

FROM THE ENQUIRER.

FOR THE RAINBOW.

Many of the following observations on Duelling have heretofore been published.—The essay has been carefully revised.—A few additional remarks are suggested. In its present state, the writer, altho' with the diffidence which becomes him, deems it not unworthy of republication. When the Editor of the Enquirer has no original communication to publish, the enclosed essay may possibly be deemed worthy of appearing, as a communication to the Rainbow.

ON DUELLING.

It must be obvious to the most superficial observer, that the abolition of duelling, can be effected only, by means of reasoning, expostulation and example.—The eradication of inveterate errors, the correction of prevailing immoralities, are admitted by all competent and impartial enquirers, to be duties that lie beyond the sphere of government, legislation and police. Penal prohibitions and regulations, when confined within their proper province, and divested of their solemn formalities and imposing pretensions, are nothing more, than the concentration of public force, for the purpose of preventing, repelling or punishing acts of violence and fraud, which the ignorant and indigent would otherwise be incessantly prompted to perpetrate, in consequence of the inevitable inequality, with which property and labour are apportioned and distributed. This fundamental truth, which the lessons of experience, recorded by history, and the lights of reason, concentrated by philosophical analysis, combine to establish, ought to be clearly comprehended and habitually recollected, by every individual who ventures to speculate on human affairs. To attempt by authoritative prohibitions and penal regulations to extirpate immoralities that have their root in general prejudice, is of all projects the most preposterous. If Noah, when warned by the voice of God of the approaching deluge, had endeavoured to stem the rushing waves, by dykes and mounds, he would not have betrayed greater ignorance than the legislator, who attempts by statutes and penalties to eradicate prevailing immoralities and inveterate errors. A proceeding of this sort, as has been wisely and eloquently said, is "like gubbing a carcass, or demolishing a tomb, whilst the spirit survives transmigrates into a more pernicious form and acquires rejuvenated energy." Evils of this description originate in misconceptions and misapprehensions, which can be corrected only, by the luminous exhibition and distinct apprehensions of the evidence, by which their absurdity is clearly exposed & the uncompensated misery, with which they are pregnant, is palpably and vividly depicted.

We cannot therefore rationally indulge a hope of effecting the abolition of duelling, by the authority of the magistrate or the denunciations of the priest. But I cannot concur with those who think that the expostulations & example of enlightened and moral men, would prove equally ineffectual. The history of human society, from primitive ignorance and barbarism, to the most refined and expanded civilization, is little else, than a detail of the vices which have arisen from inveterate errors and the means which philosophy and reason have successfully employed for their gradual extirpation. Viewed in this light, the proposition that truth is omnipotent, far from being an idle hypothesis, or unmeaning rant, is an important fact, attested and illustrated by the progress of society and science. Since the art of printing has afforded a depositary for the perpetuation and a medium for the diffusion of knowledge, the artillery of reason, under the banners of truth, have been incessantly plied and fatally directed. By this artillery, we have seen the bulwarks of despotic power demolished, the infernal fabric of sacerdotal imposture dissolved into atoms, the splendid illusions of ancient philosophy dissipated, the barbarous jargon of venerated but venal schools, swept into oblivion. After achieving so many glorious victories, and exterminating so many desolating monsters, can it be believed, that duelling will long be permitted to stalk abroad, and impudently on its unhallowed altar, the disciples of reason, now that she gives laws to the powerful, and lessons to the people; now, that she has attained the maturity of her strength and the zenith of her glory? The era of its abolition is at hand! It is prohibited by law, interdicted by religion, discouraged by the maxims of popular and philosophical morality, denounced by the impartial enquirer, and deplored by the philanthropist. It maintains its hold on vulgar minds, by brittle and transient ties which death will speedily burst and bury in the grave of its victims. It is shielded in the minds of a superior order, by a cloud of delusion, which the spreading light of truth cannot fail to penetrate and dispel.

