ᏣᎳᎩ ᏧᎴᎯᏌᏅᎯ.

PROTECTION

CHEROKEE PHŒNIX.

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☞All letters addressed to the Editor, post paid, will receive due attention.

ᏣᎳᎩ ᏧᎴᎯᏌᏅᎯ ᎯᎠ ᏂᏕᏧᎬᏩᎶᏗ.

ᏑᎾᏙᏓᏆᏍᏗ ᏔᎵᏍᎪ ᏌᏉ ᏧᏂᎪᏩᏛᏗ ᎨᏎᏍᏗ. ᏴᎾᏁ ᏗᏂᎳᏫᎩ ᏂᎬ ᎠᏕᎸ ᎤᎾᏗᏅᏗ ᎨᏎᏍᏗ, ᎢᏳᏃ ᏖᎸᎾᏅ ᎠᎾᏓᏑᏰᏍᏗ. ᎢᏳᏃ ᏑᎵᎬ ᎢᏯᏂᏛ ᏔᎵ ᎠᎾᏓᏑᏰᏍᏗ, ᎦᏙ ᎠᏎ ᎤᎾᏗᏅᏗ ᎨᏎᏍᏗ. ᎠᏎᏓᏑᏰᎬ ᏔᎵ ᏳᏩ ᎠᎾᏓᏑᏰᏍᏗ, ᏅᏩᏙᎯ ᎠᏕᎸ ᏅᎾᏗᏅᏗ ᎨᏎᏍᏗ.

ᏣᎳᎩᏃ ᎤᏬᏚ ᏗᏂᎳᏫᎩ, ᏩᎭᏯ ᎠᏎ ᎤᎾᏗᏅᏗ ᎨᏎᏍᏗ ᏑᏎᏢᏅ, ᎢᏳᏃ ᏖᎸᎾᏅ ᎠᎾᏓᏑᏰᏍᏗ. ᎦᏙᏃ ᎠᏕᎸ ᏳᏩ ᏩᏂ ᎤᏍᏗᏰᏘᏍᏗ ᎠᎾᏓᏑᏰᏍᏗ.

LAKE OF ARDENT SPIRITS.

Mr. Editor—In recently turning over the pages of a Magazine printed in the year 1813, my attention was attracted by a calculation of the amount of ardent spirits consumed in the United States in the year 1810. This amount is stated at 33,365,529 gallons. The estimate appears to have been made on well established grounds. After making his statement the writer adds the following mathematical calculations.

The quantity which the year 1828 will consume would doubtless fill a lake much larger still. W.

Now 33,365,529 gallons, is 248,932 hogsheads, (at more than 134 gallons the hogshead,) which supposing one team to carry two hogsheads, would load 124,466 waggons. These, allowing only three rods for each team, would reach more than 1,166 miles, or nearly the whole length of the United States, from north to south! The number of hogsheads necessary to contain the liquor, must, upon a moderate computation, cost 600,000 dollars, and would, if placed so as to touch each other, reach more than 178 miles, exceeding by 48, the whole length of Massachusetts Proper, on the northern line. Or, to present the subject in another light, the quantity of ardent distilled spirits, which is annually drunk in the United States, is sufficient to fill a canal 42 miles long, 10 feet wide, and 2 feet deep; affording convenient navigation for boats of several tons burthen! The same quantity if brought together, would form a pond more than 68 rods long, 40 rods broad, and six feet deep, covering an area of 17 acres.

HOW TO READ SCRIPTURE.

The simple and unprejudiced study of the Bible is the death of religious extravagance. Many read it under a particular bias of mind. They read books, written by others, under the same views. Their preaching & conversation run in the same channel. If they could awaken themselves from this state, and come to read the whole Scripture for every thing which they could find there, they would start as from a dream—amazed at the humble, meek, forbearing, holy, heavenly character of the simple religion of the Scriptures, to which, in a greater or less degree, their eyes had been blinded.—*Cecil.*

A man may find much amusement in the Bible—variety of prudential instruction–abundance of sublimity and poetry: but, if he stops there, he stops short of its great end; for, *the testimony of Jesus is the spirit of prophecy.* The grand secret in the study of the Scriptures, is, to discover Jesus Christ therein, *the way, the truth, and the life.*—*Id.*

[CONCLUDED.]

CONSTITUTION OF THE CHEROKEE NATION,

Formed by a Convention of Delegates from the several Districts, at New Echota, July 1827.

Article VI.

Sec. 1. Whereas the ministers of the Gospel are, by their profession, dedicated to the service of God—and the care of souls, and ought not to be diverted from the great duty of their function, therefore, no minister of the Gospel, or public preacher, of any religious persuasion, whilst he continues in the exercises of his pastoral functions, shall be eligible to the office of Principal Chief, or a Seat in either house of the General Council.

Sec. 2. No person who denies the being of a God, or a future state of rewards & punishments, shall hold any office in the civil department of this Nation.

Sec. 3. The free exercise of religious worship, and serving God without distinction, shall forever be allowed within this Notion: *Provided*, That this liberty of conscience shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of this Nation.

Sec. 4. Whenever the General Council shall determine the expediency of appointing delegrtes, or other public Agents, for the purpose of transacting business with the Government of the United States; the Principal Chief shall have power to recommend, and by the advice and consent of the Committee, shall appoint and commission such delegates or Public Agents accordingly, and, on all matters of interest touching the rights of the citizens of this Nation, which may require the attention of the United States Government, the Principal Chief shall keep up a friendly correspondence with that Government, through the medium of its proper officers.

Sec. 5. All commissions shall be in the name and by the authority of the Cherokee Nation, and be sealed with the Seal of the Nation, and be signed by the Principal Chief.

The Principal Chief shall make use of his private seal until a National seal shall be provided.

Sec. 6. A sheriff shall be elected in each District by the qualified electors thereof, who shall hold his office for the term of two years, unless sooner removed. Should a vacancy occur subsequent to an election, it shall be filled by the Principal Chief as in other cases, and the person so appointed shall continue in office until the next General election, when such vacancy shall be filled by the qualified electors, and the Sheriff then elected shall continue in office for two years.

