill then the outcome lies in the hands of one, who has the decision to kill or be killed.⁷⁰ However, to the clergy who were not a part of the culture of honor, it seemed completely absurd for the innocent person to put himself into harm’s way.

A point that was emphasized in almost all the sermons after the death of Alexander Hamilton was that dueling did not prove anything. No matter what the outcome of the contest, it does not prove that the injured party is correct and the offender is wrong.⁷¹ Frederick Beasley argued, “If the charges he alleged against you were true, the fire of a pistol has not proved them false-if they were false, they were not worthy of such an effort

⁶⁵ Nott, 10.

⁶⁶ Timothy Dwight, “The Folly, Guilt and Mischiefs of Duelling: A Sermon on duelling preached in the Chapel of Yale College, September, 1804” [microform] (Hartford: Hudson and Goodwin, 1805), 8.

⁶⁷ Dwight, 8.

⁶⁸ Beasley, 13.

⁶⁹ Dwight, 19.

⁷⁰ Dwight, 19.

⁷¹ Beasley, 14.

to refute them.”⁷² If a man killed another in a duel for calling him a liar, it did not prove that he was not a liar. It simply meant that he won the contest. If the person making the challenge was false in their accusation then they are not worthy of standing on equal ground with.⁷³

Another argument for the absurdity of the practice is that it appeared that many of the reasons for the contest seemed trivial to members of the clergy. Samuel Low said that duels are occasioned by “trifles light as air.”⁷⁴ The offense is not the issue, but the men involved are often “unable to reflect deeply, and are not in the habit of weighing the consequences of actions,” they “have been roused by a momentary impulse of anger to utter some taunting expression.”⁷⁵

Lyman Beecher emphasized that duelists were placed on a pedestal and were not subjected to punishment like the rest of the public.⁷⁶

Are these gentlemen, indeed, so greatly superior to the people? Is their reputation so much more important? Are their feelings so much more sacred? Is pain more painful to them? Must we stifle our resentments, or if we vent them in acts of murder, swing upon the gallows, while they with impunity express their indignation, and satiate with blood their revengeful spirits.⁷⁷

Common criminals like the highway robber or the common murderer received no sympathy from the public, but the duelist who murdered his neighbor in cold blood continued to go unpunished. Duelists were men from the upper echelon of society and

⁷² Beasley, 14.

⁷³ Beasley, 10.

⁷⁴ Low, 19.

⁷⁵ Low, 20.

⁷⁶ Ware, 18. http://0-infoweb.newsbank.com.wncln.wncln.org/iw-search/we/HistArchive/?p_product=EANX&p_theme=ahnp&p_nbid=L4FB58ANMTE5MTI3MjY3NS40MDI5NTc6MT0xMjoxMjguMTA5LjQ4LjM&d_db=EAN-LIVE&p_action=doc&s_lastnonissuequeryname=13&p_queryname=13&p_docid=10C09BF51BE6C8&p_docnum=33&d_article_id=10C09BF51BE6C8&d_release=release_0079&d_issue_id=10C09BF51BE6C8&d_pbi=10BBDF0A22E25BE0&d_format=gif&d_size=display (accessed September 23, 2007)

⁷⁷ Beecher 12-13.

Beecher argued that the rich and powerful should be subjected to the law just as the poor are. “It is a fact in this state [New York], at the present moment, that the man who steals a shilling is more liable to detection, and more sure to be punished, and to experience a heavy penalty, than the man who, in a duel, murders his neighbor.”⁷⁸ The duelist was able to disregard the law.

There is much discussion in the literature of the opposition about public opinion towards dueling. Dwight argues that public opinion is completely against the practice. Beecher acknowledged this point as well and stressed that only a handful, compared to the nation at large, upheld this practice.⁷⁹ Dwight recognized that some of the men who participated in the practice were often respected for “their talents and their conduct; but not for dueling.”⁸⁰ Dwight noted that participation in a duel was always mentioned with regret. In other words, he felt that these men were not glorified by the public for their heroic acts, but only by the duelists themselves who felt that what they are doing is acceptable. Nott illustrated in his sermon occasioned by the death of Alexander Hamilton that the opposition, while they continued to recognize the noble conduct of men like Hamilton, they still did recognized their shortcomings in participating in a duel. Nott says,

I admire his magnanimity, I approve his reasoning, and I wait to hear him reject with indignation the murderous proposition, and to see him spurn him from his presence the presumptuous bearer of it. But I wait in vain. It was a moment in which his great wisdom forsook him. A moment in which Hamilton was not himself.⁸¹

⁷⁸ Beecher, 13-14.

⁷⁹ Beecher, 19.

⁸⁰ Dwight, 15.

⁸¹ Nott, 15.

