to it he informs me, "that the exposition which appeared in the National Intelligencer was not written by him." From all these facts I think it is fairly inferrible, that Mr. Adams did not agree to the decision of the Cabinet, and that you must have known it: for it is certain that he did not agree to it on Saturday, and it is highly improbable that any argument should have been urged to convince him, after he had been twice directed, to draft his note in conformity to the decisions which had been previously made." To this train of reasoning the Vice-President appends the following note: "This appears to be a non sequitur. The decision may have been unanimous, and a new note necessary, because the note did not agree with it." I am perfectly willing that the intelligent reader should decide the question of logic between us, by adding a single observation; that, in the ordinary routine, it was the duty of the Secretary of State, to have drawn the exposition which appeared in the Intelligencer and that he would have done it is highly probable, but from his having dissented from the principles it contained. In the foregoing note, the Vice-President evidently objects to the argument presented in my letter. If he excepts to the argument in this case, he was more strongly bound to except to that which tended to fix upon him the writing of the Nashville letter, if it was illogical and unsound, especially as it was presented in compliance with his express demand, contained in his letter of the 29th of May, 1830. By his objecting to the correctness of the argument in one case, and waving any objection to that furnished at *his request*, he must be considered as having acquiesced in the correctness, and legitimacy and soundness, of the conclusion, that he is the author of the Nashville letter.

I will now explain the reason why I consider the Vice President the author of the notes appended to my letter in the Telegraph. In his elaborate letter of the 29th of May, he says, "He, Mr. Crawford, was at Milledgeville, on the 16th of August, a few days after he passed through Augusta, and a little after, there appeared a statement in the Journal somewhat varied from that made in Edgefield, but agreeing with it in most of the particulars. I cannot lay my hand on the article, but have a distinct recollection of it. You no doubt remember it, circumstances fixed it upon Mr. Crawford, and it has not to my knowledge been *denied*." Here it is seen that Mr. Calhoun relies upon my silence as evidence of guilt; as evidence that I had communicated cabinet secrets to the Editor of the Georgia Journal, although he does not pretend that the statement in the Georgia Journal was charged upon me by that Journal, and does not state *any* of the *circumstances* that he says fixed it upon me: when it is presumed, that he had Clark's pamphlet before him, and which, though written by the most vindictive and malignant being that ever existed, admits that the Editor of the Georgia Journal formally denied it, in the following paragraph: ☞ "It may be proper to state, that we did not, as has been erroneously supposed, derive our information from the Secretary of the Treasury, Mr. Crawford, respecting the reported division of the Cabinet, on the propriety of arresting General Jackson for his late conduct." I never suspected that I had been charged with any connection with the statement in the Georgia Journal, until sometime in October, of the year 1820, when a pamphlet published by John Clark, then Governor of Georgia, fell into my hands, which contained the charge, accompanied by the evidence of the charge, which the Governor had been able to collect, but the evidence was of a nature so ridiculous, that none but the author would have made the charge. The same Wilson Lumpkin, who figures in the correspondence and address of the Vice-President, informed me that Governor Clark had sent the charge and evidence to General Jackson, to be by him laid before the President. It is presumed that Mr. Calhoun was connusant of this fact, as he tells the President in his letter of the 29th May, 1830. "You no doubt remember it." I was never informed by Mr. Monroe, whether the charge was submitted to him. But he informed the Senators from Pennsylvania, that the General had urged my removal from the Cabinet, and they communicated it to me the same day. The pamphlet just referred to obtained no currency. I do not recollect to have seen a single reference to it in any newspaper, not even in the Washington Republican, although the pamphlet was published expressly to affect the Presidential election. It was so ridiculous and malignant, that even Mr. Calhoun's press, the Washington Republican, which teemed with daily abuse of me, thought it prudent not to use it. Yet it is a charge contained in such a pamphlet, and under such circumstances, that the Vice President considers evidence against me, because I had not denied it.