Sec. 7. There shall be a Marshall appointed by a joint vote of both houses of the General Council for the term of four years, whose compensation and duties shall be regulated by law, & whose jurisdiction shall extend over the Cherokee Nation.

Sec. 8. No person shall for the same offence be twice put in jeopardy of life, or limb, nor shall any persons property be taken or applied to pubic use without his consent; *Provided*, That nothing in this clause shall be so construed as to impair the right and power of the General Council to lay and collect Taxes. All courts shall be open, and every person for an injury done him in his property person or reputation, shall have remedy by due course of law.

Sec. 9. The right of trial by jury shall remain inviolate.

Sec. 10. Religion morality and knowledge being necessary to good Government, the preservation of liberty, and the happines of mankind, Schools and the means of education shall forever be encouraged in this Nation.

Sec. 11. The appointment of all officers, not otherwise directed by this Constitution, shall be vested in the legislature.

Sec. 12. All laws in force in this Nation, at the passing of this Constitution, shall so continue until altered or repealed by the legislature, except where they are temporary, in which case they shall expire at the times respectively limited for their duration; if not continued by act of the legislature.

Sec. 13. The General Council may at any time propose such amendments to this Constitution as two thirds of each house shall deem expedient; and the Principal Chief shall issue a proclamation, directing all the civil officers of the several Districts to promulgate the same as extensivey as possible within their respective Districts, at least nine months previous to the next General election; and if at the first session of the General Council after such General election, two thirds of each house shall, by yeas and nays, ratify such proposed amendments, they shall be valid to all intents and purposes, as parts of this Constitution; *Provided*, That such proposed amendments shall be read on three several days, in each house, as well when the same are proposed, as when they are finally ratified.

Done in Convention at New Echota, this twenty-sixth day of July, in the year of our Lord one thousand eignt hundred and twenty seven; In testimony whereof, we have each of us, hereunto subscribed our names.

Delegates of Chickamauga District.
JNO. ROSS, *President of Convention*,
JOHN BALDRIDGE, his x mark.

Delegates of Chattooga District.
GEORGE LOWREY,
JNO. BROWN,
EDWARD GUNTER.

Delegates of Coosawatee District.
JOHN MARTIN,
JOSEPH VANN,
KELECHULEE, his x mark.

Delegates of Amohee District.
LEWIS ROSS,
THOMAS FOREMAN,
HAIR CONRAD, his x mark.

Delegates of Hickory District.
JAMES DANIEL,
JOHN DUNCAN.

Delegates of Etowah District.
JOSEPH VANN,
THOS. PETITT, his x mark,
JOHN BEAMER, his x mark,

Delegates of Taquoe District.
OOCLENOTA, his x mark.
WM. BOLING, his x mark,

Delegates of Aquohee District.
JOHN TIMSON,
SITUWAKEE, his x mark.
RICHARD WALKER, his x mark.
A. M'COY, *Secretary of Convention.*

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VI.

1. ᎡᏂᏃ ᏄᏍᏗ ᏕᏂᏄᎾᏛᏁᎲ ᏕᏅᏔ ᏗᏂᏬᏂᏍᎩ, ᏕᏅᏔᏗ ᎤᎾᏝᎥ ᎨᏒ ᏕᎯᏄᎾᏛᏁᏗᏱ, Ꮭ ᎠᎴᏃ ᏱᏂᏍᏗ ᏱᏂᏃᎯᏁᎵᏗ ᎤᏂ, ᎾᏍᎩ ᎢᏳᏍᏗ ᏗᏂᏬᏂᏍᎩ ᏄᏕᏘᏴ ᏂᎦᏛ ᏕᏅᏔᏗ ᏗᏂᏬᏂᏍᎩ ᎨᏒ, Ꮭ ᎤᏂᎬᏫᏳᎯ ᏖᎬᎾᏫᏍᏗ ᏱᎨᏎᏍᏗ, ᎠᎴ ᎤᏅᏒ ᏕᏍᏓᏬᏘ ᎨᎬᏓᏅᏛᏗᏍᏗ ᏱᎨᏎᏍᏗ.

2. ᎢᏳᏃ ᏳᏣᏍᏚᏩᏗ ᎤᏁᎳᏅᎯ ᎤᏬᎯᏳᏒ ᎾᎦᏎᏍᏗ, ᎠᎴ ᏧᏂᏲᎱ ᏗᏍᏆᏂᏱ ᎢᎨᏛ ᎤᏃᎯᏳᎯᏍᏗ, Ꮭ ᏗᏓᏗ ᏗᎨᏘ ᏱᎨᏎᏍᏗ, ᏗᏂᎳᏫᎩ ᏕᎤᎸᏗ.

3. ᎯᎠ ᏣᎳᎩ ᏕᎤᏪᎢ, ᎾᏂᏴ ᎠᎠ ᎢᏳᏓᎵᏍᏔᏅ, ᎤᏅᏒ ᎤᎾᏓᏅᏍᏗ, ᏄᏍᏛ ᏕᎤᏅᏓᏍᏔᏁ ᎢᏳᎾᏛᏁᏗ ᎨᏎᏍᏗ ᏕᏅᏔᏗ ᎠᏂᏧᏏ ᏧᏂᎾᏗᏅᏍᏗ, ᎢᎸᎯᏳᏂᏃ ᎯᎠ ᏱᏂᎨᎦᏗ ᎤᏂᎬᏩᏛᏗ ᎠᎴ ᏣᎳᎩ ᎠᎾᏍ ᎨᏒ ᏗᏂᏲᏍᏗᏱ ᎨᎪᎸᏍᏛᏗᏍᏗ ᏱᎨᏎᏍᏗ.