Let us analyse in succession, the arguments that have been urged in its defence, and their inconsistency will flash upon the unprejudiced mind, with the clearness of sunshine and the force of lightning.— "Duelling is sanctioned by the inviolable laws of honour."—What is honour? It has been defined "the noble mind's distinguishing perfection," and what is the noble mind's distinguishing perfection, but the faculty of discerning in every combination of circumstances, however complex or unexpected, with intuitive quickness, and pursuing with heroic energy, the path of propriety and justice? The man who in any article of conduct or topic of enquiry, is swayed by prevailing error or inveterate custom, or by any influence distinct from the clear and unbiased convictions of his own understanding is divested of the noble mind's distinguishing perfection.—Now, will it be contended that the practice of duelling, the perpetration of deliberate suicide and murder, can be, in any possible combination of circumstances the duty of an enlightened man, the line of conduct which justice and reason prescribe? When my name is coupled with an opprobrious epithet, when a charge the most ignominious or vile, is attempted to be fastened upon my character, the dilemma is palpable. The epithet is applicable or inapplicable, the charge is true or false. These are facts, which the exhibition of evidence, the comparison of testimonies, the confrontation of witnesses, are alone adequate to ascertain and establish. If I am conscious of innocence shall I think from investigation, shall I defend from the "vantage ground" of free discussion, where truth never fails to triumph, nor falsehood to be covered with shame and confusion? Shall I in obedience to the impulse of vindictive fury; or the mandate of barbarous custom, commit to chance or force, the decision of a question which can only be determined by the impartial statement of facts? Shall I repair at the bidding of the malign and calumniator to the den of assassination where confident probably of his superior skill in the use of the only weapons he has learnt to wield, he is prepared, after attempting to blot my reputation, to shed my blood? Shall I by evading an open and impartial enquiry into the accusation with which I am charged, although conscious of innocence, and capable of placing my innocence in to clear a light as to convince every unprejudiced mind and seal the quivering lip and palsied tongue of calumny in eternal silence? Shall I, by resorting to violence! the refuge of conscious guilt, to murder! the last refinement of desperate depravity, to suicide! the gloomy asylum of intolerable remorse, insupportable misery or abject cowardice, countenance a belief that I am secretly conscious of the truth of the accusation, or want vigilance, penetration and energy, to confound the artifices of falsehood by the arms of reason and of man?

Incredible infatuation! we behold a rational being unjustly accused, capable of repelling the accusation with irresistible energy, and overwhelming the accuser with shame and contrition, not only declining to discharge a duty which the united voice of reason, justice, philanthropy, patriotism, friendship, personal interest and self-preservation, command him to perform, but deliberately proceeding to perpetrate a crime the most atrocious, that infernal malevolence could invent, to sanction a practice the most detestable that ignorance has ever hatched, or superstition misused, for the perdition of mankind. We behold a rational being, deliberately renouncing the exalted attributes that distinguish the civilized man from the savage cannibal, the progressive mind from the unimprovable and sanguinary beast, the benevolent intelligence, from the infernal fiend. We behold a rational being, scornfully throwing aside arms tempered by the omnipotence of truth for the protection of innocence and the punishment of guilt, and assuming the brittle armour and perishable weapons of force and falsehood. We behold the "incorruptible putting on corruption, the immortal putting on mortality."

But it has been urged that an insult produces sensations which a man of honour is unable to endure.—The immortal Junius has said "that a man of honour is degraded by an insult and can only recover his level by revenge." Surely if the word insult has any meaning, this argument is an insult to common sense. Is reason to be regarded, as a stumbling block! an encumbrance! a nuisance in our nature? or, is it not the province of reason, to control our passions, regulate our feelings and govern our actions? Might not the votaries of avarice, ambition, jealousy, or revenge, with equal propriety plead the uncontrollable impulse of their feelings, in justification of their enormities? Your feelings are wounded: is there any thing in gunpowder so balsamic, in the force of a bullet so emollient, in the point of a sword so efficacious, as to cicatrize and heal these subtle but agonizing wounds? Admitting, for a moment, that the man, who, under the influence of passion, intoxication or mistake insults his friend or fellow-man, deserves instant death. Ought this punishment to be inflicted by his desperate antagonist? Ought the person insulted to adopt a mode of inflicting the punishment which may expose both parties equally, perhaps the person insulted most immediately, and possibly may involve the innocent with the guilty, in the same horrible catastrophe? But the immortal Junius has said,

"a man of honour is degraded by an insult and can only recover his level by revenge." Were this sentiment his only claim to immortality, his fame would be a noxious ephemeron, fugitive and foul as the smocking immortality it sanctions. Here, the eye of the soaring eagle bleached, he stooped from his "height sublime" and drenched his thorn pinions and faded plumage, in the "oblivious pool." "The mind can only recover its level by revenge." What mind? That of a demon?—'Tis a sentiment congenial only to the soul of an Indian, brandishing his tomahawk at the breast of his captive, or Tiphone, vibrating a whip of scorpions over one of the victims of infernal torture.