A number of the Globe, dated to the latter end of February last, contains notes explanatory of the notes appended to my letter, of the 2d October, 1830, by the Vice-President, which is headed by the following remark:—"The editor of the Telegraph has published Mr. Crawford's letter to Mr. Calhoun, patched all over with the notes of *his colleague*. It is but fair to give the explanatory notes given by a friend of Mr. Crawford." Here the charge is direct and positive. The Vice President was in the city, and must be presumed to have seen the charge. His silence therefore, is evidence that he was the author of the notes. It is, at least, evidence to which he cannot object, for it is tenfold stronger than that which he has urged against me. This remark has already been published in a variety of papers, and must, therefore have reached him through a variety of channels. He has contradicted none of them, and must be presumed to have acquiesced in the truth of the charges besides, no one can believe that Mr. Calhoun would have confided the task of writing the notes to another person. In his letter of the 31st October last, returning mine, it is seen that he intended to use that letter against me. I have never, before the appearance of Mr. Calhoun's several publications, understood and felt the force and intensity of that exclamation of the patriarch Job, "Oh that mine adversary had written a book."—Mine has written two books, and one set of notes, by which *he is convicted by legal evidence*. 1st. Of *having written, or caused to be written*, the *Nashville letter*, which in his letter of the 29th of May, 1830, he asserts never to have seen. 2d. Of having set up the *Washington Republican for the purpose of villifying my reputation*. 3d. Of having *conspired with Ninian Edwards to destroy my official and private character*. In his letter last referred to, the Vice-President *pronounces*, "That it would have been *dishonorable for* him to have written the Nashville letter to injure one of his associates in the administration." No rational being will, I think, dissent from this sentence. But he is, by his notes, convicted of this *dishonorable act*. Now it is respectfully submitted to the decision of enlightened readers of this review, whether it is more *dishonorable* to have written that letter, *which contains but one falsehood* to the injury of *that associate*, than to have *established a press, for villifying the reputation, of the same associate, which teemed with daily falsehoods upon that associate*.

The Vice President affects much patriotism and great veneration for the fundamental institutions of the United States. There is none of those institutions more vital than the liberty of the press. That liberty can never be impaired in the United States, but by its licentiousness. It is firmly believed that no press established in the Union, carried the licentiousness of the press to such extremes as the Washington Republican, not even excepting the notorious Peter Porcupine. The Vice President is therefore an enemy to the liberty of the press. Again, it is respectfully submitted to the community, to decide, whether it was *more dishonorable* to have written the Nashville letter, than to have excited Ninian Edwards to conspire with him to blast my reputation for ever, and fix a stigma upon my innocent & unoffending children? The foregoing questions are submitted with the fullest confidence, that the answers will be such as a virtous community ought to give; that the *dishonorable conduct* rises in regular gradation, and terminates in a climax. The Vice President is liberal in his charges of my enmity against him. I am represented by him as his bitterest enemy, as his most inveterate enemy. It is true I feel no friendship for him, and have not since the publication of the Nashville letter, and have never made declarations of friendship for him since that period. What is the evidence which he produces of my enmity to him? 1st, My letter to Alfred Balch, Esq. 2d, My letter to Mr. Barry, respecting the election of Vice President. The reader is requested to compare this evidence, with the charges which have just been established by legal evidence against the Vice President, and decide between us, which has furnished the most evidence of enmity and resentment. Some English author, I do not recollect which at this moment, says, that a man who has been injured by another, may forgive the injury, and even become the friend of the person who inflicted the injury, but that the person who inflicted the injury, can never be reconciled to, or be the friend of the person injured. If this reasoning is applied to the Vice President and myself, it must be evident that he can never become my friend, but that it is possible I should become his. But what does the Vice President mean, when he charges me with being his bitterest enemy? Does he mean that I would do him an act of injustice, or personal injury? If he means this he is wrong. There is not a human being in the world to whom I would do a personal injury, or an act of injustice. But if he means I am not friendly to his further promotion, he is right. I know his radical unworthiness, and could not conscientiously aid his further elevation to office. If I were to do it, I should render myself the accomplice of the injury which he might, and probably would, inflict upon the community.

