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Outlawed Honor: a Thesis on Dueling in South Carolina

HIS 489

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**Abstract**

This essay will analyze the honor culture of South Carolina to discover why it is that after the state outlawed dueling in any form, men and occasionally women both continued to fight and die over dozens of personal issues. The focus will take place between the years of 1812, when South Carolina first outlawed dueling, and 1865, when the practice fell so far out of favor with the public that it began to cease altogether. To understand this, two things must be discussed before all others: what a duel is and what constituted as honor. A duel is an occasion in which two parties of equal social stature—one the offender, the other the offended—agree to meet in a private place with a small group of witnesses for the purpose of satisfying the offended person's injured honor. Honor is a person's reputation for being virtuous, strong, and brave; it was often perceived as a gentleman's most precious possession and thus had to be defended even at the risk of one's life. This mentality was the primary cause for wealthy men and women to continue to hold duels despite the fear of legal persecution following the 1812 legislation, all the way to 1865, when it at last began to die out as a practice following the Civil War.

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## **Introduction**

Dueling has been a long-standing tradition throughout history. From medieval systems of justice to affairs of honor, from swords to firearms, the practice has spread all across the globe in one form or another. Despite attempts by groups, individuals, and governments, dueling remained a constant reminder of how much of human society is deeply rooted within martial prowess. But its most iconic form is the gentlemen's duel, with old sayings like "pistols at dawn" or "pistols at ten paces" and South Carolina was one place that seemed to epitomize this as a form of honor among gentlemen. In the 1800s, despite being banned by state law, dueling was perceived as a means to prove that one was honorable—honor being a person's reputation for being virtuous, strong, and brave. Since honor was considered a gentleman's most prized possession, it was deemed necessary to frequently defend it, even at the risk of one's life; a mentality that became the primary cause for men and women of wealth and influence to hold and partake in duels despite any fears of legal persecution or death after the 1812 legislation, all the way to 1865, when the practice began to die out.

Since before recorded history, people have sought to battle one another for all manner of reasons. Resources and land, religion and philosophy, justice and honor are only a few of the many excuses men and women have used to wreak havoc upon each other. However, it stands to reason that there are three ways in which fights can be categorized: wars, brawls, and duels. Wars are conflicts between two groups of people—tribes, gangs, religions, cities, nations—that are carried out by force of arms, often for the purpose of gaining the possessions of the opposition. Brawls are when two people cross paths, one offends the other, and a fight breaks out right then and there, often causing collateral damage and bringing other people into the fray. But if, as Barbara Holland describes, "you invite the villain out to the parking lot...and some of

your friends and some of his come along to hold your coats and see fair play, and you fight there, this is a duel.<sup>1</sup>” In other words, this entails that the offended party somehow issues a challenge to the offending party to meet in a private location and battle in single combat. This sense of formality, coupled with the man to man style and attitude, is what differentiated the duel from all other forms of fighting and made it appealing, first to the warrior caste and later to the gentlemen of society.

Though it is uncertain when and where the first duel was fought, the romanticized and historically popular form of a gentleman’s duel seems to have its roots in Europe’s Dark Ages. During this time it became customary for knights to duel one another in what was to be called the trial by combat, a judicial means to settle differences of opinion. According to Richard Hopton, the first time this method is believed to have been employed is 501 AD by Gundobald, King of Burgundy. The belief was that God would serve as the judge and only allow the combatant who is just and righteous to be the victor in a duel to the death, thus omitting false witnesses and fabricated evidence from the trial and relying entirely on the combatants’ skills.<sup>2</sup> This quickly spread throughout the whole of Europe and established dueling’s legacy for generations to come.

As time went on, dueling became a practice less for the execution of justice and more for the satisfaction of injured honor. This also started in the Medieval Era and came to include noblemen as well as knights. The duel could then be fought with any selection of close combat weapons—swords, axes, maces, lances—and take place either on foot or on horseback. The latter of these sparked the joust, one of the most famous forms of dueling in history. According to John Norris, though the joust was governed by rules it was still a form of personal combat

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<sup>1</sup> Holland, Barbara. *Gentlemen’s Blood*. New York, NY and London, England: Bloomsbury Publishing, 2003. Pg. 1.

<sup>2</sup> Hopton, Richard. *Pistols at Dawn*. Bungay, Suffolk, Great Britain: Piatkus Books Ltd., 2007. Pg. 8.

without the judiciary aspects and thus often resulted in small-scale “battles as old scores were settled between rivals.”<sup>3</sup>

That sense of settling old scores eventually left the tournament setting and became a private affair amongst gentlemen—people of wealth, land, influence, noble titles, military commissions, or a combination of all five. Peasants, even those with land, were excluded from these events due to a lack of social equality. By the 1600s, gunpowder had become the dominant weapon of choice on the battlefield and swords became even more of a nobleman’s weapon. Historically speaking, swords have almost exclusively been kept within the domain of the aristocracy due to economic and social advantages over the lower classes, thus they became the primary choice of weapon for fighting duels. Partial to this was the fact that knights had changed into gentlemen—from men of battle to men of stature—but maintained their old ideas of chivalry and courage in battle; as such, they required a means by which to measure themselves against their peers and prove their worth to their superiors and privilege to their serfs. Thus the ideas of the trial by combat and jousting for glory had been fully exchanged for the affairs of honor.<sup>4</sup>

With this new form of thinking well in place throughout Europe, specialized swords and eventually pistols became the weapons of choice for gentlemen to face each other in one-on-one combat. It then spread outward into the world by means of emigration to European colonies in the Americas, Africa, and Asia. In the thirteen original colonies of what would become the United States of America, dueling found a particularly welcome home amongst the gentry of the South. The plantation owners shared much with the gentlemen of the Old Country; among these are more land and wealth than most of their respective neighbors, ownership of people who are bound to the land on which they work, and a sense of honor that demanded constant satisfaction.

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<sup>3</sup> Norris, John. *Pistols at Dawn: a History of Dueling*. Stroud, Gloucestershire: The History Press, 2009. Pg. 9.