Another writer, scarcely inferior to Junius in elegance of style, keenness of irony and bitterness of invective, in a professed and elaborate defence of duelling, has expressed a sentiment if possible more odious and offensive. "The smiles of beauty ever crown the laurels of the brave, (meaning the duellist;) the lovely maid who turns with loathing from the lightning insignificance of the perfumed coward (meaning the man who refuses to fight a duel) runs with rapture to embrace the youthful hero." Arguments are not the weapons to repel this detestable declamation: The cheek of beauty crimsoned with glowing indignation, her brow contracted with an awful frown, her eyes averted with horror and flashing with magnanimous disdain, her bosom heaving and every feature darkened with implacable abhorrence, are the proper answers. Yes, O you, fair daughters of Columbia, it is advised, to overwhelm with shame, those blasphemers of your sex; to chafe from your presence, the wretches who with their hands imbrued and reeking in the blood of your lovers, your husbands your brothers and your fathers, prostrately plead your approbation as the incentive, your love as the reward of their enormities.

But how, we are asked, can duelling be abolished? The man who tamely submits to dishonorable imputations who refuses to give or receive a challenge, is branded as a Coward! Lo! here is the potent spell, by which the feudal wizard dissolves at pleasure the ties of blood, friendship, humanity and justice. Has philosophy no charm of superior potency? Let us try it by the touchstone of analysis. Courage consists in being able to encounter with readiness and energy, and endure with unshaken firmness, the difficulties, dangers, disappointments and distresses incident to the performance of our personal and social duties. Thus defined, courage is obviously essential to the existence of virtue; without it, there can be neither fortitude nor dignity nor energy, nor consistency of character.—It is not only one of the indispensable constituents of virtue, but sheds an attractive and dazzling lustre over every other. Let it be recollected however, that courage is a ministerial not a cardinal virtue: It is susceptible of adverse direction, and may be exerted with equal energy in the cause of truth or error, in the production of good or evil. Michael and Iphigene, Timoleon and Catiline, Brutus and Bagshot, may have been equally courageous. Courage is a virtue only, when it is enlisted under the banner of justice; when employed for the purposes of pride, vanity, ambition, resentment and revenge, it becomes the instrument and consummation of the most damning vice. In conformity with the preceding definition of courage, cowardice may be defined the evasion, violation or desertion of a personal or local duty, in consequence of the difficulties, dangers, privations or pains incident to the performance of it.

From these explanations of the terms courage and cowardice it follows with irresistible force of evidence, that the man who fights a duel, who gives or accepts a challenge, not from a clear conviction of the propriety of duelling, but from a servile dread of the contempt which the refusal to fight may excite in the mind of prejudiced persons, is in the most odious and emphatic sense of the term he most detests, detests and despises a coward. Whilst he is meditating his detestable purpose, conscience in still, small but terrifying accents, ever and anon whispers coward; and when the deed is done, burlesque on his affrighted soul, in all the majesty of offended justice, in a tone more awful "than the thunder's deep and dreadful organ-pipe" cries coward. To sacrifice our own existence, or that of our neighbor, in obedience to the suggestions of resentment; or, at the beck of a barbarous custom on which reason and justice command us to trample exhibits the ferocity of a tiger, the phrenzy of a maniac, or the rancor of a fiend—not the courage of a man and he enemy of a hero.

If a man were to throw himself from a precipice; or thrust his right hand into a furnace; or dislocate his limbs upon the wheel, merely to prove that he could brave death, and endure with unshaken constancy, the madness of his proceeding would be palpable to every mind.—Yet the man who fights a duel, who gives or accepts a challenge merely to evince his insensibility to the fear of pain and death, or because he wants courage to encounter the frown of prejudice and the curse of folly, exhibits a more extravagant infamy. The principal difference betwixt the imaginary and the real enormity, that the madness of the former proceeding would, on account of its novelty, be discernable to every eye, whereas that of the latter, although even more extravagant, would be concealed under the veil of general delusion. The madness would, in the imagi-

nary instance, be palpable, because the madness would be confined to one individual; in the case of duelling it would be overlooked because the duellist is surrounded by persons no less insane than himself.