As the Vice President in his notes to my letter insists upon Mr. McDuffie's evidence, and that evidence is the foundation of almost all his reasoning and of almost all the inferences drawn in his elaborate letter of the 30th of May, 1830; it is proper at once for me to say there is no truth in any part of Mr. McDuffie's statement, except that I past through the village of Edgefield, in the summer of 1818, and was at the house of Col. Simpkins. Everything beyond that in Mr. McDuffie's statement is the fiction of his brain, (See Judge Moore's letter.*) After reading that latter, the reader is informed that I passed through the village of Edgefield on Friday morning, and arrived at Lexington, Sunday, to dinner. Col. Simpkins and Mr. McDuffie, neither possessed or merited my confidence. Messrs. Moore, Cobb and Dudley Dunn, were my personal and political friends and neighbors. Can any man in his senses believe I would have made the disclosures attributed to me by Mr. McDuffie on Friday morning, and on Sunday should have cautiously refused, all such communications to my personal confidential and political friends? But in the Presidential canvass of 1823 and 1824, every thing was wielded by Mr. Calhoun and his friends, to injure me and none of those friends was more active than Mr. McDuffie. I remember in one of his dinner speeches at Cambridge I think, he designated me as the radical chief, a term at that time in the estimation of Mr. McDuffie and his patron Mr. Calhoun, of the bitterest reproach. If the facts contained in Mr. McDuffie's letter to the Vice President had been known, they would have been proclaimed at every cross roads, muster ground, and even upon the house tops not only in South Carolina, but throughout the United States. not a whisper however was heard of them during that period of excitement, because they had not been hatched, and were conceived and brought forth only when it was believed to be necessary for the Vice President's defence. Judge Moore, whose letter is herewith published, has been for many years a judge of the inferior court of Oglethorpe county, and very extensively known in this State, and where he is known enjoys the reputation of a man of honor, honesty, and veracity, equal to that of any man in the State or United States. His statements are therefore entitled to full credit. Dr. Dunn, who now resides in West Tennessee, no doubt recollects the same facts and will doubtless confirm them when required. It may be right to state that my visit to Col. Simpkins' house was confined to the time which elapsed between the breakfast of the passengers and the starting of the stage. Every person who has travelled in the stage, knows that it is generally ready to start before the passengers have finished their meals. My visit to Col. Simpkins' must therefore have been but for a very few minutes, yet Mr. McDuffie has furnished his friend with materials, for an hours conversation at least. The reasons contained in my letter of the 24 of October, were sufficient to have convinced any truth-speaking man of the falsehood of Mr. McDuffie's statement, but I am not at all surprised that the Vice President did not feel their force, as his own conduct did not enable him to appreciate, them.

The Vice President's pamphlet, discloses a piece of evidence that I had not before seen. It is the letter of Robert S. Garnett, late a member of Congress from Virginia. Mr. Garnett in his letter, seems to be in haste to make the important communication. To use the huntsman's phrase, he seems to have gone off at *half bent*. In his letter to the Vice President, he makes me say *that General Jackson, ought to be condemned*, and the extract from his diary which immediately follows, (and which it is presumed was before him when he wrote his letter,) makes me say that the General *ought to be censured*. Now it is seriously submitted to every rational and reflecting person, whether even the diary of a man is entitled to any credit who cannot distinguish between the words *condemned* and *censured*. I conscientiously believe that I never used either of the words ascribed to me by Mr. Garnett. My conduct towards Mr. Cobb upon the subject of his resolutions contradicts Mr. Garnett's diary.†† So does Judge Moore's letter. So does my recollection of the sentiments I entertained of the propriety, or rather of the impropriety of a legislative inquiry into the subject. I will not press this subject further, for I really have no unkind feelings towards Mr. Garnett, and had rather be subject to the slight shade of inconsistency, his diary may cast upon me, than that he should be subjected to a much graver imputation.