4. ᎢᏳᏃ ᎠᏍᏆᏛ ᎤᏂᎬ ᏕᏍᏕᏬᎢ ᏗᏂᎳᏫᎩ ᏗᎩᏍᏗ ᏓᏓᏛᎦᎵᏍᏗ ᎤᏂᎪᎯᏍᏗ, ᎠᎴ ᎤᏂᎪᎯᏍᏗ ᏗᏂᎵᏍᏓᏴᏗ ᏓᏍᏆᏂᎪᏗ, ᏣᎳᎩᏲᎯ ᎤᏁᎪᎯᏍᏗ ᏧᏪᏢᏍᏗ ᎨᏎᏍᏗ, ᎾᏍᎩᏃ ᏅᏓ ᏗᏂᏍᏆᏂᎪᏗ ᎠᏎᏍᏗ ᏗᏓᏅᏒᏍᏗ, ᎠᏎᏃ ᎾᏍᎩ ᏦᏍᏗ ᏧᏪᏗ ᎨᏎᏍᏗ. ᎾᏍᎩᏃ ᎾᏂ ᎡᏍᏕᏂ ᏗᏍᏓᏩᏛᏍᏗ ᎨᏒ ᎤᏂᎪᎯᏍᏗ ᎤᏂᎪᎯ ᎡᏍᏗ ᏂᏳ, ᎾᏍᎩ ᎤᏂᎪᎯᏍᏗ ᎠᎴ ᏗᏂᏍᏆᏂ ᏗᎦᏓᏍᏗ ᏗᏂᏍᏕᏂᏃ ᎤᏂᎪᎯᏍᏗ ᏦᏓᏍᏗᏍᏗ ᎨᏎᏍᏗ.

5. ᏂᎦᏛ ᎠᏍᎦ ᎠᏍᎦ ᏗᏓᏛᎯᎨᏒ, ᏣᎳᎩ ᎠᏍᎦ ᎨᏒ ᎠᎴ ᏐᏈᎵ ᎣᏓᏔᏍᏗᏱ ᏍᏗ, ᎠᎴ ᏣᎳᎩ ᎤᏪᏘ ᎠᏍᎦ ᏗᏍᏓᏱᏍᎩ ᏗᏍᏆᏂᎪᏗ ᎨᏎᏍᏗ, ᎠᎴ ᎤᏂᎬᏫᏳᎯ ᏕᎤᏪᎢ ᎤᏬᏚᏛ ᎨᏎᏍᏗ.

ᎤᏂᎬᏫᏳᎯ ᎤᏬᏚ ᎤᏪᏘ ᏗᏍᏆᏂᎪᏗ ᏧᎴᏍᏗ ᎨᏎᏍᏗ, ᎡᏂ ᏣᎳᎩ ᎠᏍᎦ ᏗᏍᏆᏂᎪᏗ ᏅᏂᎬᏩᎴ.

6. ᏧᏂᏍᏗ ᎢᏍᏕᎩ ᏧᎾᏂᎳᏩᏯᏅ ᏌᏃᏅᏍᏗ ᏧᏒᏍᏗ ᎨᏎᏍᏗ ᏩᎭᏯ ᏗᏂᎳᏫᎢ ᎠᏍᎦᎩ. ᎤᎾᏓᏅᏘᏍᏗ ᎨᏎᏍᏗ, ᎠᎴ ᏗᏂᏰᎬ ᏧᏒᏍᏗ ᎨᏎᏍᏗ. ᏩᎭᏯ ᏗᏂᎾᏓᏅᏍᏗ ᎨᏎᏍᏗ, ᏕᏍᎩᏂᏴ ᎠᏂᏍᏗᏍᏗ. ᎢᏳᏃ ᏍᏓᏃᏛᏂ ᏗᏍ, ᎤᎾᏓᏅᏘᏍᏗ ᎨᏒ ᏂᏚᎵᏍᏔᏁ ᏍᏓᏯ, ᎤᏂᎬᏫᏳᎯ ᎤᏂᏍᏓᏢ ᎨᏎᏍᏗ ᎡᏂᏃ ᎦᏳᏩ ᏍᏓᏳᏓᏓᏍᏗ ᎢᏳᏅᏁᏗ. ᎾᏍᎩᏃ ᏗᏂᏍᏓᏩᏗ ᎠᏂᏍᎦᏯ, ᏩᎭᏯᏃ ᎤᎾᏓᏅᏘᏍᏗ ᎨᏒ ᏔᎵ ᏧᏕᏘᏴᏓ ᎨᏎᏍᏗ.

7. ᎤᏂᎬ ᏕᏍᏕᏬᎢ ᏗᏂᎳᏫᎩ ᎤᎾᏓᏑᏰᏍᏗ ᎤᏒᏍᏗ ᎨᏎᏍᏗ ᏌᏃ ᏕᎦᏅ ᏌᏂᏯ ᏗᎵᏂᎪᏍᎩ, ᎾᏍᎩᏃ ᎤᏩ ᏧᏕᏘᏴᏓ ᏧᏕᏘᏍᏗ ᎨᏎᏍᏗ. ᎠᎴ ᏧᎬᏩ ᎠᏍᏓᏱᏍᏗᏍᏗ ᎢᏳᏍᏗ ᏧᏪᏅᏍᏗ ᎨᏒ ᎠᏕᎸ ᎤᏂᏓᏍᏗ ᎨᏎᏍᏗ, ᎠᎴ ᏣᎳᎩ ᏂᎬᏓᏍᏗ ᏖᎪᏍᏓ.

