COMMUNICATION.

FOR THE REGISTER.

MR. EDITOR.—Permit me to offer a few remarks on some of the statements which appeared in your last Tuesday's paper, in relation to "the late Judge GASTON." And, lest I should be misunderstood in the personal bearing of these remarks, I will say, in advance, that I yield to no one in veneration for the character of that distinguished man. It was my good fortune to live for several years in the same town in which he resided, and I speak the language of every citizen in that community when I say, that those who knew him best, esteemed him most. Seldom have such talents, meekness, delicacy, and firmness, been found blended in one man as were exhibited in him. No one who had a heart, could come in contact with him without feeling, ever after, an esteem for him. He was the scholar, the gentleman, the philanthropist, the christian; and being such, there was not an office in the gift of his country, much less of this State, that could have tempted him to commit the sin of "perjury" knowingly. He may have misconstrued the Constitution—of this every one is at liberty to judge for himself—his obliging nature may have biased his judgment, while examining the requisites of the office to which his fellow-citizens so urgently pressed him; in which case, their solicitation was more culpable than his acceptance, if any fault was committed; but he did not intentionally violate the Constitution.

Having thus expressed my views and feelings towards the man, I can the more freely speak to the case itself; in doing which, it would be well to forget that it has any relation to him, or to any other individual. Our concern now is not with *persons*, but with *principles*.

And first as to the principles of interpretation applied in this case:

It is admitted that the article in question was "intended to exclude Catholics from office"—of this, says the article under examination, "there is no doubt." And yet it is argued that they might be constitutionally appointed to civil offices. I had thought that the known intention of a law was paramount to every other consideration in its interpretation and practical application. ERNESTI has laid it down as a rule, that "*Every interpretation should harmonize with the design of the writer.*" (*Principles of Interpretation*, p. 19.) Statesmen in Congress lay much stress upon the intention of the framers of the Constitution in their application of its principles. But if a class of persons may be appointed to an office, which a certain law was intended to exclude, then the intention of the law has nothing to do with its application. Is this a correct principle of interpretation?

But the prohibition of the article is against those who "*deny* the truth of the Protestant religion." "To deny," it is argued, "is the opposite of affirm, and not of believe; and therefore it neither includes those who doubt, nor those who disbelieve a proposition, unless the disbelief is made manifest by a positive, overt *negation* of its truth." So then, although it was "*intended*" by the section in question "to exclude Catholics from office," it does *not include them*, as they may only doubt or disbelieve the truth of the Protestant religion, without expressing any positive negation! But leaving this for the decision of those who are more certain than I am which of the many forms in which a thing may be affirmed or denied was intended by the framers of the Constitution, we pass to that part which says—"or who shall hold religious principles incompatible with the freedom and safety of the State." Was this not intended to apply specifically to the Roman Catholic religion? Did not the early settlers of this country, and the framers of our Constitution, regard the distinctive principles of that system as "incompatible with the safety and freedom of the State?" And was not this section intended as a guard against this dreaded evil? If so, to hold the distinctive sentiments of the Romish church was, in the intention of the Constitution, to be disqualified for holding office in our State.

I do not approve of the section as it stood—on the contrary, I heartily concur in the change that has been made in it, and willingly extend to Roman Catholics the same priviliges and rights that are enjoyed by other citizens. But I cannot sanction a dangerous principle of interpretation to evade the force even of a bad law.

My principal business, however, is with what is said respecting the difference between the Protestant and Roman Catholic religion, &c. In the article under examination it is said—"There is not a single affirmative doctrine embraced by the Protestants generally, which is not of the Catholic faith. The great difference between them, as we understand it, is simply this: Catholics contend that Protestants believe too little, and Protestants that Catholics believe too much." The same sentiment is expressed in the accompanying speech, in the following language:—"Protestants have separated from the Catholics, because, as they alledge, the latter have added to the Christian code, doctrines not revealed. Protestants therefore reject as error, or at all events as of human invention, more or less of what Catholics receive as divine truth. But there is no affirmative doctrine embraced by Protestants generally, which is not religiously professed also by Catholics. The latter hold that the former err, not in what they believe, but in what they disbelieve." Now any body who will take the trouble to examine and compare the distinctive principles of the Protestant and Catholic religions, will be convinced that this is not "the great difference between them." Protestants not only charge Romanists with adding to the word of God doctrines which it does not contain, but also with corrupting and perverting that which it does contain. On the fundamental doctrine of Justification, which is the cardinal point of difference between them, Protestants affirm what Catholics deny, if the Council of Trent is taken as an exponent of their views. The Protestants' doctrine on this subject is, that "man is justified on account of the righteousness of Christ, and not for his own works or deservings," and "by faith only." TAINT says, If any one shall say this let him be "*anathema sit.*" Is this the way Protestant affirmatives are religiously embraced by Catholics? If so, we had rather be spared the favor. The truth of the matter is, that Protestants affirm many things, deemed fundamental, which Catholics deny, and *vice versa*. "To set up a single caste as mediators between God and man, and to barter in exchange for works, and penances, and gold, the salvation freely given by God;—such was Popery.