The Vice President in one of his notes, says that a very material part of Mr. Adam's letter to me, has been withheld by me. That material part is negative wholly, and it will be seen by the annexed extract of my letter to Mr. Adams.†‡ I did not expect he remembered any thing about the confidential letter, and assigned my reasons for it. Mr. Calhoun has doubtless received a copy of my letter from Mr. Adams, as I have authorized him to furnish it. If there is any thing in that letter which in his opinion tends to contradict or weaken the force of that extract, he can expose it by publishing the whole letter. Mr. Adams states the grounds on which it was proposed to bring General Jackson to trial, but does not state by whom it was urged. In my letter of the 2d of October, 1830, to the Vice President, I state that "Mr. Adams must have alluded to him, as no other member of the cabinet had made any proposition of an unfriendly character to the general and add that if he denies that the charge in Mr. Adams' letter applies to him, I will obtain the necessary explanation." The Vice-President appends no note to this part of my letter, and must therefore be considered as admitting the truth of my statement. But his pamphlet shews that he has addressed a letter to Mr. Adams, on the subject of his letter to me and has not ventured to ask the question of him.—This is therefore a second admission of the truth of the charge, that he proposed to bring General Jackson to trial, I still believe there was no express proposition to arrest or try Gen. Jackson. But the Vice-President's own admission if duly considered and analyzed, amounts in substance, to that and nothing else. He admits that he proposed inquiry. There are I believe but two modes of inquiry known to the law martial, 1st a court of enquiry strictly so called, which is always resorted to when the facts upon which the government is called upon to decide, are not well ascertained, a court of enquiry is proper, and the duty of the court is simply to ascertain the facts, and report them to the government for its decision. 2d. A court martial for the trial of military offenders, when the facts are sufficiently ascertained, for the government to decide that the officer, ought, or ought not to be put on his trial. In the case of General Jackson, the facts were all distinctly known. They consisted of the orders of the war department, and the reports and dispatches of the general under those orders. There was here no necessity for a court of inquiry. Mr. Calhoun then in proposing an inquiry, did *in fact*, though not in words, propose a court martial, which presupposes an arrest. The President who is acquainted with martial law, no doubt understood Mr. Calhoun's proposition as one subjecting him to arrest and court martial.

All the other of Mr. Calhoun's notes to my letter admit of a satisfactory explanation, or are too insignificant in their nature to require attention, and would swell this review to an inconvenient extent. I therefore take my leave of them reserving to myself the right of explaining or refuting them if it should hereafter become necessary.

(To be continued.)

Oxford, Sept. 15.

Superior Court—The fall term of our Superior Court of Law ended on Saturday last—Judge Norwood presided. The only business of an unusual nature, or which excited interest, was the case of the State vs. Robert Potter, upon an indictment which follows. Seawell, Nash and Venable aided in the prosecution, and Devereux, Haywood and Waddell, appeared for Defendant.

STATE OF NORTH CAROLINA.
County of Granville.

Superior Court of Law, begun and held on the first Monday of September, A. D. 1831.

The Jurors for the State, upon their Oath, present, that Robert Potter, late of the County of Granville aforesaid, (Attorney at Law,) being a person of a wicked and malicious disposition, and contriving and wickedly intending one Lewis K. Willie, a youth of tender age, to maim and disfigure, on the twenty-eight day of August in the year of our Lord one thousand eight hundred and thirty one, at and in the said County of Granville, with force and arms, in and upon the said Lewis K. Willie, in the peace of God and the State, then and there being, on purpose, unlawfully did make an assault; and that he the said Robert Potter, with a certain knife, which he the said Robert Potter, in his right hand, then and there, had and held, both the testicles of him the said Lewis K. Willie, on purpose, unlawfully did cut out, with intent, him the said Lewis K. Willie, in so doing to maim and disfigure, against the form of the Act of the General Assembly, in such case made and provided, and against the peace and dignity of the State.

And the Jurors aforesaid, upon their Oath aforesaid, do further present, that the said Robert Potter, afterwards, to wit, on the same day and year aforesaid, at and in the County of Granville aforesaid, with force and arms, in and upon the said Lewis K. Willie, in the peace of God and the State, then and there being, unlawfully, and of his malice aforethought did make an assault; and that he the said Robert Potter, with a certain knife, which he the said Robert Potter, in his right hand, then and there had and held, both the testicles of him the said Lewis K. Willie, then and there, unlawfully, wilfully and of his malice aforethought, did cut out, and entirely sever from the body of him the said Lewis K. Willie, with intent, in so doing, him the said Lewis K. Willie, to maim and disfigure, and other wrongs to him the said Lewis K. Willie then and there did, to the great damage of the said Lewis K. Willie, against the peace and dignity of the State.

JOHN SCOTT, Sol'r Gen'l.

The Indictment having been read from the Clerks' Table, the defendant was desired to plead; when he stated, that he could not plead *unqualifiedly* guilty—but being informed from the bench that he must say one or the other, he said, to waive all formality, he would say GUILTY. The Court, then proceeded to try him upon the submission.