8. ᎦᏳᎪ ᏌᏃᏅ ᎢᏳᏍᏓᏍᏗ ᏗᎨᎸᏗ ᎨᏎᏍᏗ, ᎠᎴ ᎤᏍᏗᏍᏗ ᎨᏎᏍᏗ, ᏩᏂᎤᏂᏍᏕᏡ ᏂᎨᏎᏍᏗ. ᎠᎴ Ꮭ ᏗᎬᏩᎶᏗ ᎤᏍᏗ ᏳᎪ ᎠᏕᎸ ᎤᏓᏅᏘ ᎢᏳᏂᏍᏗ ᏂᎨᏎᏍᏗ, ᎡᏂ ᎤᏓᏑᏱ ᏂᏍ ᎤᏍᏗᏅ ᎨᏎᏍᏗ.— ᎢᎸᏍᎩᏂᏃ ᎯᎠ ᎧᏁᏉᎩ ᎤᏂᏍᏗ ᏂᎨᏎᏍᏗ ᎤᏂᎬ ᏕᏍᏕᏬᎢ ᎤᏂᎳᏍᏗ ᏱᎩ ᎠᏕᎸ ᏗᏍᏆ ᎤᎾᏗᏅᏗ.

9. ᏂᎦᏛ ᏗᏍᏆᏂᏱᏍᏗ ᏗᏑᏍᏓᏅ Ꭸ ᏗᏍᎩ ᏍᏗ, ᎾᏍᏃ ᎤᎵᏍᏔᏴᏍᏗ ᎨᏎᏍᏗ ᏳᎪ ᎡᏍᏕᏍ ᎤᏍᏕᏍ Ꭸ ᎠᎴ ᏕᎦᏍᏗ ᏗᏍᏓᏚ ᏧᏬᏪᎳᏗ ᎠᏎᏍᏗ ᏳᏍᏗᏍᏗ ᎡᏍᏕᏍᏗ.

10. ᏓᎾᏓᏚᎵᏍᏗ ᎠᏍᏆᎵᏍᏗᏍᎩ ᏂᏕᏓᏍᏗᏍᏗ ᏁᎬᏍᏗᏍᏗᏎᏍᏗ, ᎠᎴ Ꮭ ᎤᏓᏍᏓᏍᏗ ᏍᏗᏍᏗ ᏱᎨᏎᏍᏗ.

11. ᏕᏅᏔᏗ ᎡᏍ ᎤᏃᎯᏳᎲ ᎠᎴ ᎤᎾᏓᏅᏘ ᎨᏒ ᎠᎴ ᏗᏂᎳᏫᎩ ᏗᏍᏆᏂᏱᏍᏗ ᏧᏂᏍᏗᏍᏗ ᎤᏂᎬᏩ, ᎠᎴ ᎤᏃᎯᏳᏗ ᏂᏍᏆᏂᏱᏍᏗ ᏗᏍᏗᏍᏗ ᏂᏍᏆᏂᏍᏗ ᏂᏯᏂᎬ ᎨᏒ, ᎠᎴ ᏴᏍ ᎠᎾᏍ ᎤᏓᏅᏘ. ᏗᏂᏍᏆᏂ ᎡᏍᏆᏂ ᏧᏍᏗᏍᏗᎭ, ᎠᎴ ᏂᎦᏛ ᎤᏂᎬᏩ ᏗᏓᏍᏗ ᏧᏍᏗᏍᏗ ᏂᏍᏆᏂᏍᏗ ᎨᏎᏍᏗ ᏂᎦᏛ.

12. ᎠᏕᎸ ᏗᏍᏆᏂᏍᏗ ᎠᏍᏆᏂᏍᏗ ᎨᏒ, ᎤᏂᎬ ᏕᏍᏕᏬᎢ ᏗᏂᎳᏫᎩ ᎤᏂᎳᏍᏗ,

ᎨᏎᏍᏗ ᎠᏎᏍᏆᏂᏍᏗ ᎠᏍᏆᏂᏍᏗ ᏂᏍᏆᏂ ᏕᎤᏪᎢ Ꮭ ᏓᏍᏗᏍᏗ.

14. ᏂᎦᏛ ᎠᏕᎸ ᎤᏕᎵᏍᏗ ᎢᏳᏃ ᏣᎳᎩ ᏓᏂᏅᏍᏗ ᎯᎠ ᏗᏂᎧᏂ, Ꮭ ᎤᏂᎢ ᏍᏗ ᎨᏎᏍᏗ, ᎡᏂ ᎤᏂᎬ ᏕᏍᏕᏬᎢ ᏗᏂᎳᏫᎩ ᏗᏂᏍᏆᏂᏍᏗ. ᎢᏍᏆᏂᏍᏗ ᎤᏂᎬᏩ ᏔᎵ ᎾᏍᏗᏍᏗ ᎾᏍ ᏧᏂᏍᏗ ᎨᏎᏍᏗ, ᎡᏂ ᎤᏂᎬ ᏕᏍᏕᏬᎢ ᏗᏂᎳᏫᎩ ᎾᏍᏗ ᏗᏍᏆᏂᏍᏗ.

15. ᎤᏂᎬ ᏕᏍᏕᏬᎢ ᏗᏂᎳᏫᎩ, ᎢᏍᏗ ᏎᏍᏗ ᎧᎢ ᎢᏍᏗ ᏩᎭ ᏂᏍᏗᏍᏗ, ᎯᎠ ᎠᏕᎸᏗᏍᏗ ᏍᏆᏂᏍᏗ ᏗᏍᏆᏂᏍᏗ, Ꭴ ᏂᏍᏗᏍᏗ ᎨᏎᏍᏗ ᏄᏍᏗ ᏗᏍᏗᏍᏗᏍᏗ, ᎾᏍᎩ ᎤᏂᎬᏩ ᎤᏂᎬᏩ ᎨᏎᏍᏗ ᏄᏍᏗ ᎤᏂᏍᏗ, ᏗᏍᏆᏂᏍᏗ ᎨᏎᏍᏗ ᎠᏍᏗᏍᏗ ᏗᏍᏗᏍᏗ ᏂᏍᏆᏂᏍᏗᏍᏗ, ᎠᎴ ᏍᏗᏍᏗ ᎢᏍᏗ ᎤᏂᏍᏗ ᎤᏂᏍᏗᏍᏗ ᏗᏂᎳᏫᎩ, ᎾᏍᎩᏃ ᏩᎭᏯ ᏗᏂᏍᏗ ᎤᏂᎬ ᏗᏂᎳᏫᎩ, ᏩᎭ ᏄᏍᏗ ᎧᎢ ᎢᏍᏗ ᏩᎭ ᏂᏍᏗᏍᏗ ᏗᏂᏍᏗᏍᏗ. ᏗᏂᏍᏗᏍᏗᏍᏗ ᏖᏍᏗ ᏗᏂᎳᏫᎩ ᎤᏂᏍᏗ ᎾᏍᏃ ᎾᏍᎩ ᎠᏕᎸᏗᏍᏗ ᏂᏍᏆᏂᏍᏗ. ᎧᎢᏍᏗᏃ ᏧᏍᏗᏍᏗ ᎤᏂᏍᏗ ᎨᏎᏍᏗ, ᏍᏆᏂᏍᏗ ᏗᏍᏆᏂᏍᏗ, ᎠᎴ ᎾᏍᎩ ᏗᏂᏍᏗᏍᏗᏍᏗ.