"To open wide to all, through Jesus Christ, and without any earthly mediator, and without that power that called itself the church, free access to the gift of God, *eternal life*;—such was Christianity, and such was the Reformation.

"Popery may be compared to a high wall erected by the labor of ages, between man and God. Whoever will scale it must pay or suffer in the attempt; and even then he will fail to overleap it.

"The Reformation is the power which has thrown down this wall, has restored Christ to man, and has thus made plain the way of access to the Creator.

"Popery interposes the Church between God and man. Christianity and the Reformation bring God and man face to face."—*D'Aubigne*, vol. i. p. 39.

I am sorry to find that the Reformation is referred to in the speech as "*the great schism.*" We all know that Roman Catholics look upon Protestants as schismatics who have departed from the church, and that they are not only "the main body," but the only body that can be properly called the church. But I should not have expected such statements would have been made when seeking to remove those clogs which Romish intolerance in the old country had thrown in the way of Catholics in this. Whether it be right thus to spurn the charge of schism against Protestants, may be seen from the following statement of Chillingworth: "Either you suppose the external communion of the church corrupted, and that there was a necessity for them that would communicate with this church to communicate in her corruptions; or, you suppose her communion uncorrupted. If the former, and yet will take for granted, that all are schismatics that leave her communion though it be corrupted, you beg the question in your proposition. If the latter, you beg the question in your supposition; for Protestants, you know, are peremptory and unanimous in the denial of both these things; both that the communion of the visible church was then uncorrupted, and that they are truly schismatics who leave the communion of the visible church, if corrupted."—p. 353.

What I have written has been prompted by a wish to guard important principles, and not to reflect in the least upon any one, living or dead. Our attachment to men must never blind us altogether to their faults, nor lead us to sanction what is erroneous. The truly great and good can afford to have their merits fairly tried without the concealments and glosses which inferiority needs to hide its deformities in order to secure a little posthumous reputation.

"Though time will wear us, and we must grow old,
Such men are not forgot as soon as cold;
Their fragrant memory will outlast their tomb,
Embalmed forever in its own perfume."

A PROTESTANT.

THE OREGON SETTLEMENT.

We observe by the Virginia papers that Mr. Leake, a Democratic member of Congress from that State, in a recent public speech in his district frankly admitted that the peaceable settlement of the Oregon difficulty was not (as his party had claimed) attributable so much to "THE NOTICE" which the President recommended, as to the FORM which was given to the notice by the Whigs of the Senate, aided by some independent Democratic members. "Without some such modification Mr. Leake believed there was great danger of open hostilities between Great Britain and the United States." There is no doubt that Mr. L. is right, and such will be the judgment which history will record of the transaction; yet, for maintaining this view of the case, all who preferred a just settlement and honorable peace to calamitous and unnecessary war were denounced by the parasites of power, here and elsewhere, as British-bought traitors. The President proclaimed our title to the whole of this disputed territory to be "clear and unquestionable," and at the same time advised Congress to authorize immediate notice to the British Government of a termination of the joint occupancy convention.—This was urged on the ground that it was the only sure mode of bringing the question to a peaceable termination; and all the faithful shouted pæans to the wisdom of the Executive head. But the Whigs mistrusted the Executive judgment; the assertion of title and the recommendation wore too much the appearance of a movement *ad captandum vulgus*; and they, therefore, disregarding alike the clamors of demagogues and imputations of the low and vile, listened only to the voice of duty, and boldly as well as wisely proposed that course of conciliation due to humanity, due to a great and kindred nation, and still more to our own character, and thus rescued the peace of the country from jeopardy and averted the calamity which Mr. Leake thinks the reckless course proposed by the Administration would have rendered imminent. It is to the WHIGS OF THE SENATE, then, aided by the Bentons, and Calhouns, and Haywoods, and other independent members of the dominant party, that the country is (now admitted by candid opponents to be) indebted for the preservation of its peace, its dignity, and its honor.

