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**William T. Castro vs.  
Leonidas Metcalfe**



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## CHAPTER IX

### WILLIAM T. CASTO *vs.* LEONIDAS METCALFE

Near the close of September, 1861, Brigadier General William Nelson of the Federal army established Camp Kenton in Mason County, three miles south of Maysville, near the village of Washington. Here the drilling of raw recruits for the United States army soon began; regiments were rapidly whipped into shape and sent off into service as the residents of the Ohio River county realized the Civil War had now reached their doors.

Though Maysville and Mason County were under strict Federal control, the Southern sympathizers were by no means inactive. One in particular, Hon. Richard H. Stanton, former Member of Congress and Commonwealth's Attorney for the Tenth Judicial District, was charged "with being the soul of rebellion in this part of Kentucky," and "with fitting out men in this [Mason] and adjoining counties for the Southern army." On October 2nd, 1861, General Nelson ordered the arrest of Stanton and six other "active Secessionists"—William T. Casto, a prominent lawyer and former Mayor of Maysville, George W. Forrester, editor and proprietor of the *Maysville Express*, James H. Hall, B. F. Thomas, Isaac Nelson and William Hunt—all charged with aiding and abetting "the so-called Confederate States of America." Soon after their arrest, the seven Kentucky "Secesh" were sent by boat to Cincinnati and on to Camp Chase, the Federal penitentiary near Columbus, Ohio.

Several days later, General Nelson received a telegram from William H. Seward, Secretary of War, directing that Stanton, Casto and the five men from Mason County

be sent to Fort Lafayette, the Federal prison in New York harbor. Meanwhile, Stanton and the others were busy writing letters to the Secretary of War and various authorities in Washington protesting their recent arrest and removal from Kentucky without the benefit of a trial. These communications, however, availed little and the prisoners were soon quartered in the New York prison where they remained for a number of weeks.

By the early part of November, 1861, General Nelson's successful campaign in the Big Sandy Valley and the battle of Piketon had completely subdued the eastern portion of Kentucky and he was therefore free to request the release of the prisoners. Accordingly, he ordered the release of all of them, except the ringleader Stanton. "On no account release him," wired the Union General to the Secretary of War. On December 7th, five of the Mason County men—Messrs. Nelson, Hunt, Forrester, Hall and Thomas, signed the oath of allegiance to the United States and were forthwith released from custody. William T. Casto, however, when tendered the oath of allegiance, refused to sign it and remained in the Federal prison.

Several weeks passed and Stanton and Casto continued in military custody. In a letter addressed to President Abraham Lincoln, on December 17th, Stanton declared: "I never did advocate the secession of Kentucky and no man lives who can truthfully say I did." This communication was shortly followed by a petition to the Secretary of War, signed by some forty-odd Union members of the Kentucky General Assembly, who recommended the release of the former Congressman. This plea had the desired effect, and seven days later, on December 24th, Stanton's release was ordered and before the end of the month he took the oath of allegiance and was freed from the prison camp.

Of all the Mason County group, only William T. Casto now remained in the New York prison, despite numerous efforts to bring about his release. He sent letters to William A. Richardson, William H. Seward and other high officials in which he protested, not so much about his treatment, but against the fact that no charges had been brought against him, that he could not secure a parole to visit a dying relative near Maysville, and that his business had suffered greatly in consequence of his arrest some three months before.

Casto strongly maintained "that to pledge his signature to the oath of allegiance would contend his guilt, a guilt he never was guilty of," and "that he held to it with a steadfastness not to be misled." He further contended "that when he was arrested and spirited away to prison there was no excitement whatever in the part of the State" where he lived, and "that General Nelson established his military camp [Camp Kenton] near our town among many citizens who were quietly pursuing their ordinary avocations." It is evident that Casto's plea and pressure brought from other sources, finally induced favorable consideration from the Secretary of War, for on February 21st, 1862, he issued an order releasing the ardent Kentucky secessionist upon the condition that he would state upon his honor that he would render no aid or comfort "to the enemies in hostility to the Government of the United States." This order which Casto readily signed opened the prison gates on the following day and he lost no time in setting out for his home in Mason County, Kentucky.