<sup>4</sup> Holland, pg. 21-22.

This remained true with the states that eventually came to be recognized as the Deep South, including Louisiana, Georgia, Mississippi, and South Carolina.

In 1812, the South Carolina legislature officially outlawed dueling within the state and made such actions punishable by a \$2000 fine, twelve months in prison, and being banned from holding offices of honor, profit, and trust or from practicing law, medicine, and divinity.<sup>5</sup>

However, this law proved ineffective in the long run because it only worked if someone was actually convicted of having participated in a duel. This technicality made it possible for both duelists and enforcers of the anti-duel laws—many of whom were duelists themselves—to ignore the law and satisfy their injured honor. From 1812 to about 1865, despite the laws against them, duels continued to be waged in South Carolina and could be anything from thankfully bloodless to brutally deadly or anything in between. The question is why, why did men and women both partake in a practice that could result in either legal persecution or their own deaths? The answer, once again, is a deeply-rooted sense of honor that seemed to transcend any and all risks associated with it.

### **Historiography**

One of the most romantic creations of American society is the image of the formalized pistol duel. In the early years of America as a nation, it was often customary for men and sometimes women to settle their differences by meeting in an isolated location and, at the giving of a command, fire one shot at each other. Sometimes both combatants would walk away unscathed, other times one or both would die from a wound within the next several hours. Historians have looked on this issue with a small number of views over the years, primarily focusing on the names and places of individual duels; names like Aaron Burr and Alexander

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<sup>5</sup> Long, J. Grahame. *Dueling in Charleston: Violence Refined in the Holy City*. Charleston, SC: The History Press, 2012. Pg. 102.

Hamilton, Andrew Jackson and the many men he fought and killed. But an important fact to consider is why, despite being outlawed, many people continued to fight in duels.

Some books provide overall histories of the duel, starting in the Middle Ages and ending in the twentieth century. One example is Richard Hopton's *Pistols at Dawn: a History of Duelling*. He wrote this book to follow a simple, but effective formula in which the duel is described. It begins with an Introduction that details the origins of the duel as being found in history, mythology, and literature. In Hopton's words: "Milton gives us *Paradise Lost* a magnificent description of the single combat between St. Michael and Satan. The unknown author of *Beowulf*, too, gives us an equally stirring tale of a hero from across the seas."<sup>6</sup> The second section is titled "The Anatomy of a Duel," which is an apt name considering it breaks down a duel into its component parts: honor among gentlemen, challenges, seconds, and the fight. These are what separate a duel from a brawl and are thus needed to ensure a certain set of rules or guidelines are followed.

The final section of Hopton's book is the actual history of the duel, divided by timelines and locations. The dates start at 1559 and are divided into roughly 100-year periods, but the locations vary from France to Great Britain to America to Russia and Germany, with the final portion being a broad overview of the twentieth century. In this section he describes how the age of chivalry and trial by combat had come to a crashing end with the death of France's King Henry II.<sup>7</sup> He then goes on to describe how the loss of chivalry led to the establishment of the private gentleman's duel, which was fought for honor, rather than glory or justice. It was also illegal in many, if not most places, by the eighteenth and nineteenth centuries.<sup>8</sup> Hopton gives reasonably well-made examples of how dueling changed over the years and eventually came to

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<sup>6</sup> Hopton, pg. 8.

<sup>7</sup> Hopton, pg. 106.

<sup>8</sup> Hopton, pg. 106.

become the image that is so well-known today: two men standing ten paces apart and firing at each other with pistols. He then concludes with what dueling in the 1900s was like and how it finally became a socially unacceptable practice, making him a well-rounded author, though lacking in regards to focus and specifics. Nonetheless, his book does provide an overview of the topic of the gentleman's duel at large, thus giving backstory to the men and women of South Carolina in the mid-nineteenth century.

Simply defined, dueling is the using of codified rules and customs that were “deemed an acceptable means for gentlemen to settle their differences.”<sup>9</sup> Tom Lansford briefly describes how the first duels in America were fought with swords in colonial times, though they were quickly ousted by flintlock smoothbore pistols. Pistol duels were widespread by the time the open hostilities of the American Revolution began in 1775, but it was particularly popular amongst the landed southern gentlemen, who soon began to duel by the Irish Code Duello, written in 1777. Sixty-one years later, former South Carolinian governor John Lyde Wilson wrote an American version of the code, which quickly became the norm amongst many of these duelists<sup>10</sup>.

Lansford claims that smoothbore pistols—the most common weapon on the American Field of Honor—were highly advantageous to the duelists, because of their inaccuracy and unreliability. If a pistol's flintlock mechanism failed to ignite the powder charge inside the barrel, the bullet could not be fired; when the bullet was fired, there was no certainty that it would hit its target. These two factors allowed many men to walk away from duels unscathed and without having to spill blood<sup>11</sup>. Still there were many men who were killed or walked away

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<sup>9</sup> Lansford, Tom. “Dueling,” *Guns in American Society: an Encyclopedia of History, Politics, Culture, and Law*. Edited by Gregg Lee Carter. Santa Barbara, CA: ABC-CLIO, Inc., 2002. Pg. 182.

<sup>10</sup> Lansford, pg. 183.

<sup>11</sup> Lansford, pg. 183.

with severe injuries, which caused much of the general public to turn a hatful eye towards the practice of dueling, including prominent figures like Benjamin Franklin and George Washington. By 1800, several northern states had begun to outlaw the practice, but these efforts failed to prevent it entirely. As other prominent figures like Secretary of the Treasury Alexander Hamilton, signer of the Declaration of Independence Button Gwinnett, and California Senator David Broderick were killed in personal duels extending all the way to 1859, opposition towards the practice increased. The new mindset was that duels were not a means to settle personal disputes, but rather a formalized means of execution. By the end of the Civil War, support for formalized duels was almost non-existent and support for their banning had gained enough strength to have it outlawed entirely.<sup>12</sup> Throughout the entire history of American formalized duels, the practice had greatly been restricted to the upper class of the South, but when the states outlawed dueling, they undermined some of the gentry's power by allowing the will of the general public to prevail over the will of the aristocrats.