National Intelligencer.

A METEOR IN DAY LIGHT.—A correspondent of the Lynchburg Virginian, writing from Liberty, Bedford county, relates the following story of the appearance of a meteor in day light:

On Thursday, Aug. 6th, at about 2 o'clock in the afternoon, this singular phenomenon occurred. The writer was about three miles above Liberty, on the turnpike, when he heard a loud report in the air, not unlike the report made by blasting rock. Several gentlemen who were about five miles distance from my position, and a little West of North, heard it very distinctly, and thought the report was in the Southeast.—Others, who were about a mile and a half East of me, thought the report was nearly over their heads. It was distinctly heard by several persons in Botetout county, behind the Peaks of Otter, some of whom were much alarmed at the unusual sound in the elements, and began to fear that it was a premonition of the destruction of the world. A gentleman in Franklin county, coming into Bedford, and at least sixteen miles East of my position, heard it distinctly. But the most remarkable facts of the phenomenon are yet to be told. The report was not only heard, but the Meteor was actually *seen in the broad daylight*. The sky was perfectly clear, with the exception of a few small clouds in the West and Northwest, and the thermometer in the shade, from morning to night, ranged from 93 to 96—Several persons who were on the Eastern side of the Peak, called "Headforemost," at a distance of at least 12 miles from me, had their attention arrested by hearing a singular rumbling sound in the air, and, on looking up, they beheld a luminous body passing along at the rate of lightning, and leaving behind a long bright tail, of the color of iron at white heat. Its course seemed to them to be South. They heard the rumbling sound that accompanied it, *but not the report or explosion*. Other persons occupying a position between these last and myself, heard both the rumbling sound and the report. From these statements, it may be inferred that the course of this meteor was Southeast.

TREASURY NOTES.—On the 4th instant at New Orleans, the Brokers were buying these Notes at two and a half per cent. discount, and selling them at two per cent. discount.

DUEL BETWEEN GENERAL HAMILTON AND COL. BURR.

Having accidentally met with a detailed account of this celebrated duel, not generally accessible, we have thought the narrative might not be uninteresting to our readers. It will be recollected that in the violent party politics consequent upon the state of things after the close of the Revolution, that these two gentlemen, each holding prominent positions, were politically opposed to each other. In June, 1804, Col. Burr, then Vice President of the United States, addressed the following letter to Gen. Hamilton, requiring his acknowledgment or denial of the use of any expression derogatory to his honor:

New York, June 18, 1804.

SIR—I send for your perusal a letter signed Charles D. Cooper, which, though apparently published some time ago, has but very recently come to my knowledge. Mr. Van Ness, who does me the favor to deliver this, will point out to you that clause of the letter to which I particularly request your attention.

You must perceive, Sir, the necessity of a prompt and unqualified acknowledgment or denial of the use of any expression which would warrant the assertions of Dr. Cooper.

I have the honor to be
Your obedient servant,
Gen. Hamilton. A. BURR.

Which received from Gen. Hamilton the following reply:

New York, June 20, 1804.

SIR—I have maturely reflected on the subject of your letter of the 18th inst., and the more I have reflected the more I have become convinced, that I could not, without manifest impropriety, make the avowal or disavowal which you seem to think necessary. The clause pointed out by Mr. Van Ness is in these terms: "I could detail to you a *still more despicable* opinion which General Hamilton *has expressed* of Mr. Burr." To endeavor to discover the meaning of this declaration, I was obliged to seek, in the antecedent part of this letter, for the opinion to which it referred, as having been already disclosed. I found it in these words: "General Hamilton and Judge Kent have declared, in *substance*, that they looked upon Mr. Burr to be a *dangerous man, and one who ought not to be trusted with the reins of government.*"

The language of Dr. Cooper plainly implies, that *he* considered this opinion of you, which he attributes to me, as a *despicable* one; but he affirms that I have expressed some other, *more despicable*, without, however, mentioning to whom, when, or where. 'Tis evident that the phrase, "still more despicable," admits of infinite shades, from very light to very dark. How am I to judge of the degree intended? or how shall I annex any precise idea to language so indefinite?

Between gentlemen, *despicable* and *more despicable* are not worth the pains of distinction: when, therefore, you do not interrogate me, as to the opinion which is specifically ascribed to me, I must conclude, that you view it as within the limits to which the animadversions of political opponents upon each other may justifiably extend, and consequently as not warranting the idea of it which Dr. Cooper appears to entertain. If so, what precise inference could you draw, as a guide for your conduct, were I to acknowledge that I had expressed an opinion of you *still more despicable* than the one which is particularized? How could you be sure that even this opinion had exceeded the bonnds which you would yourself deem admissible between political opponents?