Nathaniel Bowen argued in his sermon that Hamilton yielded to a custom that he did not approve because he feared public opinion, giving up his obligations as a Christian, a citizen, a husband, and a father.⁸²

It does become apparent from the correspondence and letters of Alexander Hamilton that he did not view dueling as a favorable practice. However, Hamilton felt that he would lose his place in society and this dishonor was too influential to ignore. Hamilton was seen as a Christian trying to avoid the interview by the majority of the ministers who responded to his death. Spring and Nott in particular emphasize Hamilton's own words to make this point. Hamilton declared, "My religious and moral principles are strongly opposed to dueling." In his last moments he said to Mr. Mason, "Duelling was ever against my principles. I used every expedient to avoid the interview: but I have found for some time past that my life must be exposed to that man."⁸³ Spring asserted that the importance of these statements was "that he had used all proper means to avoid the combat but his adversary was determined to kill him."⁸⁴ This added to the weight of the arguments that these members of the clergy were using. The circumstances of this duel were horrible and it should not have occurred. Hamilton should still be alive and since he was not they used these multitude of arguments to try and prevent another occurrence like this from happening.

There was a common fear throughout the literature of the opposition that if not stopped dueling would continue to grow until all men deemed it an appropriate behavior.

⁸² Bowen, 15.

⁸³ William Peter Van Ness, "A correct statement on the late melancholy affair of honor, between General Hamilton and Col. Burr, in which the former unfortunately fell, July 11, 1804. Containing the whole of the correspondence between the parties and the seconds-particulars of the interview-the death of Gen-Hamilton, and his will-and an account of the funeral honors paid to his memory, &c: to which is added a candid examination of the whole affair in a letter to a friend by Lysander" [microform] (New York: G&R Waite, 1804)

Beecher used an example to show how deadly and bloody dueling was in Europe. He described France under Charles V and Francis I, to show that it could get that bad in America if not stopped. He pleaded,

Through all Europe the pulse of honour began to throb, and all orders of men caught the fever. The forms of law were disregarded-every man became his own protector and avenger, until in this crusade of honour, the earth smoked with the blood of its miserable inhabitants.⁸⁵

As can be seen the author likely employed exaggeration to get his point across, but it becomes evident from this and other sermons that there was a great concern that the situation in America would only grow worse. Beecher related an example that had recently come to his attention of very young men dueling. It becomes apparent that he felt that this practice had a very influential effect on the population of young males in the nation.⁸⁶ Nathaniel Bowen made a similar point in his 1807 sermon delivered in Charleston. Unlike Woodruff and a variety of other opponents to the practice, who argued that men dueled because of their ambition and passions, Bowen stressed the point that men duel because they see other men do it who they have been taught to honor.⁸⁷ Beecher exclaimed that one duel inspired twenty more.⁸⁸

Members of the clergy argued that the main deterrent of dueling would be religion. James Abercrombie noted in his sermon also occasioned by the death of Hamilton that, “until religion shall be permitted so to purify the heart, as it restrain and finally extinguish

⁸⁴ Spring, 18.

⁸⁵ Beecher, 23.

⁸⁶ Beecher, 24.

⁸⁷ Nathaniel Bowen, “A sermon, delivered in St. Michael’s Church, Charleston, on Sunday, October 4, 1807, on the occasion of the melancholy death of Arthur Smith, and Thomas Hudson, ESQ’s, who fell in a duel, at Beaufort, South Carolina, on the 21st of September, 1807’ [microform] (Charleston: Gabriel M. Bounetheau, 1807), 8.

⁸⁸ Beecher, 34.

those ferocious passions and vicious propensities” then this culture of honor in which the duel flourished would prevail.⁸⁹

Withholding the vote from men who dueled was also a way in which the opposition offered for abating the practice. “By withholding your suffrages from every man whose hands are stained with blood, and by intrusting to men of fair character and moral principle the making and executing of your laws.”⁹⁰ This also included any man who had aided in any way in the affair. Beecher argued that the only way to be effective in stopping the practice was for the public to come into play due to the fact that the duelist was so very concerned with public opinion. If public opinion rejected the practice and people refused to vote for the duelist then the punishment for the crime would be in the hands of the people and the duelist would have to conform.⁹¹

The clergy called on legislators to create and enforce effective laws to deter the practice. Frederick Beasley exclaimed,

Let our rulers cease to set examples of this vice to their fellow-citizens, and thus give it their countenance and support. Let them level against it the several penalties of the law, and let her magistrates be vigilant at their posts, and see that those laws be executed and those severe penalties inflicted.⁹²

This was a movement the clergy felt everyone should become involved in, particularly law makers who held the power to make and enforce laws against the practice.

The movement of opposition by the clergy seemed to have made an impact, causing a response throughout the North of anti-dueling associations and laws that were formed and passed in the years immediately following the death of Hamilton. There were several anti-dueling associations that formed and other groups that took a stand against

⁸⁹ Abercrombie, 43.

⁹⁰ Beecher, 4.