ᎠᏂᏬᏂ ᏖᎬᏗ ᏍᏆᏂ ᏗᏍ ᏧᏍᏗ ᏕᏍᏗ 1827, ᏍᏗᏍᏗ ᎯᎠ ᏍᏗᏍᏗ. ᎡᏂᏃ ᎯᎠ ᏂᏍᏗ ᎠᏍᏗᏍᏗ.

ᏣᏂ ᏧᏍᏗ, ᎤᏍᏗ, ᏣᏗ — ᏂᏍᏗ ᏂᏍᏗᏍᏗ
ᏳᏍ, ᏍᏗ, ᏗᏗ — ᏣᎩ ᏂᏍᏗᏍᏗ
ᎢᏳ, ᏍᏗᏍᏗ, ᏳᏍᏗ — ᏧᏍᏗᏍᏗ ᏂᏍᏗᏍᏗ
ᎹᏍ, ᏗᏍᏗᏍᏗᏍᏗ, ᏗᏍᏗ — ᏗᏍᏗ ᏂᏍᏗᏍᏗ
ᎤᏍᏗ, ᏣᏂ, — ᏍᏗ-ᏗᏍᏗ ᏂᏍᏗᏍᏗ
ᏍᏗ ᏍᏗ ᎤᏍᏗ, ᏍᏗ ᏍᏗ, ᏂᏍ ᏍᏗ, — ᏍᏗ ᏂᏍᏗᏍᏗ
ᎤᏍᏗ, ᎤᏍᏗ, — ᏍᏗ ᏂᏍᏗᏍᏗ
ᏣᏂ, ᏍᏗ, ᏍᏗ, — ᏍᏗ ᏂᏍᏗᏍᏗ

ᏍᏗ, ᏧᏍᏗ.

REPORT

Of a joint Committee in the Legislature of Georgia, on the Cherokee Lands.

From this gloomy and almost hopeless prospect, we turn our attention to the second branch of our enquiry, and trust that we shall be able to establish in the State of Georgia a good, legal, and perfect title to the lands in question, and that we have the right, by any means in our power to possess ourselves of them.

In the examination of this important and interesting question, we are necessarily carried back to the earliest history of this country. When the continent of America was first discovered, it was possessed and owned by various tribes of savages; and the discoverers asserted successfully the right of occupying such parts as each discovered, and thereby established their supreme command over it, asserting their claim both to *domain* and to *empire*. By *domain* we mean that, by "virtue of which a naiton may use the country for the supply of its necessities; may dispose of it as it thinks proper, and derive from it any advantage it is capable of yielding." And by "empire," we mean the "right of sovereign command, by which, the nation directs and regulates at its pleasure, every thing that passes in the country." Precisely in this way, and no other, did Spain, France, England, Holland and Portugal obtain sovereignty over the portions of this country discovered by each. It may be contended with much plausibility, that there is in these claims more of *force* than of *justice*; but they are claims which have been recognised and admitted by the whole civilized world, and it is unquestionably true that under such circumstances *force* becomes *right*. This kind of title is not only good and valid agreeable to the laws of *Nations*, but is perfectly consistent with justice. The earth was certainly made for the benefit; comfort and subsistence of man, and should be so used as to accommodate the greatest possible number of human beings. It was therefore perfectly in accordance with the design of nature, that the densely populated countries of Europe, should possess themselves of the immense forests in America, which were used only as hunting grounds, and employ them in promoting the comforts and providing for the subsistence of their overflowing population. Acting no doubt upon these principles, Great Britain occupied and colonized the province of Georgia, the limits of which anterior to the revolutionary war, were defined, and made to extend from the Atlantic coast to the Mississippi, and from the 31st to the 35th degrees of north latitude. The whole of this territory was made to form a provincial government, thus exercising the highest and most unequivocal act of sovereignty. In this exercise, both of *domain* and *empire* on the part of Great Britain, certain portions of territory

were reserved for the use of the Indians, and the Indians themselves were declared to be under the "protection" of Great Britain; and the lands reserved were also under the "sovereignty, protection and dominion" of that government. Thus it is seen, that the sovereignty of Great Britain over the whole of Georgia was complete and perfect; that the absolute right to the soil was in her; that the Indians were under *protection*: and that their possession was only *permissive*. Things remained in this condition until the revolutionary war; upon the termination of which, by treaty of peace between the United States and the mother country, sovereignty to the full extent as claimed, owned and exercised by Great Britain over all the lands and Indians within the State of Georgia, passed to and vested in the people of this State.—We have shewn we trust very clearly, that at the end of the revolutionary war, Georgia possessed and had a right to exercise absolute control and sovereignty over the whole of the territory lying within her limits; that her claim to *domain* and *empire* was not disputed; that the absolute title to the soil was in her; that the Indians were under *her protection*; and that their possession was by *her permission*, as it had previously been by that of Great Britain. Thus far, we apprehend the premises that have established, and the conclusions that we have drawn, will not be disputed: for if they are wrong, the very argument that proves them to be so, must defeat the title by which every foot of land in the United States is held, for they all derive title in the same way.