But I forbear further comment on the embarrassment, to which the requisition you have made naturally leads. The occasion forbids a more ample illustration, though nothing could be more easy than to pursue it.

Repeating that I cannot reconcile it with propriety to make the acknowledgment or denial you desire, I will add that I deem it inadmissible on principle, to consent to be interrogated as to the justness of the *inferences* which may be drawn by others from whatever I may have said of a political opponent, in the course of fifteen years competition. If there was no other objection to it, this is sufficient, that it would tend to expose my sincerity and delicacy to injurious imputations from every person who may at any time have conceived the *import* of my expressions, differently from what I may then have intended, or may afterwards recollect. I stand ready to avow or disavow promptly and explicitly any precise or definite opinion which I may be charged with having declared of any gentleman. More than this cannot fitly be expected from me; and especially it cannot be reasonably expected that I shall enter into an explanation upon a basis so vague as that which you have adopted. I trust, on more reflection, you will see the matter in the same light with me. If not, I can only regret the circumstance, and must abide the consequences.

The publication of Dr. Cooper was never seen by me till after the receipt of your letter.

I have the honor to be, &c.,
Col. Burr. A. HAMILTON.

A very haughty, and, in its tone, offensive reply was returned in answer to this letter by Col. Burr, and the matter passed into the hands of Col. Wm. F. Van Ness on the part of Col Burr, and Nathaniel Pendleton, Esq, on that of Gen. Hamilton. Several communications passed between these gentlemen without arriving at any satisfactory result, the tone of Col. Burr's demands being dictatorial and uncompromising. On the 26th of June Mr. Pendleton wrote as follows:

26th June, 1804.

SIR—I have communicated the letter which you did me the honor to write to me of this date, to Gen. Hamilton. The expectations now disclosed on the part of Col. Burr, appear to him to have greatly extended the original ground of inquiry, and instead of presenting a particular and definite case of explanation, seem to aim at nothing less than an inquisition into his most confidential conversations, as well as others, through the whole period of his acquaintance with Col. Burr.

While he was prepared to meet the particular case fairly and fully, he thinks it inadmissible that he should be expected to answer at large as to every thing he may possibly have said, in relation to the character of Col. Burr, at any time or upon any occasion. Though he is not conscious that any charges which are in circulation to the prejudice of Col. Burr, have originated with him, except one which may have been so considered, and which has long since been fully explained between Col. Burr and himself—yet he cannot consent to be questioned generally as to any *rumors* which may be afloat derogatory to the character of Col. Burr, without specification of the several rumors, many of them probably unknown to him. He does not, however, mean to authorize any conclusion as to the real nature of his conduct in relation to Col. Burr, by his declining so loose and vague a basis of explanation, and he disavows an unwillingness to come to a satisfactory, provided it be an honorable, accommodation. His objection is, the very indefinite ground which Col. Burr has assumed, in which he is sorry to be able to discern nothing short of predetermined hostility. Presuming, therefore, that it will be adhered to, he has instructed me to receive the message which you have it in charge to deliver. For this purpose I shall be at home, and at your command, to-morrow morning, from eight to ten o'clock.

I have the honor to be respectfully,
Your obedient servant,
NATH'L PENDLETON.

Wm. P. Van Ness, Esq.

To this letter Mr. Van Ness sent a reply enclosing a message in form to Gen. Hamilton, which was accepted. Gen. Hamilton, after commenting upon the communication, gives the following instructions to Mr. Pendleton:

"Whether the observations on this letter are designed merely to justify the result which is indicated in the close of the letter, or may be intended to give an opening for rendering any thing explicit which may have been deemed vague heretofore, can only be judged of by the sequel. At any rate, it appears to me necessary not to be misunderstood. Mr. Pendleton is therefore authorized to say, that in the course of the present discussion, written or verbal, there has been no intention to evade, defy, or insult, but a sincere disposition to avoid extremities, if it could be done with propriety. With this view, Gen. Hamilton has been ready to enter into a frank and free explanation on any and every object of a specific nature; but not to answer a general and abstract inquiry, embracing a period too long for any accurate recollection, and exposing him to unpleasant criticisms from, or unpleasant discussion with, any and every person, who may have understood him in an unfavorable sense. This (admitting that he could answer in a manner the most satisfactory to Col. Burr) he should deem inadmissible, in principle and precedent, and humiliating in practice To this, therefore, he can never submit. Frequent allusion has been made to slanders said to be in circulation. Whether they are openly or in whispers, they have a form and shape, and might be specified.