Most historians focus on who was involved in the duels, the places they were fought, and the reasons they had for stepping onto the Field of Honor. One example is Clara S. McCarty's *Duels in Virginia and Nearby Bladensburg* published in 1976 as a collection of different duels that occurred within the region. As part of the book's introductory chapters, McCarty describes in detail the Bladensburg Dueling Ground, which "was precisely [the] spot as would naturally have been selected for the purposes of the duel<sup>13</sup>." It was isolated, outside the jurisdiction of Washington—where dueling was illegal—easy to access, and well-hidden by plants and hills, which also allowed for an escape from the Maryland authorities. It was here that men would

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<sup>12</sup> Lansford, pg. 184.

<sup>13</sup> McCarty, Clara S. *Duels in Virginia and Nearby Bladensburg*. Richmond, VA: The Dietz Press, Inc., 1976. Pg. 5.

come to settle their differences on a narrow cow-path that came to serve as the Field of Honor<sup>14</sup>. From as early as 1765 to as late as 1885 McCarty describes duel after duel, often by quoting or even copying old articles and notices that described the events. She would use pieces of her own research to describe the chain of events that led to the duel and the immediate events that followed the duel. But it is sometimes difficult to determine what her own research is and what is copied from a primary source. Nonetheless, what she failed to do is define the overall significance of the duels as individual events and as a practice. Instead she focused greatly on the first-hand accounts of the duels, which described how they played out and who the people involved were. These characters, like so many others, were all men of some importance and influence, be they lawyers, county and Supreme Court justices, wealthy landowners, military officers, politicians, sons of reverends, family members, or friends-turned-enemies. And virtually all of them were southern gentlemen. Between Lansford and McCarty a pattern can already be seen amongst America's dueling society: they were mostly southern and held some prestige within the community, be it local, state, or federal.

1929 saw the creation of *Famous American Duels*, by Don C. Seitz, Lit. D. Similarly to the passage written by Tom Lansford, this book starts with an overview of the Code Duello and John Lyde Wilson's *The Code of Honor or Rules for the Government of Principles and Seconds of Dueling*, but then he does what Clara McCarty later does and lists a number of well-known duels ranging from 1728—between Henry Phillips and Benjamin Woodbridge, which he claims to have been the earliest recorded duel in American history<sup>15</sup>--to 1859. Unlike Lansford or McCarty, however, Seitz takes great care to describe the events that led to the different duels and the results of them having been fought. For example, in 1828, Charles Dickinson slandered

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<sup>14</sup> McCarty, pg. 5-6.

<sup>15</sup> Seitz, Don C. *Famous American Duels*. Binghamton, NY: Vail-Ballou Press, Inc., 1929. Pg. 48.

presidential candidate Andrew Jackson by publishing a list of all the man's less-than-respectable faults, including 103 duels, fights, and altercations<sup>16</sup>. This caused a chain of events that eventually led to Jackson calling Dickinson to the Field of Honor; the latter died hours after the duel from a fatal wound, whilst Jackson only received an injury<sup>17</sup>. This duel did have some minor repercussions for Jackson as people like Dickinson's father-in-law, Joseph Erwin, questioned his right to re-cock his pistol following its initial misfire<sup>18</sup>. If there was no right, then Jackson would have been branded a cheater and therefore without honor; but the issue never seems to have been raised enough to have discredited him. The duel, however, did harm his reputation in Tennessee; since there was no honorable reason for him to have fired his pistol after its misfire, many lost a great deal of admiration for the man, only regaining it when reminded of his victory at the Battle of New Orleans<sup>19</sup>.

The Jackson-Dickinson duel is only one of several examples used by Seitz to describe the effects of a duelist culture in America. Jackson was a war hero turned politician and Dickinson was a lawyer, land speculator, and sporting man<sup>20</sup>. Both of these men held some level of influence within and without Nashville, Tennessee, where each resided, and both had reputations that could easily have been thwarted by the outcome of the duel. If Jackson had been anyone else of the time, he would likely have been killed politically and socially for his conduct on the Field of Honor, but his victory at New Orleans proved to be his lifeline in a culture that demanded a certain degree of etiquette and respectability. The rest of Seitz's book describes similar situations in which men are offended and respond by aiming pistols at one another and

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<sup>16</sup> Seitz, pg. 123.

<sup>17</sup> Seitz, pg. 152-155.

<sup>18</sup> Seitz, pg. 157.

<sup>19</sup> Seitz, pg. 157.

<sup>20</sup> Seitz, pg. 126.

then are forced to deal with the consequences of their actions, which makes him one of the better authors on the subject of formalized pistol duels.

One of, if not the, earliest years in which historians studied the formalized pistol duel was 1923, when Thomas Gamble wrote *Annals of Savannah: Savannah Duels and Duelists 1733-1877*. He argues that Savannah, Georgia and its dueling culture were products of a different time, one in which men's lives were dictated by strong virtues and prominent weaknesses, with treachery and ingratitude being the worst of mortal sins<sup>21</sup>. Like the afore-mentioned authors, Gamble focuses on gentlemen duelists, who fight over political feuds and personal offenses in addition to what resulted from the outcomes of these duels. The difference is, he tells it in a much more fluid, story-like atmosphere. It is almost as if he is trying to evoke emotional romanticism within his readers. He tells tales of how Captain Denis L. Cottineau sailed with John Paul Jones during the American Revolution, only to fight a duel with fellow Captain Landais, because the latter had betrayed his comrades out of jealousy and blemishes to his own honor. Cottineau was wounded and died, to later be buried in Savannah, despite his French citizenry<sup>22</sup>. Politicians and other gentlemen also fought and died in and around Savannah, each for their own reasons and each for the chance to gain or reclaim their honor. Aside from his style of writing, there was little difference with Gamble's book, compared to the others mentioned.