It now remains for us to shew, that since the revolutionary war, Georgia has done no act, and entered into no compact with her sister States, by which she has divested herself of any portion of her sovereignty, affecting her rights now in question. And this proposition will be supported, if we can shew that no such consequence can result from the articles of confederation, the federal constitution, or the articles of agreement and cession of 1802.

To shew that the articles of confederation have divested Georgia of no portion of her sovereignty, it does not appear to us necessary to take any other ground than the very obvious one, that these articles have been abrogated by the Federal Constitution, which was adopted in its place and stead.—But we contend, that even prior to the adoption of that Constitution, they contained no provision when properly construed, affecting the right in question. In the articles of confederation we find this provision: "Each State retains its *sovereignty*, freedom and independence; and every power, *jurisdiction* and *right*" which is not by the "confederation *expressly* delegated to the United States," is reserved to the people of the States. We may search in vain in the articles of confederation, for any *express* delegation of the right of sovereignty or jurisdiction by Georgia to the United States over the territory in controversy. No such express delegation was ever made—the consequence is obvious; it is reserved to the people of the State.—Those who differ with us in opinion, may attempt to sustain themselves by one further provision in the articles of confederation—We allude to the power given the United States of regulating "trade," and managing all affairs with the Indians, not *members* of any particular State, but by express provision this power is in no instance to be exercised so as to "infringe or violate the *Legislative right* of any State within its own limits." We are by no means satisfied, but that the Indians resident within the limits of Georgia, may fairly be considered "members" of the State; if so, the United States possess not the right to interfere with them even so far as to regulate trade; but whether they be members of the State or not, the United States are expressly prohibited from interfering with them in any way so as to "infringe or violate the legislative right of the State within her own limits." We think, therefore, that the articles of confederation have not affected our title in the least.

We next proceed to the enquiry, whether the State's title to, and right of sovereignty over the lands in controversy, have been affected by the Federal Constitution; and if affected, to what extent? We are not disposed to afford even the feeble aid of *our* example for frittering away the Constitution by *construction*; we prefer to take that instrument *as it is*, and not to take from, or add to its provisions.—We have always believed, and yet do, that all powers not *expressly* granted by that Constitution, or *plainly implied in*, and *necessary and proper* to the execution of the *expressly granted power*, are reserved to the States; and we earnestly insist upon this rule of construction, so far as that instrument applies to the subject under consideration.

In the third section of the fourth article of the Constitution, we find this provision: "Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property *belonging to the United States*; and nothing in this Constitution shall be so construed, as to prejudice any claims of the United States or of any particular State." We are unable to see what argument can be fairly drawn from this provision, to shew that Georgia has surrendered up to the U States any portion of her rights so as to affect the present question. This provision only gives to the United States the power to control and dispose of the territory or property *of the General Government*; but it vests them with no power whatever to control or dispose of the territory or property *of any State*; on the contrary it is expressly stipulated, that in the exercise of this power, the claims of no particular State shall be *prejudiced*. It will not be contended we apprehend, that since the articles of agreement and cession of 1802, the United States have the smallest shadow of a title to the lands in controversy; and if it were considered necessary, we could easily shew that even *before* that time, they had no well founded title. There is, therefore, nothing in this part of the Constitution *expressly* or *impliedly* divesting Georgia of the right of sovereignty in question, and from the very fact, that no such right was surrendered up into the hands of the United States, we are warranted in asserting that the right was *retained* by the State.

We understand that the power which the Constitution confers upon the President, by and with the advice and consent of the Senate to make *treaties*, is claimed to have an influence upon the present question; but we are unable to discover any necessary connection between this provision in the Constitution, the question under consideration. This part of the Constitution, we have always understood, applied to *foreign affairs* only. We are apprised however, that the United States have treated with various tribes of Indians at different times and that those treaties have been submitted to the Senate for ratification; but if we mistake not, since the adoption of the Constitution, Virginia, Ohio, New York, and Kentucky, have exercised the right of treating with the Indians residing within their limits; and their right to do so has not so far as we know or believe, been disputed. But upon this point we feel no sort of solicitude, for it is sufficient for our purpose, that in the Constitutional provision now under review, there is no *express* or *plainly implied* surrender on the part of Georgia of her right of sovereignty to the territory in question.

If there is any other provision in the Federal Constitution affecting this question, we are not apprised of it.—And we consequently arrive at the conclusion, that the rights and powers of Georgia in and to the lands in question, remain precisely where they stood immediately upon the conclusion of the revolutionary war, with the exception, that Georgia has, in common with all the other States, given up to the General Government a portion of her right of *empire*; but she has surrendered that right no farther in relation to the territory in dispute, than she has in relation to all the rest of her territory. In aid of our opinion upon the question of title, we beg leave to refer to the decision made by the Supreme Court of the United States in the famous case of Fletcher & Peck, which fully establishes the principle, that the "Legislature of Georgia, unless restrained by its *own Constitution*, possesses the power of disposing of the unappropriated lands within her own limits, in such manner as her own judgment may dictate." And the same case establishes the further principle, that "the Indian title is only permissive and temporary, and not at all inconsistent with a seisin in fee on the part of Georgia." We need only add that this decision was made long subsequent to the adoption of the Federal Constitution.