"If the alternative alluded to in the close of the letter is definitively tendered, it must be accepted; the time, place, and manner, to be afterwards regulated. I should not think it right in the midst of a Circuit Court to withdraw my services from those who may have confided important interests to me, and expose them to the embarrassment of seeking other counsel, who may not have time to be sufficiently instructed in their causes. I shall also want a little time to make some arrangements respecting my own affairs."

On Friday, the 6th of July, the circuit being closed, Mr. Pendleton informed Mr. Van Ness that General Hamilton would be ready at any time after the Sunday following. On Monday the particulars were arranged—on Wednesday the parties met at Weehawk, on the Jersey shore, at 7 o'clock, A. M. The particulars of what then took place will appear from the following statement.

It was nearly seven in the morning when the boat which carried Gen. Hamilton, his friend Mr. Pendleton, and the Surgeon mutually agreed on, Dr. Hosack, reached that part of the Jersey shore called the *Weehawk*. There they found Mr. Burr and his friend Mr. Van Ness, who, as I am told, had been employed since their arrival, with coats off, in clearing away the bushes, limbs of trees, &c., so as to make a fair opening. The parties in a few moments were at their allotted situtations: when Mr. Pendleton gave the word. Mr. Burr raised his arm slowly, deliberately took his aim, and fired. His ball entered Gen. Hamilton's right side: as soon as the bullet struck him, he raised himself involuntarily on his toes, turned a little to the left, (at which moment his pistol went off,) and fell upon his face. Mr. Pendleton immediately called out for Dr. Hosack, who, in running to the spot, had to pass Mr. Van Ness and Col. Burr; but Van Ness had the cool precaution to cover his principal with an umbrella, so that Dr. Hosack should not be able to swear that he saw him on the field. What passed after this, the reader will have in the following letter from Dr. Hosack himself.

August 17th, 1804.

"Dear Sir—To comply with your request is a painful task; but I will repress my feelings while I endeavor to furnish you with an enumeration of such particulars relative to the melancholy end of our beloved friend Hamilton, as dwell most forcibly on my recollection.

"When called to him, upon his receiving the fatal wound, I found him half sitting on the ground, supported in the arms of Mr. Pendleton. His countenance of death I shall never forget—he had at that instant just strength to say, "This is a mortal wound Doctor;" when he sunk away, and became to all appearance lifeless. I immediately stripped up his clothes, and soon, alas! ascertained that the direction of the ball must have been through some vital part. His pulses were not to be felt; his respiration was entirely suspended; and upon laying my hand upon his heart and perceiving no motion there, I considered him as irrecoverably gone. I however observed to Mr. Pendleton, that the only chance for his reviving was immediately to get him upon the water. We therefore lifted him up, and carried him out of the wood, to the margin of the bank, where the bargemen aided us in conveying him to the boat, which immediately put off. During all this time I could not discover the least symptom of returning life. I now rubbed his face, lips, and temples, with spirits of hartshorne, applied it to his neck and breast, and to the wrists and palms of his hands, and endeavored to pour some into his mouth. When we had got, as I should judge, about fifty yards from the shore, some imperfect efforts to breathe were for the first time manifest: in a few minutes he sighed, and became sensible to the impression of the hartshorne, or the fresh air of the water. He breathed; his eyes, hardly opened, wandered, without fixing upon any objects; to our great joy he at length spoke: "My vision is indistinct," were his first words. His pulses became more perceptible; his respiration more regular; his sight returned. I then examined the wound to know if there was any dangerous discharge of blood; upon slightly pressing his side it gave him pain; on which I desisted. Soon after recovering his sight, he happened to cast his eye upon the case of pistols, and observing the one he had had in his hand lying on the outside, he said, "Take care of that pistol; it is undischarged, and still cocked; it may go off and do harm;—Pendleton knows, (attempting to turn his head towards him) that I did not intend to fire at him." "Yes," said Pendleton, understanding his wish, "I have already made Dr. Hosack acquainted with your determination as to that." He then closed his eyes and remained calm, without any disposition to speak; nor did he say much afterwards, excepting in reply to my questions as to his feelings. He asked me once or twice how I found his pulse; and he informed me that his lower extremities had lost all feeling; manifesting to me that he entertained no hopes that he should long survive. I changed the posture of his limbs, but to no purpose; they had totally lost their sensibility. Perceiving that we approached the shore, he said, "Let Mrs. Hamilton be immediately sent for—let the event be gradually broken to her; but give her hopes." Looking up we saw his friend Mr. Bayard standing on the wharf in great agitation. He had been told by his servant that Gen. Hamilton, Mr. Pendleton, and myself, had crossed the river in a boat together, and too well he conjectured the fatal errand, and foreboded the dreadful result. Perceiving, as we came nearer, that Mr. Pendleton and myself only sat up in the stern-sheets, he clasped his hands together in the most violent apprehension; but when I called to him to have a cot prepared, and he at the same moment saw his poor friend lying in the bottom of the boat, he threw up his eyes and burst into a flood of tears and lamentation. Hamilton alone appeared tranquil and composed. We then conveyed him as tenderly as possible up to the house. The distresses of this amiable family were such that till the first shock was abated, they were scarcely able to summon fortitude enough to yield sufficient assistance to their dying friend.