The historiography of the formalized duel has changed very little over the years. It seems to take one of two forms: either a general history that gives an overview of dueling or a more specified history that provides background information and many examples of individual duels and duelists, their reasons for dueling, and sometimes the consequences that followed. The latter form can again be divided into two categories: that which provides many examples from

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<sup>21</sup> Gamble, Thomas. *Annals of Savannah: Savannah Duels and Duelists, 1733-1877*. Savannah, GA: Review Publishing & Printing Company, 1923. Pg. III-IV.

<sup>22</sup> Gamble, pg. 30-31.

different regions and that which narrows its examples to one specific region. Virtually all of these examples, however, fail to acknowledge the reasons for continuing the practice even after it has been legally outlawed. Put simply, they do not explain what drove so many people to commit a crime that could result in fines, imprisonment, occupation limitations, or death. By expanding the study of dueling to include the psychology and mentality behind the duelists, it is possible to discover a new chapter in the history of this romantic image. Moreover, by placing additional emphasis on the public that demanded the anti-dueling laws, it can be possible to gain even greater knowledge about how the duel helped to define a portion of American culture.

### **Honor Culture**

Throughout history, different cultures around the world have often created aristocracies and codes of honor or rules of etiquette that have attributed to the proper way for an aristocrat to behave. South Carolina was no different, having been established as an agrarian-based society with large plantation owners as the uppermost tier of the social hierarchy. Like the knights of old, who fought for honor in a feudal society, the gentlemen of South Carolina fought for honor in a plantation society<sup>23</sup>. They had things that most people lacked: vast amounts of farmland, dozens or even hundreds of slaves to grow and harvest crops, and enough wealth to support all of it. So why did they and others of gentlemanly stature—lawyers, doctors, reverends' sons—need to fight, too; what constituted honor?

Honor is not an easy thing to define. It ranged from personal pride, to proper etiquette, and—perhaps most importantly—an intolerance towards any and all insults. This was not something for the courtroom to decide, it was entirely a personal affair that defined whether or

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<sup>23</sup> Tocqueville, Alexis de. *Democracy in America*. Translated by Henry Reeve, Esq., edited by Francis Brown. New York, NY: Barnes & Noble Books, 2003 edition. Pg. 637.

not a gentleman could refer to himself as a *real* man<sup>24</sup>. To go to a court over something like an insult or unfair business practices—or the claim of either—would be precisely what defined a man as dishonorable and cowardly. As such, every man of the South Carolina elite was thus expected to conduct themselves so as to become easily insulted and must issue a challenge to another gentleman whenever the opportunity arose.

Newspapers often covered duels and the public's reaction to dueling. In 1828, for example, the *South Carolina State Gazette and Columbia Advertiser of Columbia*, South Carolina reported a fatal duel between a Mr. Carr and a Mr. Martin in the District of Columbia. Both were practiced in the ways of medicine and both sought to settle an affair of honor. Sadly, the article lacks information pertaining to the cause of the duel, only that Mr. Martin received Mr. Carr's bullet in his head upon first fire<sup>25</sup>. A better example of why a duel was fought can be found in *The Charleston Mercury* in 1858. According to a published letter, a duel fought between Ransom Calhoun and the young Brevoort took place because Calhoun had spoken harshly towards Brevoort, who retaliated by striking the former. Calhoun then took offense and issued a challenge for Brevoort to meet him with pistols in hand. The duel was fought with a time limit, which Brevoort broke by firing an additional shot. The article does not say whether or not a man was wounded or killed, but because the author of the letter holds Calhoun with such high regard as do three other names mentioned within the letter, one can assume that both men survived and Brevoort was shamed for breaking the rules of that particular engagement<sup>26</sup>.

One example of a duel that demonstrates honor in its worst form was printed in 1834 in *The Southern Patriot*. According to the article, a duel between an American and an

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<sup>24</sup> McWhiney, Grady. *Cracker Culture*. Tuscaloosa, Alabama: The University of Alabama Press, 1988. Pg. 169.

<sup>25</sup> "Fatal Duel." *South-Carolina State Gazette And Columbia Advertiser*. Columbia, South Carolina: Feb. 16, 1828.

<sup>26</sup> "The Duel Between Messes Calhoun and Brevoort." *The Charleston Mercury*. Charleston, South Carolina: Sept. 1, 1858.

Englishman—both of gentleman status—was fought in Antwerp, Belgium after a heated argument. Apparently, “in a state of high excitement from anger and other causes they both insisted that the quarrel should be brought to a mortal issue.” They promptly decided upon a duel by pistols the next morning, gathered their seconds, and set their affairs in order. But when the morning came, neither had any remaining desire to fight; but that did not stop them from appearing on the field. As the article states, “it was necessary, for their honor, to appear on the field, and shoot at each other.” After the first fire, neither man was hit nor had any desire to continue, thus they declared their respective honor satisfied and left<sup>27</sup>.

Though it did not take place in South Carolina, this duel greatly demonstrates the minds of the gentlemen of the day. Had either refused to appear on the field of honor and fight, their reputations among their peers would have suffered greatly. As such, though they no longer had a desire to fight, they felt that they had no choice in the matter, except to defend their honor—in this case the honor of keeping their words as gentlemen and showing their courage at facing death. This also demonstrates a common outcome of many duels: no one died or was wounded. In the previous centuries, when it was common to fight with swords, it was almost impossible for people to not be injured or killed; but with smoothbore pistols—a common weapon of choice for many duelists both in and out of South Carolina—accuracy was never guaranteed and thus it was easy for many duels in the nineteenth century to end without bloodshed.