By the articles of agreement and cession of 1802, Georgia parted with and gave up all her claims and rights, both of *domain* and *empire* to the territory thereby *ceded* to the United States; but these articles contain no *formal* and *express* surrender of any such right to the territory *reserved*.—We are aware, that such surrender is claimed to be *implied* from the term "Indian title" as there used. But when the subject is properly understood, we contend that this conclusion does not necessarily result from the premises. This term was not intended, and cannot be understood as building up, and vesting in the Indians, any kind of *title* to the lands in controversy; nor was it intended to add to, or detract from the title which they already had. It was only used as a term descriptive of that title. We have already seen what that title was; that it was a mere possessory one; and that they had so little interest in the soil, that their possession was not inconsistent with a seisin in fee on the part of Georgia. But it is contended, that by the articles of agreement and cession, a *consideration* was contemplated to be paid by the United States to the Indians, for their relinquishment of this title; and therefore that it was of such a character as was entitled to respect, and as could not be taken from them unless by their consent. We are of a different opinion. We have already seen the fragile tenure by which they held, and do yet hold those lands; but however slender it may have been, yet *some act* was necessary to be done by the United States or Georgia, in order to oust them of possession. This act must necessarily have been of either a warlike or pacific character. If of a warlike character, no consideration of a pecuniary nature could be necessary; but if of a pacific character, then the object was to be accomplished by negotiation, and a consideration would necessarily be the result. Whenever it has been necessary to accomplish a similar act with the Cherokees, or any other nation of Indians, by either of the means just mentioned, from obvious motives of policy, as well as humanity, the United States have preferred resorting to negotiation and presents. In all such instances the United States were by no means *bound* to resort to such measures: they did so from *choice*.

This custom was well known to the contracting parties to the articles of agreement and cession at the time it was entered into, and the relinquishment of the Indian title was intended to be affected in the same way, and the provision in question was simply intended to make the United States sustain all the expense of negotiation, presents, and consideration, which otherwise would have fallen upon Georgia had she proceeded to the accomplishment of the same object by *pacific means*. But there is nothing in this provision which *prevents* the United States or Georgia from resorting to *force*; on the contrary, this right seems to be admitted, although the United States would not *bind* themselves to use it. At all events it is evident, that if Georgia possessed this right *before* entering into those articles, she possesses it yet, for a surrender of it is no where to be found. Before Georgia became a party to the articles of agreement and cession, she could rightfully have possessed herself of those lands, either by *negotiation* with the Indians or by *force*, and she had determined in one of the two ways to do so; but by this contract she made it the duty of the United States to sustain the expense of obtaining for her the possession, provided it could be done upon reasonable terms and by negotiation; but in case it should become necessary to resort to *force*, this contract with the United States makes no provision: the consequence is that Georgia is left untrammelled and at full liberty to prosecute her rights in that point of view, according to her own discretion, and as though no such contract had been made. Your committee, therefore, arrive at this conclusion: That anterior to the revolutionary war, the lands in question belonged to Great Britain; that the right of sovereignty both as to *domain* and *empire* was complete and perfect in her; that the possession by the Indians was permissive: that they were under the protection of that Government: that their title was temporary: that they were mere tenants at will: and that such tenancy might have been determined at any moment either by negotiation or force at the pleasure of Great Britain. That upon the termination of the revolutionary war, and by the treaty of peace, Georgia assumed all the rights and powers in relation to the lands and Indians in question, which before belonged to Great Britain—That since that time, she has not divested herself of any right or power in relation to the lands now in question, further than she has in relation to all the balance of her territory, and that she is now at full liberty, and has the power and right to possess herself by any means she may choose to employ of the lands in dispute, and to extend over them her authority and laws.

Although your committee believe the absolute title to the lands in controversy is in Georgia, and that she may rightfully possess herself of them when and by what means she pleases, yet they would not recommend an exercise of that right till all other means fail. We are aware that the Cherokee Indians talk extravagantly of their devotion to the land of their fathers, and of their attachment to their homes; and that they have gone very far toward convincing the General Government, that negotiation with them in view of procuring their relinquishment of title to the Georgia lands will be "hopeless"—Yet we do confidently believe, that they have been induced to assume this lofty bearing, by the protection and encouragement which has been afforded them by the United States; and that they will speak a totally different language if the General Government will change its policy toward them, and apprise them of the nature and extent of the Georgia title to those lands, and what will be the probable consequence of their remaining refractory.

Your committee would recommend that one other, and the last appeal be made to the General Government, with a view to open a negotiation with the Cherokee Indians upon this subject—That the United States do instruct their Commissioners to submit this report to the said Indians; and that if no such negotiation is opened, or if it is, and it proves to be unsuccessful, that then the next Legislature is recommended to take into consideration the propriety of using the most efficient measures for taking possession of, and extending our authority and laws over the whole of the lands in controversy. Your Committee in the true spirit of liberality, and for the alone purpose of avoiding any difficulty or misunderstanding with either the General Government or the Cherokee Indians, would recommend to the people of Georgia to accept any treaty which may be made between the United States and those Indians, securing to this State so much of the lands in question, as may remain after making reserves for a term of years, for life, or even in fee simple, to the use of particular Indians, not to exceed in the aggregate one sixth part of the whole territory—But if all this will not do; if the United States will not redeem her pledged honor; and if the Indians will continue to turn a deaf ear to the voice of reason and of friendship, we now solemnly warn them of the consequence.—The lands in question *belong* to Georgia—She *must* and she *will* have them.

Influenced by the foregoing considerations, your Committee beg leave to offer the following resolutions:—

Resolved, That the United States in failing to procure the lands in controversy "as early" as the same could be done upon "peaceable" and "reasonable terms," have palpably violated their contract with Georgia, and are now bound at all hazards, and without regard to terms, to procure said lands for the use of Georgia.

Resolved, That the policy which has been pursued by the United States toward the Cherokee Indians, has not been in good faith toward Georgia; and that as all the difficulties which now exist to an extinguishment of the Indian title, have resulted alone from the acts and policy of the United States; it would be unjust and dishonorable in them to take shelter behind those difficulties.

Resolved, That all the lands appropriated and unappropriated, which lie within the conventional limits of Georgia, belong to her absolutely; that the title is in her; that the Indians are tenants at her will, and that she may at any time she pleases, determine that tenancy by taking possession of the premises—And that Georgia has the right to extend her authority and laws over her whole territory, and to coerce obedience to them from all descriptions of people, be them white, red or black, who may reside within her limits.