"Upon our reaching the house he became more languid, occasioned probably by the agitation of his removal from the boat. I gave him a little weak wine and water. When he recovered his feelings he complained of pain in his back; we immediately undressed him, laid him in bed, and darkened the room. I then gave him a large anodyne, which I had frequently repeated. During the first day he took upwards of an ounce of laudanum; and tepid anodyne fomentations were also applied to those parts nearest the seat of his pain—yet were his sufferings, during the whole of the day almost intolerable.

I had not a shadow of a hope of his recovery, and Dr. Post, whom I requested might be sent for immediately on our reaching Mr. Bayard's house, united with me in this opinion. General Rey, the French consul, had the goodness to invite the surgeons of the French frigates in our harbor, as they had had much experience in gunshot wounds, to render their assistance. They immediately came; but to prevent his being disturbed I stated to them his situation, described the nature of his wound and the direction of the ball with all the symptoms that could enable them to form an opinion as to the event. One of the gentlemen then accompanied me to the bed-side. The result was a confirmation of the opinion that had already been expressed by Dr. Post and myself.

"During the night, he had some imperfect sleep: but the succeeding morning his symptoms were aggravated, attended however with a diminution of pain. His mind retained all its usual strength and composure. The great source of his anxiety seemed to be in his sympathy with his half distracted wife and children. He spoke to me frequently of them—"My beloved wife and children," were always his expressions.—But his fortitude triumphed over his situation, dreadful, as it was; once, indeed, at the sight of his children brought to the bed side together, seven in number, his utterance forsook him; he opened his eyes, gave them one look, and closed them again, till they were taken away. At about two o'clock, as the public well knows, he expired.

"Incorrupta fides—nudaque veritas
Quando ullum invenient parem?
Multis ille quidem flebilis occidit."

"After the death of General Hamilton, a note which had been written the evening before the interview, was found, addressed to the gentleman who accompanied him to the field; thanking him with tenderness for his friendship to him, and informing him where would be found the certain key to drawers in his desk, in which he had deposited such papers as he had though proper to leave behind him; together with his last Will.

The following paper as containing his motives for accepting the challenge; his reflections on his situation; and some remarks on the conduct of the man who was to be the cause of his death, is presented as a highly interesting document.

On my expected interview with Col. Burr, I think it proper to make some remarks explanatory of my conduct, motives, and views.

I was certainly desirous of avoiding this interview for the most cogent reasons.

1. My religious and moral principles are strongly opposed to the practice of duelling, and it would ever give me pain to be obliged to shed the blood of a fellow creature in a private combat forbidden by the laws.

2. My wife and children are extremely dear to me, and my life is of the utmost importance to them, in various views.

3. I feel a sense of obligation towards my creditors; who in case of accident to me, by the forced sale of my property, may be in some degree sufferers. I did not think myself at liberty as a man of probity, lightly to expose them to this hazard.

4. I am conscious of no *ill will* to Col. Burr, distinct from political opposition, which, as I trust, has proceeded from pure and upright motives.

Lastly, I shall hazard much, and can possibly gain nothing by the issue of the interview.

But it was, as I conceive, impossible for me to avoid it. There were *intrinsic* difficulties in the thing, and *artificial* embarrassments from the manner of proceeding on the part of Col. Burr.