⁹¹ Beecher, 22.

dueling. The anti-dueling association of New York formed in 1809. This association formed because the members were concerned about “the increase in the practice of duelling” and hoped to see it contained with the passing of and enforcement of laws. The members of the committee pledged not to vote for any man who was believed to have fought or concerned in a duel.⁹³ The general assembly of the Presbyterian Church recommended that ministers not attend the funerals of anyone who had fallen in a duel, accepted or given a challenge, or been involved in any way in a duel, until this person recognized the error of their ways.⁹⁴

A number of laws were also passed in individual states to suppress dueling. Some of these acts are as follows: The state of Tennessee passed an act in 1809, which disqualified from office any person who had given or received a challenge. It also said that a challenger who published anything slanderous against another party would have further action taken against them.⁹⁵ Very similar to this act in 1810, the state of Georgia passed an act which prohibited anyone who had participated or been involved in a duel in anyway could not hold any office in the state.⁹⁶ The state of New York also passed an act

⁹² Beasley, 39.

⁹³ “The Resolutions and Address of the Anti-duelling Association of New York” [microform] (New York: J.Seymour, 1809), 41.

⁹⁴ Beecher, 1.

⁹⁵ “Law against Duelling,” www.newsbank.com, America’s Historical Newspapers, *The Courier*, November 29, 1809, http://0-infoweb.newsbank.com.wncln.wncln.org/iw-search/we/HistArchive/?p_product=EANX&p_theme=ahnp&p_nbid=L4FB58ANMTE5MTI3MjY3NS40MDI5NTc6MT0xMjoxMjguMTA5LjQ4LjM&d_db=EAN-LIVE&p_action=doc&s_lastnonissuequeryname=10&p_queryname=10&p_docid=10ABC4928C604A08&p_docnum=6&d_article_id=10ABC4928C604A08&d_release=release_0061&d_issue_id=10ABC48FB80A2548&d_pbi=109D7FE9F72A2D58&d_format=gif&d_size=display (accessed August 2, 2007)

⁹⁶ “Legislature; Georgia; Act; Duelling; March; Challenge,” www.newsbank.com, America’s Historical Newspapers, *City Gazette and Daily Advertiser*, January 10, 1810, http://0-infoweb.newsbank.com.wncln.wncln.org/iw-search/we/HistArchive/?p_product=EANX&p_theme=ahnp&p_nbid=L4FB58ANMTE5MTI3MjY3NS40MDI5NTc6MT0xMjoxMjguMTA5LjQ4LjM&d_db=EAN-LIVE&p_action=doc&s_lastnonissuequeryname=12&p_queryname=12&p_docid=108E80EEEADAF668&p_docnum=2&d_article_id=108E80EEEADAF668&d_release=release_0039&d_issue_id=108E80EB49F9D158&d_pbi=1089C6C0AF0CFE8&d_format=gif&d_size=display (accessed August 2, 2007).

to suppress dueling in November of 1816. It stated that any one who fought in a duel would not be able to hold office.⁹⁷ As can be seen the majority of laws passed at this time disqualified men from office who had fought in a duel.

Virginia passed an act in January of 1810 which stated that anyone who fought a duel and in so doing killed their opponent or injured their opponent and he died within three month of the contest then the duelist would “suffer death by being hanged by the neck.” Anyone who accepted a challenge and the result was not death, then they would still not be able to hold an office in the state.⁹⁸ This law is mentioned in the sermon of Samuel Low because it was the first law that had illustrated severe punishment against duelists who killed their opponent.

The death of Alexander Hamilton sent shock waves throughout the country. A man who had accomplished great feats and played such a crucial role in the American government was suddenly lost to the nation in a duel with the Vice President, Aaron Burr. While dueling continued, particularly in the South, it is evident that Hamilton’s death sparked an organized movement against the practice in the North. Members of the clergy preached a number of sermons about the harmful effects of the practice and laws were passed with greater penalties to the duelists. However, laws were often disregarded or men went over state lines to where there were no dueling laws. Regardless, of this fact it cannot be denied that dueling was considered a major problem in America and many were making a move to try and do something about the issue.

⁹⁷ “Law of New York, to suppress duelling,” www.newsbank.com, American’s Historical Newspapers, *The Union*, December 13, 1816 accessed August 8, 2007

⁹⁸ “Virginia Legislature, an act to suppress duelling,” www.newsbank.com, America’s Historical Newspapers, *Alexandria Gazette*, February 6, 1810 accessed August 8, 2007

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This sermon is a response to the death of Alexander Hamilton in a duel. Abercrombie emphasized that dueling was deeply rooted and that laws were not properly enforced. He believed that religion was the only way to end this practice.

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While this sermon is occasioned by the death of two other men in duels, it continued to make reference to the death of Alexander Hamilton. Bowen argued that dueling continued because the young inspire to imitate those they view as honorable, which happen to be men who view dueling as an appropriate way to defend honor.

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