O! 'tis a fearful spectacle to see
So many maniacs dancing in their chains;
Gazing upon the links that hold them fast,
With eyes of anguish; excrete their lot,
Then shake them in despair and dance again.

In every other light in which the case can be placed and compared, the conduct of the duellist is more frightfully immoral and extensively injurious.

In the first case, only one individual could be tortured or destroyed; in the second, both may fall by each others hands.—In the first case, the victim must be so deplorably destitute of reason as to render the extinction of his existence desirable; in the second, the persons who fall may be endowed with the most admirable qualities, and connected by generous and endearing ties, with the most accomplished of their countrymen and cotemporaries. The proceeding in the first instance, far from being imitated by others, would excite universal reprobation and horror; in the second, the inveteracy of the prejudice in favor of duelling combines with the personal respectability of the duellist, to perpetuate the practice.

To eradicate the prejudices from which this barbarous practice derives its origin, is the province of philosophy, eloquence and moral energy. To expel duelling from civilized society and substitute a more rational method of deciding the quarrels that arise betwixt men of delicate and irritable feelings, is the more difficult and dazzling duty of the distinguished few, who combine the discernment that can unmask an inveterate but venerated abuse, and the philanthropy that would prompt them to employ their best efforts to effect its abolition, with the personal energy and respectability, that will enable them to encounter it with success. Shield their motives from general misconstruction, and render the example they exhibit an object of imitation. The ignorant must fight duels in blind obedience to the tyranny of custom; timid to quiet their intolerable and humiliating sensations; the vain and frivolous to obtain the applause, or avert the contempt of the giddy multitude; the vindictive, from the uncontrollable fury of the demon that possesses them; Even the enlightend, the generous and the brave, must fight duels, unless they possess sufficient energy to exhibit unequivocal evidence of the dignity of their motives, and a sufficient share of personal respectability, to frown into silence the prejudice, which a departure from established custom never fails to excite. Let it be recollected that as this memorable and modern custom, was originally established by the example of influential individuals, its abolition can be effected only by the heroic efforts of enlightened and accomplished men.



(By Authority.)

AN ACT
For the disposal of certain copies of the Laws of the United States.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled: That at three hundred copies of the laws of the United States, which have been procured by the Secretary of State, in obedience to the law passed for that purpose, and three hundred copies of the Journals of Congress, which have been procured in pursuance of the resolution of the second of March, one thousand seven and ninety-nine shall be placed in the Library of Congress.

Sec. 2. And be it further enacted, That the Secretary of the Senate, for the time being, be, and he is hereby authorized to receive three hundred copies of the laws of the United States, out of the one thousand copies reserved by law for the disposal of Congress, as soon as the same shall be printed, after each session; which he shall cause to be placed in the Library, and assorted respectively with the sets of copies mentioned in the first section of this act; excepting only, that at the close of the present session which will complete the Eighth Congress, and in like manner after each particular session in future, which shall complete a Congress, he shall cause the several copies reserved by him as aforesaid, for all the sessions of each respective Congress, to be bound in one volume, making three hundred volumes, for each Congress, as aforesaid, which he shall cause to be placed in the library, assorted with the respective sets of copies mentioned in the first section of this act. And the several copies of the laws and Journals of Congress, mentioned in this act shall not be taken out of the library, except by the President and Vice-President of the United States, and members of the Senate and House of Representatives for the time being. And the expense of binding

shall be paid, from time to time, out of the fund appropriated to defray the contingent expenses of both Houses of Congress.

Sec. 3. And be it further enacted, That the President of the Senate and Speaker of the House of Representatives, for the time being, be, and they are hereby empowered to establish such regulations and restrictions in relation to the copies of the laws and Journals of Congress, directed by this act to be placed in the library, as to them shall seem proper, and from time to time, to alter and amend the same: Provided, that no regulation nor restriction shall be valid, which is repugnant to the provisions contained in the act.