Louis K. Willie was called on the part of the State. The witness was brought before the Court in a litter—his appearance was pale, and apparently very feeble. Having been sworn, he proceeded to give testimony, as follows, as near as may be. [Mr. Potter, requested that the Court would admonish the young man as to the nature of the oath, he had taken, &c. The Counsel for prosecution having objected, the Court refused, unless it was alledged that the witness was of unsound mind, &c.]

Witness proceeded.—That until the time of committing the violence charged in the indictment, he had never seen or suspected any thing unfriendly on the part of Mr. P. but the reverse. That on Sunday the 28th day of August, the prisoner came to his father's house, and requested witness to aid him in getting a dog home, which was at his father's—that defendant procured his rifle and dog, and they proceeded together about half a mile, when defendant desired witness to help him tie the dog—witness said it was unnecessary, but the defendant insisted, when witness dismounted and caught the dog to hold him until defendant could tie him. —The defendant approached and threw a leather strap over witness' neck, and drew it so as to choke him—then requested him to cross his hands, which being done they were tied. Mr. Potter then led witness out of the road, and told him that he had made his cousin Isabella (Potter's wife) a W——— then bound his legs—witness swore to Mr. P. that he was innocent of the charge—defendant proceeded to perform the operation charged in indictment. Having unbound him, defendant asked if they should part as friends—witness gave his hand. Defendant told witness, that Dr. Taylor must know of the deed, and no one else, not even witness' father—Mr. P. stated that if he heard any thing more of the matter he would send that strumpet home to her father.

Examined by Nash.—Had seen Mr. Potter at the Camp Meeting on the preceding sabbath—witness was at Robt. Taylor's from Friday until Sunday morning—never measured strength or scuffled with the prisoner—coming to Oxford, met R. Potter—went back with him to get the rifle and dog—at prisoner's request, witness changed his horse for prisoner's gig, as it might make a difference in the dog's following—about half a mile from his father's house, stopped to tie the dog as before stated—prisoner appeared very friendly, and the witness supposed him to be sporting with him after he was tied. Prisoner then made the charge against witness—and threatened to cut his throat if he resisted—does not recollect any threat for divulging the affair—went home and sent for the Doctor.

Cross-examined by Potter—Do not recollect the charge of guilt with Mrs. P. before his hands were bound, did not apprehend personal violence—after witness was released he said—"Mr. Potter, how did you find it out?" and being told that she had confessed, he said it was true. The defendant demanded of the witness, upon his solemn oath, to say whether he was guilty or not of intercourse with Mrs. Potter? the witness emphatically denied his guilt or having ever made any advances. Witness stated that Mr. Potter held a knife in his hand, and he acknowledged that he was guilty through fear of personal danger, &c.

By Nash—Perfectly innocent of improper conduct with Mrs. Potter—his confession of guilt made through fear, inspired by the expression of the prisoner's countenance. Dont recollect expressing a willingness to keep the matter secret, nor to part as friends but gave his hand. The witness stated, that after he got home he sent for the Doctor, and then pursued Potter with his gun, but becoming very weak from loss of blood, he was compelled to return home.

Mr. Potter now addressed the Court at considerable length, at the close of which he briefly stated the testimony upon which he relied for his justification.—This testimony consisted in a confession of guilt on the part of Mrs. Potter, to himself and to sundry persons afterwards. The judge declared that no such testimony would be received, as it was illegal. The wife cannot give testimony affecting the husband, but more especially would her confessions, and conversations be rejected as irregular and inadmissable. The Court stated that the wife could not be examined, even by consent, as her testimony was designed to publish her own infamy. Mr. Potter hoped the Court would admit testimony as to the moral merits of the transaction, but the Court adhered to its refusal. It may be proper to state here, that a friend of Mrs. Potter requested the Court to hear the testimony, and the Counsel for the prosecution, also expressly stated a willingness to the examination of the lady herself. They thought it due to the reputation of the lady, as the prisoner had been allowed in his speech to bring this matter before the Court; but the Court would not hear the evidence. It may be an act of justice also to state here that Mrs. Potter has since denied her guilt, and given her reasons for the confession. We have thus far departed from the strict line of a *report*, because we thought it necessary to a proper understanding of the affair.