It was shortly after William T. Casto's return to Maysville that the imprisonment incident assumed a deadly per-

sonal aspect. Leonidas Metcalfe,<sup>1</sup> forty-three-year-old son of Kentucky's ex-Governor Thomas ("Stone-Hammer") Metcalfe, was a Colonel in the United States army and in command of a regiment stationed near Maysville. It was Colonel Metcalfe, who acting upon orders of his superior officer, had arrested Casto and the six others for treason in the fall of 1861. Some of the pro-Confederates believed that he was the main "informer" in Mason and surrounding counties, and had spied on a number of his friends and fellow-citizens "who had made considerable talk" favorable to the Southern cause.

Becoming obsessed with the belief that Colonel Metcalfe was solely and individually responsible for his arrest and subsequent incarceration at Fort Lafayette, Casto developed a bitter antipathy against the Union officer from Nicholas County and a burning desire for revenge. The smoldering embers of this grievance against Colonel Metcalfe were no doubt fed and fanned by the leaders of the pro-Confederate group, probably by Judge Stanton and James H. Hall in particular, who appeared to have been "the real head and forefront of the Southern sentiment and sympathy in Mason County." For the next six weeks or two months, he brooded over what he regarded as his gross mistreatment.

At length, Casto worked himself up to the point of seeking redress from Colonel Metcalfe under the "code duello," by which one gentleman could demand and receive satisfaction from another, for any cause, either real or imagined.

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<sup>1</sup> Colonel Metcalfe, one of five children, was born at Forest Retreat, his parents' home in Nicholas County, on March 9th, 1819. The old Metcalfe residence is located on the Lexington-Maysville pike, opposite the Carlisle pike.

The ex-Mayor carefully bided his time until Colonel Metcalfe came to Maysville, on Tuesday, May 6th, 1862, to attend a convention of the Union Party of the Tenth Judicial District, which met for the purpose of nominating candidates (Circuit Judge and Commonwealth's Attorney) for the August election. As he was leaving the Lee Hotel after lunch, following the close of the convention, the Colonel was handed a challenge note from Casto, delivered by his close personal friend, Isaac Nelson, which read:

Maysville, May 6, 1862

Col. Leonidas Metcalfe:

Sir—Having done me great wrong under circumstances adding indignity to injustice, you cannot deny me what is the purpose of this note to demand the satisfaction due from one gentleman to another. My friend Mr. Isaac Nelson, the bearer is authorized to arrange the terms of the meeting.

Respectfully your ob't serv't,

W. T. Casto<sup>2</sup>

Upon receipt of the challenge note, Colonel Metcalfe sought the advice of his friend, Thomas M. Green, editor of the *Maysville Eagle* and a strong Union man. The challenged officer related to the newspaperman that he had never known Mr. Casto or spoken to him, that the fall before he had acted on orders of General Nelson in arresting the pro-Confederate sympathizer and in so doing "had not himself offered the slightest indignity to Mr. Casto by word or deed; that none had been offered to him by his order or instigation and that he had never heard that any kind had been offered to him at all by any one."

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<sup>2</sup> *Tri-Weekly Commonwealth*, Frankfort, May 21, 1862.

Editor Green, who appeared to be well-posted on the "etiquette of duelling," advised the Federal officer that as he had only carried out his orders in arresting Casto, he was not under the slightest obligation, according to the code, to meet the former Mayor; "that ninety-nine men out of a hundred would not do it, and that, in any ordinary condition of affairs, his friends would be censurable if they permitted him to do so." Metcalfe, however, stated he understood the situation, but that "he did not like to be browbeaten."

After a brief consultation with several intimate friends, Metcalfe announced his intention of unconditionally accepting the challenge, explaining as his reasons for so doing, "that his life was threatened almost daily at home, that if he pleaded his official duties as a reason for not accepting Mr. Casto's challenge he would have three hundred similar ones in less than a month, that men who hated him because of his endeavors to serve his country would be encouraged by such a refusal to provoke collisions with him until he should be obliged to kill some of them or lose his own life." He further stated that "he believed the challenge was designed to take his life without provocation or to injure him in public estimation."

About two hours after he received the challenge note, Colonel Metcalfe returned a lengthy answer to Mr. Isaac Nelson who was acting as the ex-Mayor's second:

Maysville, May 6th, 1862

Mr. W. T. Casto:

Your note of this date has been received; in it you say: "Having done me great wrong under circumstances adding indignity to injustice, you cannot deny me

what is the purpose of this note to demand the satisfaction due from one gentleman to another.”