Sec. 4. And be it further enacted, That to make up the deficiency of the appropriation heretofore made, for the purchase of four hundred copies of the laws of the United States, the sum of eleven hundred and forty-four dollars be, and the same is hereby appropriated, payable out of any money in the treasury, not otherwise appropriated.

NATHL. MACON,
Speaker of the House of Representatives.
A BURN
Vice-President of the United States, and
President of the Senate.
January 2, 1865.
APPROVED.

TH: JEFFERSON.

Dissolution of Partnership.

The partnership heretofore existing under the firm of Craig and Yeiser, is this day dissolved by mutual consent—all persons having claims against said firm, are requested to call at their late counting house, 77, South's wharf, or either of the subscribers.

HENRY CRAIG,
JOHN YEISER, jun.
January 10 [11]

Public Exhibition.

Mr. LAWRENCE begs leave to inform his friends and the public in general, that his Scholars' Exhibition will be on the 18th inst. at Mr. Bryden's Assembly room. After the exhibition a GRAND BALL will take place—Tickets of admission One Dollar, having the privilege of introducing one or two ladies—to be had at Mr. Bryden's coffee room.

The Exhibition will begin,
1st, with an English College Snipe, by a boy, a scholar of Mr. Lawrence
2d, a Solo, by a young lady, with the newest steps
3d, another Solo, by a young lady
4th, Un pas de deux, by 2 young persons, &c.
The Ball will be opened with an English horn-pipe, by Mr. Lawrence.
January 11

The subscriber

BEGS leave to inform the citizens of Baltimore, that he has opened a MAGISTRATE'S OFFICE in the front room of Mrs. Watson's house, on the right side of South Howard-street, No. 22, near the corner of said street and Lombard-street. He will attend constantly from 9 o'clock, P. M. until half past 1, P. M. and from 3 until 6, in the evening. He will also in a few days be qualified to have various kind of instruments of writing executed in the most correct manner, and flatters himself that his assiduous attention to business, will merit the approbation of his fellow citizens.

JOHN AISQUITH,
Smiths

John Coulter,

HAIR DRESSER & PERFUMER,
RESPECTFULLY informs his friends in general, and his old customers in particular, that he has opened a shop at Mr. DAVID FULTON'S (sign of the Globe, Market street) where he will be happy to execute the orders of those who may patronise him.
Gentlemen will be waited on at their houses if preferred.
Gentlemen's razors neatly set, so as to operate with ease and pleasure.
January 11

Government Security!

NEW-YORK LOTTERY,

No. III. FOR THE
ENCOURAGEMENT OF LITERATURE
Begins Drawing on the Eighth of April next.
25,000 DOLLARS,
10,000 DOLLARS,
5,000 DOLLARS,
HIGHEST PRIZES.
The scheme contains 33,000 tickets, of which 9913 are prizes—less than two and a half blanks to a prize. Deduction 15 per cent.
At the session of the Legislature of the state of New York, on Monday, the 12th of November, 1864, a resolution passed the senate, and was concurred in by the House of the Assembly, that the drawing of the said Lottery be postponed until the SECOND MONDAY IN APRIL next, in consequence of the defalcation of one of the managers, and that the Legislature will GUARANTEE THE PAYMENT OF ALL THE PRIZES in said Lottery.

TICKETS,
HALVES, QUARTERS AND EIGHTHS,
are to be had at

G. & R. Waite's
PERMANENT LOTTERY OFFICES,
Nos 64, & 39, MAIDEN LANE,
At the following Prices,

Whole Tickets, dia. 7 50 | Quarters, 2
Halves, 3 75 | Eighths, 1 12

But, as the tickets and shares have met with such an extraordinary rapid sale, throughout every part of the United States, they will speedily advance in price.
Distant adventurers, by inclosing Bank Notes of any description, (but Branch Bank would be preferred), may have tickets forwarded by post to any part of the Union, by G. & R. WAITE, with the utmost punctuality, and the earliest intelligence sent of their success.—CASH advanced for prizes as soon as drawn—or warranted undrawn Tickets exchanged for Prizes during the drawing.
For the satisfaction of adventurers in Baltimore and its vicinity, the Manager's Official List will be forwarded to the printers of this paper, as soon as possible after the drawing, where any gentleman can examine his own number. Letters (post paid) duly attended to.
N. York, Nov. 23 (24)