### **Code of Honor**

What a person did during a duel could very much affect what became of their reputation. To regulate this, duels were fought by codes of conduct that served as guidelines for under what terms a duel could be fought, how it should be fought, and under what circumstances it could be

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<sup>27</sup> “A Duel at Antwerp.” *The Southern Patriot*. Charleston, South Carolina: Sept. 25, 1834.

avoided or ended. In 1838, following his term in office, South Carolina's governor John Lyde Wilson provided the state with what he called *The Code of Honor or Rules for the Government of Principles and Seconds in Dueling*. It quickly became one of the most common rulebooks that South Carolinians dueled by and then it spread throughout the southern American states, becoming one of the most notable codes of honor in history<sup>28</sup>.

Wilson was no stranger to duels, being a gentleman himself he was witness to his own share of duels and is believed to have fought in at least one. But he was different from other men and women of his stature: he preferred to defend his honor without having to resort to violence. J. Grahame Long, author of *Dueling in Charleston: Violence Refined in the Holy City*, described a situation in which Wilson was challenged to a duel, then successfully negotiated his way out of it, a phenomenon Long calls "*strategic dueling*."<sup>29</sup> According to Long, in 1824 Wilson accidentally stepped on the toes of one Henry Middleton, who immediately confronted the man, thus resulting in an argument full of insults and foul language, which ended in Wilson promising Middleton a challenge to a duel by the following morning. However, Wilson did not truly wish to fight; he waited over two weeks to send the challenge, thus causing Middleton's already quick temper to burst even further and prevent him from thinking clearly. Middleton's immediate response—a demand that the men should fire pistols at three paces—worked to Wilson's advantage as he was able to delay the duel by complaining about how "unwarrantable" the distance was. This became the pretense of the planning stage of Wilson and Middleton's duel, as every one of Middleton's demands were met by an excuse or counteroffer from Wilson. Finally, several weeks later, Middleton became so frustrated with the whole affair that he stopped trying

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<sup>28</sup> Lansford, Tom. "Dueling," *Guns in American Society: an Encyclopedia of History, Politics, Culture, and Law*. Edited by Gregg Lee Carter. Santa Barbara, CA: ABC-CLIO, Inc., 2002. Pg. 183.

<sup>29</sup> Long, pg. 49.

to have his duel and it faded away<sup>30</sup>. Since Wilson was the one who issued the challenge, he could avoid most ridicule that would put his own honor at risk; Middleton, however, may not have fared so well, since he ultimately refused to meet Wilson's challenge, thus putting his reputation as a gentleman up to question.

For the most part, Wilson was able to outmaneuver his potential opponents in this manner and his attitude towards dueling was ultimately reflected in the rulebook he finally wrote in 1838. As part of his message to the public, Wilson states, "But if the question be directly put to me, whether there are not cases where duels are right and proper, I would unhesitatingly answer, there are."<sup>31</sup> This opening statement shows how against the practice of dueling Wilson truly was, but he also admits that "in cases where the laws of the country give no redress for injuries received, where public opinion not only authorizes, but enjoins resistance, it is needless and a waste of time to denounce the practice."<sup>32</sup> Essentially, his argument is that, so long as there is a need—be it imagined or in actual defense of one's personal being—for duels to take place, his code is made with the intention of making as many of them as bloodless as possible.

Wilson's attempt to do this is portrayed throughout the rulebook, especially as he places greater emphasis on the seconds. However, the first thing that should be noted about Wilson's *Code of Honor* is the fact that he defines each phase of the duel and the responsibilities of all those involved in a step-by-step format. First is the insult, when one person is offended by another and feels that his or her honor must be defended through a duel. Second, the two parties involved—now referred to as principles—choose one person to act as their respective second, the person who speaks on behalf of his or her principle, acts as counsel to his or her principle, and

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<sup>30</sup> Long, pg. 49-50.

<sup>31</sup> Wilson, John Lyde. *Code of Honor: a Civil War Era Rulebook for Duels and Dueling*. Lexington, KY, USA: 2013 edition. Page 5.

<sup>32</sup> Wilson, pg. 7.

serves as witness to the duel, thus ensuring that all the agreed upon rules are followed and enforced. Before the challenge to the duel is sent, the seconds are to attempt a peaceful resolution to the affair through calm persuasion.<sup>33</sup>

If such a resolution cannot be reached, then the second of the offended party delivers a well-written message that issues a formal challenge to the party that did the offending. Upon acceptance of the challenge, the seconds of both parties work together to “make the necessary arrangements for the meeting.” This includes time, place, weapon, and distance at which they will commence firing. Wilson specifically states that the usual choice of weapon and firing distance in South Carolina are the smoothbore pistol at ten to twenty paces. Lastly, the seconds determine which of them is to give the word to fire, by drawing lots.<sup>34</sup>

When all is done, the principles, seconds, two surgeons, any required assistant surgeons, and any friends the seconds have permitted meet at the chosen location, at the allotted time, and, while maintaining a respectable attitude towards one another, proceed with as much efficiency as possible. Both seconds are to have a loaded pistol to ensure fairness of combat according to the agreed upon rules, by firing on either principle, if he or she should fire prematurely. When the second gives the word to fire, both sides do so at the same time. Immediately thereafter, satisfaction of wounded honor is thus determined in one of two possibilities. If either of the principles has received a wound after the first fire, then the duel is immediately over and satisfaction is accomplished.<sup>35</sup> If neither party is hit, the seconds must determine whether or not satisfaction has been given, often by determining the seriousness of the original offense. A minor insult is to end with the offended party accepting that “the point of honor [is] settled,” while a serious injury to one’s honor demands that the duel continue, until the offending party

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<sup>33</sup> Wilson, pg. 12.

<sup>34</sup> Wilson, pg. 18-19.

<sup>35</sup> Wilson, pg. 21.

offers reparation or one of the principles finally takes a hit.<sup>36</sup> When a physical injury is received, then the duel ends and the accompanying surgeons see to the wound.