I have never had any acquaintance with you, have never exchanged a word with you to my knowledge, and consequently have not done you the wrong of which you speak. You have no right under the code of honor or any other code to make of me the demand you have made, and I consider myself under no obligation, not the slightest to grant you the satisfaction you ask or any other satisfaction. I make this statement lest in accepting your invitation I shall be understood as admitting your right to challenge; but regarding your note as a wanton attempt to force me into a difficulty, and having no disposition to allow any one to gain reputation at my expense in that way, I will grant you the meeting you appear to desire. My friend Thos. M. Green is authorized to make all the preliminary arrangements that may be necessary.

Leonidas Metcalfe<sup>3</sup>

Later in the afternoon (May 6th), editor Green received a short note from Casto's friend proposing a meeting on the morrow:

Maysville, May 6th, 1862

Mr. Thos. M. Green:

Sir: I will meet you at the Lee House, at four o'clock and thirty minutes, on May seventh, to arrange with you the preliminaries of the contemplated meeting between Col. Metcalfe and Mr. W. T. Casto.

Isaac Nelson<sup>4</sup>

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<sup>3</sup> *Ibid.*, May 21, 1862.

<sup>4</sup> *Ibid.*, May 21, 1862.



By early Wednesday morning, rumors of the proposed meeting began to circulate in the city and county and as some unfavorable publicity had already grown out of it, efforts were forthwith made to keep the matter as secret as possible.<sup>5</sup> Colonel Metcalfe, as an officer of the United States army, was likely to be court-martialed for accepting the challenge, while both principals, their seconds and surgeons were subject to the strict Kentucky laws against dueling then on the statute books: \$500 fine or 12 months imprisonment for any one sending a challenge; \$250 or six months in prison for accepting a challenge or \$150 or three months in jail for any person carrying or delivering a challenge note or for acting as a second or as a surgeon. Furthermore, any and all participants in an affair of honor were excluded from holding offices in the Commonwealth of Kentucky "for the space of seven years after conviction."<sup>6</sup>

About eleven o'clock in the morning (May 7th), Thomas A. Respass, of Maysville, a close personal friend of the challenger, delivered another note to editor Green in which he suggested that "instead of the intended personal interview to take place between us this afternoon at 4½ P. M.," they should forego the meeting to "provoke less publicity," and arrange the terms between them in writing. This they agreed to do.

As the challenged party, Colonel Metcalfe had the privilege of selecting the weapons and naming the place and

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<sup>5</sup> "The duel was to have taken place the previous day, but the authorities getting wind of it, had Casto arrested, and so the meeting was postponed until Thursday [the 8th]." *Cincinnati Daily Commercial*, May 10, 1862.

<sup>6</sup> William B. Wedgwood (editor), *The Revised Statutes of the State of Kentucky* (Louisville, 1844), p. 66.

time of combat. Captain William M. Oden and Major S. G. Rogers agreed to act as seconds for the Union officer, and the following terms for the duel were decided upon and sent in a formal note by Dr. John T. Fleming to Isaac Nelson, who received them about four o'clock in the afternoon:

Maysville, May 7th, 1862

Mr. Isaac Nelson:

Sir: In conformity with my promise to communicate to you the terms determined upon by Col. Metcalfe's friends, as soon as I myself knew them, I send them herewith:

Weapons—The weapons to be used shall be Sharpe's rifles, provided Mr. Casto's friends can procure one by the time designated; if they cannot do so then the weapons shall be Colt's rifles, loaded in only one chamber, or Mr. Casto may use any kind of a rifle he may select, Col. Metcalfe using a Sharpe's rifle.

The distance shall be sixty yards.

The meeting shall take place at 5 o'clock and thirty minutes, on the morning of the eighth of May.

The place shall be on the Fair Grounds [in Maysville] of the North Kentucky Agricultural Association, or upon the nearest suitable ground; or, if Mr. Nelson desires a more definite arrangement as to place, I will go with him this afternoon and select the ground.

The manner of holding the weapons shall be at present arms.

For the right to give the word, the seconds of the parties shall toss up; the party who loses the right to give the word shall have the choice of positions; the count

shall be: "Gentlemen, are you ready?" If both parties shall reply in the affirmative, the second who wins the right to give the word, shall immediately after say "fire, one, two, three, stop," in a loud and distinct voice so as to be heard by both principals; neither principal shall change his weapon from the position of present arms before the word *fire*, nor shall they fire after the word *stop*.