The Court stated, that in its decision to reject such testimony as had been offered, it did not include such facts and circumstances as might go to shew that there were grounds to suspect improper conduct on the part of Mrs. Potter.

S. Philpot was sworn in behalf of Mr. Potter—Was at school near Mr. Robert Taylor's—once or twice at Mr. Robert Taylor's—saw young Willie there—never saw any thing amiss between the parties—saw no actions or gestures, which indicated any thing improper.

Dr. W. V. Taylor was sworn, and gave evidence as to the nature of the wound which we deem unnecessary to detail.—The Dr. being about to relate his conversation with young Willie, it was objected to by Defendant's Counsel—but the Judge having decided that the testimony of the witness Lewis K. Willie, had been questioned in the cross-examination, the prosecutors claimed the evidence of Dr. Taylor, to shew that the witness had been consistent in his story. Dr. T. then related his conversation with young Willie; which was substantially the same as was given by the witness to the Court.

Several gentlemen testified to the moral and correct conduct of the man. The defendant was then to jail, to await the sentence Court.

We do not of course pretend retained every little circumstance transpired, on the trial, but claim to be nicely accurate in have given, but the above is a tial statement of the trial.

On Friday the prisoner was into Court to receive his sentence argument now arose upon a law, for the following state which, we are indebted to a the bar.

"Seawell for the prosecu the following distinctions:

"In this indictment there counts, the one charges the under the Statute, the other mon Law.

"In this case it is clear, that utary provision of the State, to maiming, has not specific fence of which the defendant ed; nor was it intended that vision should result by in The terms of the statute are any person or persons, shall forethought, unlawfully cut able the tongue, or put out an person, with intent to murder disfigure, the person or perso fending, their councellors, abe aiders, knowing of and privy fence, as aforesaid, shall for offence, stand in the pillory hours, have both his ears nail pillory and cut off, and receive on the bare back." The section of the same statute "That if any person or perso on purpose, unlawfully, cut nose, bite or cut off a nose or or cut off an ear, or *disable a member*, of any other person, tent," &c.—All persons so are subject to six months' impri and to be fined at the discre Court. The terms of the se tion of the statute, which a provide for this offence, are words, following specific term the invariable rules of con they are qualified and restrain antecedents, and can never implication, to offences of gr nitude. The offences descri first section, with their p fixed and determined, cannot ed by the general terms above to, for that would be a contra the statute itself; yet, the lan tirely general. Then is it po ble to suppose that the stat contemplated an offence, o magnitude than all the rest to

"Again, when a statute spe apportions the punishment o fence, that was considered sm mon Law, the power of ou not thereby abridged or rest bedience, though in the exerc respect and deference, which the Legislature, it is usual But when a case occurs, as which in all probability the never contemplated, there reason why the Court should cise that discretion, of which been expressly deprived by s in all cases where the jurisd tribunal is to be abridged, it done expressly and not impli

"Devereux and Haywood Defendant, respectively cont the Legislature designed the whole subject within the of the acts of '54 and '91, fore the Court could not punishment of the statute."

The Court proceeded to d opinion. His Honor said th himself in a most unpleasant but it was one in which the this State were frequently pl stated that his mind was not satisfied as to the point of h should pronounce sentence ac the present leaning of his felt himself bound to believe offence came under the second the act of '91 in relation to maiming, &c. Therefore the no discretion as to the impo which was prescribed in that said that were his opinion diff this point of law, he would have imprisoned the offender years, &c. His honor state had great confidence in the te young Willie; that on the defendant not a shadow of been offered, which could be the Court in extenuation of the not even an action or gesture smile, was proven to indicate conduct on the part of the wife, that he must believe the soner's suspicion was caused strange misconception, &c. & nor sentenced Robt. Potter to of One Thousand Dollars, an prosecution, and be imprisone Calendar months, and there the said fine and costs be paid

The trial was attended by a spectators, whose feelings ap be in a state of great excitem

In conclusion, we will state Potter is indicted for maimi same manner, on the same day Lewis Taylor of this county, stabbing him in the head and i this indictment will be tri Spring Term of the Superior will not remark upon it, fur to say, that immediately after mission of the offence for whic tried as above, he proceed meeting house where Mr. T formed divine worship on and prevailed upon the Rev. to accompany him home, he s haltered him and maimed an