When all is said and done about John Lyde Wilson's *Code of Honor*, it is ultimately a well-choreographed routine of procedure that is surprisingly non-bloodthirsty. The first two chapters are devoted to attempting to reconcile the two parties so that a duel can be avoided, while the next five chapters pertain to creating the most efficient means of carrying out the duel itself. All the while, those involved are to be of gentlemanly social stature and rely upon language and bearing according to such a position in order to maintain a level of respectability amongst all parties. What's more, Wilson even offers a means for the duel to end without bloodshed, first by discussion by the seconds after the first fire, and then by devoting the final chapter to what constitutes as a degree of insult and how satisfaction can be reached. Each of the tenants within the final chapter offers a possibility for an injury to person or honor to be resolved immediately or with the help of seconds, without resorting to a duel.<sup>37</sup>

### *Anti-Duelist Ideals*

Despite the flare and choreography of the gentleman's duel, it was met with staunch resistance for decades. Members of society, who were just as respectable as those who fought duels spoke out against them, claiming that those who partook in them had "fictitious and absurd sentiments of honor...which give to the duel a character of exalted chivalry."<sup>38</sup> Reverends, newspaper editors, authors, military officials, and dozens of private citizens banded together for the specific purpose of banning dueling from society as a whole. With numerous claims like,

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<sup>36</sup> Wilson, pg. 22.

<sup>37</sup> Wilson, pg. 26-27.

<sup>38</sup> "The Duel." *Charleston Courier*. Charleston, South Carolina: Dec. 1, 1843.

“Dueling is absurd and inconsistent with every just sentiment of religion, virtue and common sense,<sup>39</sup>” groups like the Anti-Dueling Society rose up all over South Carolina to challenge the honor culture that was so rooted within the state.

For years, people had looked at dueling as a kind of private execution and duelists as “honorable murderers.<sup>40</sup>” Often looking to Christian ideals that killing is wrong, these groups secured influential footholds within society and politics, then won their first victory in 1812 when the South Carolina legislature first declared dueling illegal. Anyone caught doing so faced a \$2,000 fine and a year-long prison sentence in addition to being “banned from holding ‘any office of honor, profit, or trust’ and were furthermore prohibited from practicing law, medicine, or divinity.<sup>41</sup>” Nonetheless, the law proved to be virtually unenforceable and the attempts to outlaw dueling continued.

In 1823, the Grand Jury of the Georgetown Court of Sessions and Common Pleas offered a Presentment that thoroughly denounced dueling as an honorable practice. By this time, it was obvious that the state legislature had not been sufficient in its 1812 ruling towards dueling as affairs of honor continued to be held, often in secluded areas or outside the state to avoid the authorities. The Presentment read that the practice of dueling “is one that is at variance with reason and common sense, and in direct opposition to every *human* and *Divine* law. We conceive that this custom has not one good quality to recommend it. It does not always, and, indeed, but very seldom, establish the character of men, either for *true* courage or honor.” To them, there was no sense for a duel to end in death when the reputations of those involved were not cleared of injury because of it; they felt that such “a species of madness [is] unknown to *barbarous nations*.” Such a thing should not exist in a time of enlightenment through science

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<sup>39</sup> “Wilmington, (Del.) May 22. On Dueling.” *The Georgetown Gazette*. Georgetown, South Carolina: June 25, 1800.

<sup>40</sup> “Suppression of Dueling.” *Charleston Courier*. Charleston, South Carolina: Sept. 20, 1843.

<sup>41</sup> Long, pg. 102.

and “pure religion.”<sup>42</sup> Despite their passionate pleas for sanity among the gentry and a relief to grieving mothers, widows, and children the duels continued to play out virtually unhindered.

Even John Lyde Wilson, author of the most popular code of honor in the South, desired a better means to settle arguments. An opponent of dueling at heart, he considered “the indiscriminate and frequent appeal to arms, to settle trivial disputes and misunderstandings” a practice that should by no means or limits go uncensored. However, he also had a practical outlook on dueling as a form of self-defense in a place and time where the government offered no protection to assaults on one’s character. What’s more, he seemed to see the world as having two kinds of men: those of a Christian forbearance, who would turn the other cheek when struck upon the face, and those who followed the human character, as it had been shaped by nature and societal education.<sup>43</sup> Because of this, Wilson and his *Code of Honor*, in addition to the honor culture itself, were under constant attack from anti-dueling propaganda. One review of Wilson’s Code had mixed feelings of both it and what it represented. “We see not clearly how the man of the world, in the present state of public sentiment, can avoid the duel to vindicate his injured honor—although we acknowledge the folly and absurdity of going out to shoot at one another,” it read. Nonetheless, it fiercely berated the various notions associated with dueling, specifically the seeming inevitability of fighting a duel because of the fear of being deemed a coward, which can drive a man to the “battle field to die a martyr to false honor, or slay a fellow creature, whom he would infinitely rather cherish than wound.”<sup>44</sup>

The conflict raged back and forth for decades, only at last ending in 1880, when the South Carolina legislature finally succeeded in banning dueling for good. Law enforcement officers were given near carte-blanche ability to locate and arrest all individuals associated with

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<sup>42</sup> “[Legislature; Custom; Duelling].” *Charleston Courier*. Charleston, South Carolina: Nov. 8, 1823.

<sup>43</sup> Wilson, pg. 7

<sup>44</sup> “Code of Honor.” *Charleston Courier*. Charleston, South Carolina: Mar. 29. 1838.

planning and carrying out duels. Harsh fines and imprisonment awaited anyone found guilty of being involved in a planned duel; the death sentence was even introduced as punishment for killing an opponent in a duel. The “honorable murderer” had at last become a murderer in the eyes of the law.<sup>45</sup>

### **Continuation after Banning**

Despite the legislation passed in 1812 and the ensuing attempts to further ensure its eradication, men and women of stature continued to hold duels in defense of their personal honor. They believed themselves to be in the right, seeing it as a form of self-defense, rather than murder. After all, if one person should threaten the well-being of another, then the one who is threatened has the right to defend him or herself; the difference with dueling is it was considered to be defense of personal character and social standing rather than physical being. As one published letter to the editor of Charleston’s *City Gazette and Commercial Daily Advertiser* states, “As there at present exists no such healing balm in our courts of justice for wounded honor, either Dueling *must* be countenanced, or assassination will triumph here.”<sup>46</sup>

In addition to believing the affair of honor to be a defense of one’s private character, duelists argued that the code of honor—both the written rules that governed the duel itself and the unspoken rules of etiquette that governed a gentleman’s actions and words—served as a means “to mitigate the barbarity of the duel.”<sup>47</sup> According to an unnamed newspaper reporter, people who recognize and respect the code are less likely to get into a fight than someone who does not; moreover, a street brawl is often more fatal than a private affair regulated by the code’s rules. The article goes onto suggest that the reason for this is if a man, who recognizes the code,

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<sup>45</sup> Long, pg. 113.

