

that your course as an advocate, was polite and deferential, though uncompromising, bold and energetic."

Col. Morgan, Dec. 3d, 1830, says: "In answer to yours of yesterday, I have the honor to say to you, that your course at the late treaty here, and since, has been entirely satisfactory to me, both as it respects your official duties and private deportment. I have not heard any complaint of either. The point in controversy between you and Capt. Mason, seems to be, whether you have a right to practice your profession, or not. That matter can easily be adjusted by higher authority." The Judges, Clerk, and Prosecuting Attorney all testified that the course pursued by Mr. Burnett in the cases in question, as well as generally, "was open, fair and honorable, and such as could give offence to no man whatever," as they should suppose.

Mr. Burnett made out and forwarded to the War Department his defense against these charges, with the letters and certificates alluded to above, but heard no more from them till near two years after. In the meantime, the demeanor of Mr. Burnett towards Capt. Mason was such, as to show the contempt he felt for the course pursued by him, at which Mason took exceptions, and sent him the following challenge, dated Jan. 9th, 1831: "Sir,—I presume from your manner on Sunday last, when I met you at Mr. Brisbois', that you feel yourself injured or aggrieved by *some conduct* of mine; if so, it will afford me pleasure to give you honorable satisfaction, at any time you think proper to call for it. You cannot, of course, mistake my meaning."

Were it not for the last sentence in the above, it might be easily construed to mean the "*amende honorable*," such as *ought* to be rendered by one gentleman to another. But this diplomatic double meaning so plainly shows its murderous intent in the last sentence, that no mistake could be made. But to the honor of Mr. Burnett, he treated the challenge, as every man of high moral courage will—with silent contempt.

Hearing nothing from the complaint for nearly a year, Mr. Burnett wrote to his friend, Hon. W. T. Barry, to ascertain the