Respectfully,

Thos. M. Green<sup>7</sup>

As an added precaution of safety, the following stipulations were added to the terms of the duel:

To prevent all possible embarrassment, I insist that the number of friends permitted to be present shall be limited to ten of each party, including seconds and surgeons; and that of these only the two seconds of each party shall be permitted to be armed in any way.

Thos. M. Green<sup>8</sup>

After the terms of the duel were known to Casto and his seconds, they questioned the possibility of procuring a Sharpe's or Colt's rifle in time for the duel; the place to be selected for the duelling grounds and the right of Colonel Metcalfe to name the details of combat. Again Mr. Green<sup>9</sup>

<sup>7</sup> *Tri-Weekly Commonwealth*, May 21, 1862.

<sup>8</sup> *Ibid.*, May 21, 1862.

<sup>9</sup> Thomas Marshall Green, editor and publisher, was the author of *Historic Families of Kentucky* (1889) and *The Spanish Conspiracy* (1891). Col. Green shot and killed Col. Lewis D. Baldwin, a newspaper man of Nicholasville, in front of the old Phoenix Hotel, in Lexington, on November 16, 1887. This tragic event occurred on the same day that the statue of Gen. John C. Breckinridge was unveiled on Cheapside.

was consulted, and he stated that "according to the usages of the code in this state, as I have understood them, the right to fix the time and place, as well as the right to name the weapons and mode of combat, belong to the party challenged." In order to be as useful as possible in the matter, Green offered to lend both parties his fine pair of modern Colt's revolving rifles, from which Casto's friends were welcome to make a selection.

Several places were mentioned for the site of the duel, but due to the high state of excitement then prevailing, it was thought best not to hold it in Mason County, but some place just over the line. Finally, after an exchange of notes relating to the procurement of rifles and the concession of the Casto faction to the right of the challenged party to name the weapons and place, the seconds of both principals came together in the Lee House and signed the following rules and conditions:

We agree upon the terms of the meeting between Col. Metcalfe and Mr. W. T. Casto, with the exception that the place shall be the "fishing shore," just above Dover, on the Kentucky side, and the time shall be at an hour to be communicated by the friends of Mr. Casto to those of Col. Metcalfe on the morning of the eighth of May, provided that said hour shall not be later than four o'clock and thirty minutes on that day.

(Signed)

Capt. W. M. Oden  
Maj. S. G. Rogers  
Thomas A. Respass  
Isaac Nelson<sup>10</sup>

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<sup>10</sup> *Tri-Weekly Commonwealth*, May 21, 1862.

Thus, all details of the affair were fixed except the time, which was settled early Thursday morning—the day of the duel, in a final note to Green:

Maysville, May 8, 1862

Thomas M. Green

Dear Sir:—We have determined upon 5 o'clock [P.M.] as the hour of meeting between Mr. Casto and Col. Metcalfe.

Yours respectfully,

Thomas A. Respass<sup>11</sup>

Friends of Colonel Metcalfe discussed the rumor that Casto had spent a month or six weeks in preparing for the duel,<sup>12</sup> while the challenged party had only forty-eight hours notice. Yet, it was generally understood that the former Mayor of Maysville knew little about firearms or their use, while the Union Colonel was regarded as a crack shot.

Thursday, May 8th was warm and bright. The principals, with their seconds, surgeons and friends drove in two-horse carriages from Maysville along the river road to Dover, and thence out the Augusta-Dover turnpike to Fox's Lane (site of school No. 1), and down this dirt road past the farm of Peter Kelsch (on the right) to the Dover "fishing shore," a short distance east of the mouth of Stony Creek. This stretch of smooth sand-bar on the banks of the Ohio River in northeastern Bracken County, was two miles down the river from Dover and on the farm owned by

<sup>11</sup> *Ibid.*, May 21, 1862.

<sup>12</sup> *Western Citizen*, Paris, May 16, 1862.

Louis Long. It was a secluded spot and an ideal place for the affair of honor.

While the ground was being selected and measured, Messrs. Respass and Nelson for Casto, and Captain Oden and Major Rogers for Colonel Metcalfe, carefully checked the condition of the duelling weapons—Colt's 56 caliber revolving (5 shot cap and ball) rifles, and saw that each gun was properly loaded, in one chamber only. The challenger had no surgeon to represent him, but Colonel Metcalfe had two doctors in attendance who immediately proceeded to open their kits of surgical instruments and spread them out on blankets.