<sup>46</sup> “Communications.” *City Gazette & Commercial Daily Advertiser*. Charleston, South Carolina: Aug. 2, 1827.

<sup>47</sup> “The Code of Honor—the Late Charleston Duels.” *The Charleston Mercury*. Charleston, South Carolina: Nov. 6, 1856.

should get into a fight, he will allow himself and his adversary time to calm down and attempt to reach a peaceful resolution. Given time and proper counsel, most disputes can reach a settlement “without [having to] resort to arms.<sup>48</sup>” This sets the gentleman apart from the ordinary man, who, being uneducated in the code, will seek his vengeance on the spot without any attempt at resolution or sense of formality whatsoever. Only a quick fight with any weapon available or with fist will suffice as redress for an initial insult.<sup>49</sup>

Looking at this article, one can assume that social class was extremely important in South Carolina. Like their medieval predecessors, South Carolinian gentlemen were considered to be above their fellow man because of their wealth, property, ownership of slaves, and sociopolitical influence. As such, they were expected to adhere to certain codes of conduct in order to show how much better they were than ordinary people. This included being able to keep a calm head long enough to try to settle an argument. But if peaceful resolution proved to be unattainable, then the ensuing duel was to be kept as private as possible; the general public was not to learn of the affair’s existence in great detail.<sup>50</sup> As such, finding examples of duels in newspaper articles can be sporadic at best; men who do not follow the code of honor, however, tended to be as loud as possible because they would often take place in public locations rather than secluded ones.

Class, self-defense, and an unyielding mindset that to duel was both in the right and a given right were all justifications for why affairs of honor continued to be conducted even after the practice was made illegal. These justifications were much needed by proponents of dueling as the reasons over which duels were fought were often brought into question by many members

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<sup>48</sup> “The Code of Honor—the Late Charleston Duels.” *The Charleston Mercury*. Charleston, South Carolina: Nov. 6, 1856.

<sup>49</sup> “The Code of Honor—the Late Charleston Duels.” *The Charleston Mercury*. Charleston, South Carolina: Nov. 6, 1856.

<sup>50</sup> “The Code of Honor—the Late Charleston Duels.” *The Charleston Mercury*. Charleston, South Carolina: Nov. 6, 1856.

of society. A newspaper article in 1830 described a situation in which a young army officer, new to the regiment had his courage challenged by his fellow officers. Under pressure from his peers, the young soldier eventually challenged one Colonel Guise, a man whom the officer admired, to a duel on the grounds that the colonel was a gentleman of widely known bravery.<sup>51</sup> This is one example of a man seeking to prove himself as being brave and able to defend his pride. Another assault on one's person is described in an 1824 issue of the *Charleston Courier*, in which a man had been so aggrieved by the publications of an editor of Maryland's *Quarterly Review* that the two of them went all the way to England so as to hold their duel<sup>52</sup> away from the laws of America—at this point in time, most of the states and the District of Columbia had made dueling illegal. What can be surmised from this example is that the editor had been publishing attacks on the man in question's character. Precisely what these would have been, only those involved know, but it was enough to spend the time and money needed to leave the country just to have at one another on an English Field of Honor.

Politics were prime locations to find dueling rivals. As early as 1777, during the Second Congressional Congress and just after the start of the American Revolution, duels between gentleman members of politics have been fought. In 1822, South Carolina congressman McDuffie fought against Colonel Cummings of Georgia; Henry Clay and John Randolph fought in 1826; Mr. Cutting of New York fought Mr. Breckinridge, the Vice Presidential candidate of 1854.<sup>53</sup> Many politicians were former lawyers and men of influence in their respective communities, essentially they were gentlemen and often raised to adhere to the code of honor. As such, political arguments could often result in the issuing of challenges. For example, the

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<sup>51</sup> "Dueling." *City Gazette & Commercial Daily Advertiser*. Charleston, South Carolina: July 3, 1830.

<sup>52</sup> "[Mr. Editor; Country; Mercury; Maryland; Aggrieved; Injury; Satisfied]." *Charleston Courier*. Charleston, South Carolina: Oct. 5, 1824.

<sup>53</sup> "Congressional Duels." *Charleston Courier*. Charleston, South Carolina: Aug. 6, 1856.

1858 affair of honor between Senators Gwin and Wilson took place because “Mr. Gwin had hinted demagoguism at Mr. Wilson.<sup>54</sup>” Demagoguism is the act of a political leader or orator gaining power by arousing the emotions and prejudices of the people, often to the point of obscuring the truth. As such, for Gwin to make such a claim, would be to question Wilson’s legitimacy as a senator.

The reasons for dueling were as numerous and, in many cases, seemingly unnecessary as the number of people who fought in them. There is no real definition to what justifies as reason enough to fight, only that it was expected, therefore it must be done. To refuse is to admit cowardice, to accept is to be ridiculed by the greater part of society. But ultimately, one’s reasons to fight were determined by a combination of unspoken social etiquettes and a personal sense of pride. As one newspaper article stated, “The real cause of the most violent quarrels is very often beyond the reach of evidence or explanation...but is backed by old hatreds, indefinable slights, rivalries, and hoarded animosities.<sup>55</sup>”

### **Conclusion**

As the decades wore on, anti-dueling sentiment only seemed to grow, but continued to be met with a stubborn resistance to relinquish the aristocratic tradition. But the anti-duelist groups were able to achieve a great boon to their cause as the Civil War came and went between the years of 1861 and 1865. When the southern states broke away from the Union and formed the Confederate States of America, they formed a leadership that was greatly composed of the same gentlemen who lived by the code of honor that had so greatly defined their social standings. This was true for the military leadership as well: many of the commissioned officers were of wealthy families and graduates from West Point. By the time the war ended and the Confederacy had

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<sup>54</sup> “The Gwin and Wilson ‘Affair of Honor.’” *Charleston Courier*. Charleston, South Carolina: June 16, 1858.