Intrinsic, because it is not to be denied, that my admadversions on the political principles, character, and views of Col Burr, have been extremely severe; and on different occasions, I, in common with many others, have made very unfavorable criticisms on particular instances of the private conduct of this gentleman.

In proportion as these impressions were entertained with sincerity, and uttered with motives, and for purposes which might appear to me commendable, would be the difficulty (until they could be removed by evidence of their being erroneous,) of explanation or apology. The disavowal required of me by Col. Burr, in a general and indefinite form, was out of my power, if it had really been proper for me to submit to be so questioned; but I was sincerely of opinion that this could not be, and in this opinion, I was confirmed by that of a very moderate and judicious friend whom I consulted. Besides that Col. Burr appeared to me to assume, in the first instance, a tone unnecessarily peremptory and menacing, and in the second, positively offensive. Yet I wished, as far as might be practicable, to leave a door open to accommodation. This, I think, will be inferred from the written communications made by me and by my direction, and would be confirmed by the conversations between Mr. Van Ness and myself, which arose out of the subject.

I am not sure whether, under all the circumstances, I did not go further in the attempt to accommodate, than a punctilious delicacy will justify. If so, I hope the motives I have stated will excuse me.

It is not my design, by what I have said, to affix any odium on the conduct of Col. Burr, in this case. He doubtless has heard of animadversions of mine which bore very hard upon him; and it is probable that as usual they were accompanied with some falsehoods. He may have supposed himself under a necessity of acting as he has done. I hope the grounds of his proceedings have been such as ought to satisfy his own conscience.

I trust at the same time, that the world will do me the justice to believe, that I have not censured him on light grounds, nor from unworthy inducements. I certainly have had strong reasons for what I have said, though it is possible that in some particulars, I may have been influenced by misconstruction or misinformation. It is only my ardent wish that I may have been more mistaken than I think I have been, and that he, by his future conduct may show himself worthy of all confidence and esteem, and prove an ornament and blessing to the country.

As well because it is possible that I may have injured Col. Burr, however convinced myself that my opinions and declarations have been well founded, as from my general principles and temper in relation to similar affairs, I have resolved if our interview is conducted in the usual manner, and it pleases God to give me the opportunity to *reserve* and *throw away* my first fire, and I *have thoughts* even of *reserving* my second fire—and thus giving a double opportunity to Col. Burr, to pause and reflect.

It is not, however, my intention to enter into any explanation on the ground—apology from principle, I hope, rather than pride, is out of the question.

To those who, with me, abhorring the practice of duelling, may think that I ought on no account to have added to the number of bad examples, I answer that my *relative* situation, as well in public as private, enforcing all the considerations which constitute what men of the world denominate honor imposed on me (as I thought) a peculiar necessity not to decline the call. The ability to be in future useful, whether in resisting mischief or effecting good, in those crises of our public affairs which seem likely to happen, would probably be inseparable from a conformity with a public prejudice in this particular."

A. H.

The death of General Hamilton threw the whole nation into mourning. Next to General Washington he stood highest in the affections of the people. Col. Burr was forced to leave the United States, and never recovered his position in the country, though after many years absence he was permitted to return without meeting with legal hindrance. He was feared and avoided, although his mental superiority was conceded by his fellow citizens. Both of these gentlemen were men of small stature, (no man that had ever met the glance of Aaron Burr's dark piercing eye would ever forget him,) both had belonged to the military family of General Washington, who, with his instinctive insight into character, had early made his election between them, and withdrawn his confidence from Burr. Both had distinguished themselves in the battles of the Revolution, and both had received the verdict of popular opinion—the one as a pure, generous, and unflinching patriot—the other as a bold, talented, unprincipled, and aspiring man.—Hamilton was aged forty-seven when he fell.—The blood of Hamilton in his descendants still flows through the veins of some of the most elegant and refined of our citizens. Burr at an advanced age descended into his solitary grave unmourned, unpitied—childless and alone.

Sheriff's Sale.

I WILL sell at the Court House, in Henderson, on the first Monday after the fourth Monday in September next, the following Tracts of Land, or so much thereof as will satisfy the Tax due, as a double Tax for 1844, and the contingent expenses of said sale:

Myer's Heirs, on the waters of Mills River, 506 Acres, valued at $5,956—Tax, $43 66.

Myer's Heirs, 100 Acres, valued at $150, on the waters of Clear Creek—Tax, $1 10.

Myer's Heirs, 50 Acres, on the waters of Clear Creek.