It was five o'clock when the principals took their positions facing each other at sixty yards and, upon being asked by Nelson if they were ready, each replied in the affirmative. At the first fire, Casto staggered and sank to the ground with a bullet through his body, a little below the heart. The ball from the challenger's rifle passed above and to the right of Colonel Metcalfe, who escaped without a scratch.

As the wounded man did not have a surgeon on the grounds, those attending Colonel Metcalfe volunteered their services, but their efforts to save his life were of no avail. Casto lived for about fifteen minutes, though unconscious all the time.

After the wounded duellist expired on the field of honor, his body was taken in a skiff up the river two miles to Dover, and then to Maysville on the Ohio River packet *Bostona*.<sup>13</sup> The following day his funeral was held in the

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<sup>13</sup> *Louisville Daily Democrat*, May 11, 1862.

old Maysville Cemetery,<sup>14</sup> attended "by a large concourse of citizens," relatives and southern sympathizers. He was a man of considerable property, but without a family. Colonel Metcalfe had a wife and several small children. "Everything," noted the *Cincinnati Daily Commercial*, "was done in accordance with the code of the duello, and passed off without any difficulty."<sup>15</sup> At the time of the duel Metcalfe was forty-three and Casto was thirty-eight years old.

This tragic ending of an out-moded social custom, growing out of a Civil War incident and one of the most noted in Kentucky, caused a deep sensation throughout the community. Many persons lamented the passing of William T. Casto, lawyer and former Mayor of Maysville, who fell "a victim to the murderous practice of duelling" in a state where the vicious code had been outlawed for more than fifty years.

However, swiftly moving events soon concentrated the public mind elsewhere. Several weeks after the duel, Colonel Metcalfe was authorized to raise a regiment of cavalry to help clear his part of the state "from roving bands of guerillas and bushwhackers." By the following August, he was successful in enlisting a considerable number of men and rendezvoused at the Blue Licks, where he set about to train and drill them, as Colonel of the Seventh Kentucky Volunteer Cavalry.<sup>16</sup>

When the Confederates under Generals Braxton Bragg and Kirby-Smith invaded Kentucky by way of Cumber-

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<sup>14</sup> Over his grave is a ten-foot marble shaft, one side of which reads: "W. T. Casto, a patriot, his country's firm unwavering friend, he was willing to die for his principles, and as a man of honor, nobly fell a votary of the sacred and inviolable right of personal liberty." He is buried in Section 6, Lot 178.

<sup>15</sup> *Cincinnati Daily Commercial*, May 9, 1862.

<sup>16</sup> *Western Citizen*, Paris, May 16; May 30, 1862.

land Gap and the South, they met the Union forces in the Bluegrass, first at Big Hill, in Madison County, on August 23rd, 1862. The ill-trained boys in blue from Mason and Nicholas counties were no match for the gray-clad veterans from Dixie, and in this engagement, the Seventh Kentucky Cavalry, under Colonel Metcalfe, was completely routed and, as one Union report mildly stated, "was very much shattered and cut to pieces." Writing from Lexington, August 24th, General Lew Wallace (author of *Ben Hur*) notified General H. G. Wright, commanding the United States forces at Louisville: "I regret to report that the enemy moved against Colonel Metcalfe yesterday afternoon. The Colonel led his men to attack them on the Big Hill, but they broke and fled, leaving him and his lieutenant-colonel alone on the field. The conduct of Metcalfe's men was most disgraceful."<sup>17</sup>

Continuing in his report, General Wallace praised the Union officer from Nicholas County and reported "that he led the attack with much gallantry, but had the mortification to find that not more than one hundred men of his regiment followed him; the remainder, at the first cannon shot, turned tail and fled like a pack of cowards, and are now dispersed over a half dozen counties."<sup>18</sup> Colonel Metcalfe, who was deserted on the battlefield by his own men, was rescued by a portion of Houk's Third Tennessee regiment.

After his regiment had acted so cowardly and been dispersed at the disastrous battle of Big Hill, Colonel Metcalfe refused to command them any longer and resigned

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<sup>17</sup> *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, D. C., 1897), Series I, Vol. XVI, p. 884.

<sup>18</sup> *Ibid.*, Series I, Vol. XVI, p. 884.



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from the army. He thereafter made his home in Cincinnati,<sup>19</sup> where he was no doubt in better repute than he was back in Mason and Nicholas counties, Kentucky.

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<sup>19</sup> Colonel Metcalfe died in Cincinnati on June 7th, 1868, in his 49th year. He is buried in (Sec. 99, lot 106) the Spring Grove Cemetery of that city.