<sup>55</sup> “Dueling Anecdotes.” *Charleston Courier*. Charleston, South Carolina: Sept. 3, 1845.

been brought back into the fold, many of those prominent gentlemen had been killed either by lead, steel, or disease. It allowed the anti-duelist groups a chance to redouble their efforts.

Between the horrors of war and the loss of so many gentlemen, there was a great disillusionment throughout South Carolina and the nation at large concerning the romantic notions of dueling.<sup>56</sup> What's more, the old plantation economic system had been devastated by the freeing of the slaves, which gave many members of the former aristocracy something to focus their time and resources on other than settling personal scores: how to feed their families. Dueling itself started to simply fade away with fewer meetings upon the Field of Honor taking place and those that did only served to fuel the fires of dueling's demise. For example, in 1880 Colonel Cash of South Carolina killed William Shannon and was tried for murder; though he was acquitted, he was looked upon as a marked man for much of the remainder of his life.<sup>57</sup> This alone shows an immense change in ideals from those of the honor culture, only twenty-five years earlier. It should therefore come as no surprise that Cash's trial took place the same year that the South Carolina legislature successfully banned dueling and issued harsh punishments to anyone found guilty of participating in such an affair.<sup>58</sup> Technically speaking, dueling, especially with pistols, did continue well into the twentieth century, but the idea that it was associated with honor was by this time well and truly dead.<sup>59</sup>

Dueling for honor had a long and powerful life. It defined an entire class of men and women and inspired some of the most iconic images in history. Despite having been illegalized by the South Carolina legislature in 1812, the aristocrats of that state continued to hold these private affairs of honor and many died because of them. The reasons could range from an ill-

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<sup>56</sup> Hopton, Richard. *Pistols at Dawn: a History of Dueling*. Great Britain: Piatkus, 2011 edition. Page. 318.

<sup>57</sup> Hopton, pg. 318.

<sup>58</sup> Long, pg. 113.

<sup>59</sup> Norris, John. *Pistols at Dawn: a History of Dueling*. Stroud, Gloucestershire: The History Press, 2009. Page 182.

chosen word to an offending newspaper article. But ultimately, the primary reason they were held is because society at the time believed that there was no other means by which to defend one's personal character. Whenever one person of a gentleman's standing wronged another of equal standing, they had only two options: resolve a minor injury or duel over a greater one.

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### **Glossary**

Duel—a formalized fight between two parties in which an agreed upon set of rules is used to settle a private affair

Brawl—an informal fight between two parties in which a score is settled on the spot and often brings bystanders into the battle as collateral damage

Chivalry—the rules and ideals to which knights aspired to uphold

Code Duello—an Irish system of rules for governing the conduct of duels, written in 1777

Code of Honor—a set of rules for the conduct and etiquette that a person of high ranking social stature is expected to follow during a duel; also refers to how a person of high social stature is supposed to conduct themselves in society

Field of Honor—any secluded location in which a duel is held between two parties

Firearm—any handheld weapon (specifically pistols, rifles, shotguns, and muskets) that uses  
gunpowder to launch a projectile

Flintlock—a kind of firearm that requires a flint to mechanically strike a piece of steel to produce  
a spark and ignite the gunpowder that shoots the projectile from the weapon

Gentleman—a man who is of high ranking social stature, based on wealth, ownership of  
property, military commissions, noble titles, and influence

Gunpowder—a chemical compound that creates an explosion capable of causing a projectile to  
fly out of a container and towards a target

Honor—a person's reputation for being strong, brave, and virtuous

Joust—a medieval form of combat in which two mounted knights would use lances to unhorse  
each other

Knight—a mounted soldier of noble birth in service to a lord or king in Europe's Medieval Era

Medieval Era—a time in European history between the fall of the Roman Empire and the rise of  
the modern nation-states; usually characterized by knights and kings, an international  
government controlled by the Catholic Church, diseases, and a stagnant culture of  
militarism; often referred to as Middle Ages or Dark Ages

Nobility—being a member of the ruling social class within a country or kingdom, but is not of  
royalty; often ranked according to how much land they own

Offended—the party in a duel who has had their honor somehow injured

Offender—the party in a duel who has injured the honor of the offended party

Peasant—any person who is of lower social rank than the nobility and usually does not own land

Plantation—a large farm or estate in which cash crops (like tobacco and cotton) is cultivated,

usually by workers who reside on the property of the plantation

Principle—one of the two members of a duel who will actually be partaking in the duel; the original individual whose honor was injured and the individual who did the injuring

Rifling—a series of grooves inside the barrel of a firearm that allow for better accuracy of the bullet fired from it

Second—someone who acts as a consul and messenger for a principle, determines the terms of how the duel is to be conducted, and serves as a witness to ensure the duel was carried out fairly

Slander—the act of defaming a person's reputation by way of rumors and false statements using either verbal language, published writings, or a combination of both

Smoothbore—any firearm that lacks rifling inside the barrel

Social Stature—a person's rank within society, based on a combination of wealth, the amount and type of property held, and occupation

Tournament—a medieval form of combat that included jousting and fighting on foot, as a kind of sport, training, and the settling of old scores between rivals

Trial by Combat—a judicial practice in the Middle Ages in which knights and nobles would duel one another, often to the death, and the winner would be considered the more righteous of the two

War—a conflict by force of arms between two groups of people