J. LIVINGSTON, Sheriff,
Henderson County.

August 14, 1846. 68—w6wp

STATE OF NORTH CAROLINA.—ROBESON COUNTY.—Court of Pleas and Quarter Sessions, August Term, 1846

Daniel Currie and Neill Currie,
vs.
William Hagerson and wife, and Robert Currie.

Petition for the division of Real Estate, which descended to the Heirs of Angus Currie, dec'd.

Ordered, that publication be made at the Court House door, and in the Raleigh Register, for six weeks, that the Defendants appear at the next Term of this Court, to be held at the Court House in the Town of Lumberton, on the fourth Monday in November next, then and there to plead, answer or demur to the Petition; otherwise, the same will be taken *pro confesso* and heard *ex parte*.

Witness, Shadrach Howell, Clerk of said Court, at Office, in Lumberton, the fourth Monday in August, A. D., 1846, and of American Independence the 71st year.

SHD. HOWELL, C. C. C.

Sept. 12, 1846. [Pr. Adv. $5 62½] 75 6w

STATE OF NORTH CAROLINA.—HENDERSON COUNTY—Superior Court of Law, June Term, A. D. 1846.

Mary Ann Ward,
vs.
Benjamin Ward.

Petition for Divorce.

It appearing to the satisfaction of the Court, that the Defendant, Benjamin Ward, is not an inhabitant of this State, and that process cannot be personally served upon him; it is ordered, that publication be made in the Raleigh Register and Highland Messenger, for three months, commanding the said Benjamin Ward, to appear at our next Superior Court of Law, to be held for the County of Henderson, at the Court House in Hendersonville, on the first Monday after the fourth Monday in September next, then and there to plead to, or answer the said Petition, otherwise, the same will be heard *ex parte*

Witness, J. C. Gullick, Clerk of said Court at Office, the 4th Monday in June, A. D 1846.

J. C. GULLICK, Clerk.

MEDICAL COLLEGE OF THE STATE OF SOUTH CAROLINA.

THE Annual Course of LECTURES in this Institution, will commence on the second Monday in November, upon the following branches:

ANATOMY, by J. E. HOLBROOK, M. D.
SURGERY, by E. GEDDINGS, M. D.
INSTITUTES AND PRACTICE, by S. H. DICKSON, M. D.
PHYSIOLOGY, by JAMES MOULTRIE, M. D.
MATERIA MEDICA, by HENRY R. FROST, M. D.
OBSTETRICS, by THOMAS G. PRIOLEAU, M. D.
CHEMISTRY, by C. U. SHEPARD, M. D
DEMONSTRATOR, St. JULIAN RAVENEL, M. D.

The Demonstrator's apartment has recently been much improved, and will be opened on the first of November or earlier, under the immediate direction of Dr. Ravenel.

CLINICAL INSTRUCTION will be delivered at the Marine Hospital, Alms House, and College Hospital, to which the Students are admitted

Students have access to a valuable Medical Library.

Good boarding can be obtained at from three and a half to four dollars per week.

Specimens in Pathological Anatomy, and in Natural History, will be thankfully received.

For further information refer to the Annual Circular of the College, or direct to

HENRY R. FROST, Dean.

Charleston, August 22. 70—w6t

TO THE NEXT OF KIN OF JOHN JUSTICE, DECEASED: In the matter of William H. Bridges and Sarah his wife, John Justice, William Duncan and Elizabeth his wife, Warren Durham and Nancy his wife, Allen Justice, David Justice, Keziah Justice, Elizabeth Justice, Sarah Justice, Allen Robertson, Nathaniel Robertson, Stephen Robertson, David Robertson, Merrit Robertson, John Robertson, William Thompson and Elizabeth his wife, William Justice, Clayborn Justice, Wesley Edwards and Dolly his wife, and Franklin Freeman and Sarah his wife—*Plaintiffs*,

AND

Stephen Pleasants, Executor of the last Will of Stephen Justice, deceased—*Defendant*.

PURSUANT to an Order of the Supreme Court of North Carolina, directing me to enquire and state to the Court who were the children of John Justice, deceased, (a brother of the testator, Stephen Justice) living at the death of the said testator, to wit, in 1835, and whether any of them are since dead, and if dead, who is or are their personal representatives; I DO HEREBY GIVE NOTICE to all such persons, to come in and make out their kindred before me, at the Office of said Court, in the City of Raleigh, on the second Monday in March next, as, in default thereof, they will be excluded from all benefit in the distribution of a fund now in said Court.

EDMUND B. FREEMAN, Cl'k.

Sept. 2, 1846. 71—3m.