Resolved, That Georgia entertains for the general government so high a regard, and is so solicitous to do no act that can disturb, or tend to disturb the public tranquility, that she will not attempt to enforce her rights by violence, until all other means of redress fail.

Resolved, That to avoid the catastrophe which none would more sincerely deplore than ourselves, we make this solemn—this final—this last appeal to the President of the United States, that he take such steps as are usual, and as he may deem expedient and proper for the purpose of, and preparatory to the holding of a treaty with the Cherokee Indians, the object of which shall be, the extinguishment of their title to all or any part of the lands now in their possession, within the limits of Georgia.

Resolved, That if such treaty be held, the President be respectfully requested to instruct the commissioners to lay a copy of this report before the Indians in convention, with such comments as may be considered just and proper, upon the nature and extent of the Georgia title to the lands in controversy, and the probable consequences which will result from a continued refusal upon the part of the Indians to part with those lands. And that the commissioners be also instructed to grant, if they find it absolutely necessary, reserves of land in favor of individual Indians or inhabitants of the nation, not exceeding one-sixth part of the territory to be acquired, the same to be subject to future purchase by the Gen. Gov. for the use of Georgia.

Resolved, That his excellency the Governor, be requested to forward a copy of the foregoing Report & Resolutions to the President of the United States, and one to our Senators and Representatives in Congress, with a request that they use their best exertions to obtain the objects therein expressed.

INDIAN COUNCIL.

Mr. Penn, when he first arrived in Pennsylvania, in the year 1683, and made a treaty with them, makes the following observations, in a letter he then wrote to his friends in England:

"Every king has his council, and that consists of all the old and wise men of his nation, which perhaps are two hundred people. Nothing of moment is undertaken, be it war, peace, selling of land, or traffic, without advising with them. 'Tis admirable to consider how powerful the chiefs are, and yet how they move by the breath of the people. I have had occasion to be in council with them upon treaties for land, and to adjust the terms of trade. Their order is thus; the king sits in the middle of an half moon, and hath his council, the old and the wise on each hand. Behind them, at a little distance, sit the young fry, in the same figure. Having consulted and resolved their business, the king ordered one of them to speak to me. He came to me, and in the name of his king, saluted me. Then took me by the hand, and told me that he was ordered by his king to speak to me; and that now it was not he, but the king who spoke, because what he should say was the king's mind. During the time this person was speaking, not a man of them was observed to whisper or smile. The old were grave—the young reverend in their deportment. They spoke little, but fervently and with elegance. He will deserve the name of *wise*, who out-wits them in any treaty about a thing they understand. At every sentence they shout, and say amen, in their way."

Mr. Smith, in his history of N. Jersey, confirms this general statement. "They are grave even to sadness, upon any common, and more so upon serious occasions—observant of those in company, and respectful to the aged—of a temper cool and deliberate—never in haste to speak, but wait, for a certainty, that the person who spake before them, had finished all he had to say. They seemed to hold European vivacity in contempt, because they found such as came among them, apt to interrupt each other, and frequently speak altogether.—Their behaviour in public councils was strictly decent and instructive. Every one in his turn, was heard, according to rank of years or wisdom, or services to his country. Not

word, whisper or murmur, was heard while any one spoke: no interruption to commend or condemn: the younger sort were totally silent. Those denominated kings, were sachems distinguished by their wisdom and good conduct. The respect paid them was voluntary, and not exacted or looked for, nor the omission regarded. The sachems directed in their councils, and had the chief disposition of their lands."

NEW ECHOTA:

THURSDAY, MARCH 6, 1828.

To Readers and Correspondents.

"Socrates" is deferred on account of the length of the report of the Committee in the Legislature of Georgia, which we could not very well divide. It shall appear in our next.

The Communication of "A Friend" we have inserted with some corrections. We rather apprehend that the subject is not properly understood by either "A Friend" or "A Cherokee." We consider the Constitution to be in force, yet it does not affect the appointments previously made, until the election of 1828. The appointment of Judge Martin as Treasurer of this Nation, is not, in our opinion, unconstitutional.

Our readers will notice, that there are more sections in the Cherokee part of the constitution published to day, than in the English. The mistake occurred in the original copy, and in correcting the proof sheet, it was accidentally overlooked, and before we could examine the second proof sheet, the first side of this Number was struck off. For the same reason, a number of other typographical errors will be noticed.

We particularly requested our principal Printer to change the order in which the English names of members of the Convention, and names of Districts stood annexed to the Constitution, as we thought it rather uncouth to mention a person's name, after his place of residence. But he has thought fit to print them as they are.

The situation of Indians is peculiar in the history of man; and the disadvantages in the way of their becoming an enlightened people, which they are obliged to encounter, are numerous and formidable. Such has been the case from the discovery of America to the present moment, and for aught we can say, will still continue to be so. Enemies to Indian improvement, would do well to consider these disadvantages. When they are properly and candidly considered, we cannot but believe, instead of creating astonishment why the Indians have not been civilized before, they will at least suggest the enquiry why they have not degenerated more. What but pernicious effect must such a document as the report of the joint Committee in the legislature of Georgia, have on the interest and improvement of the Indians? Who will expect from the Cherokees, a rapid progress in education, religion, agriculture, and the various arts of civilized life, when resolutions are passed in a civilized and Christian Legislature, (whose daily sessions, we are told, commenced with a prayer to Almighty God) to wrest their country from them, and strange to tell, with the point of the bayonet, if nothing else will do? Is it in the nature of things, that the Cherokees will build them good and comfortable houses and make them great farms, when they know not but that their possessions will fall into the hands of strangers & invaders? How is it possible that they will establish for themselves good laws, when an attempt is made to crush their first feeble effort towards it? These are sad facts, & we beg our readers to bear with us, when we express ourselves so freely & frequently on a subject which we consider to be of vital importance to the Indian race. But amidst troubles, difficulties and evil wishers, we can look around us with much satisfaction, and see those who are truly our friends, not only in profession, but in deed. As a specimen of the feelings of such friends we take pleasure in publishing an extract of a letter addressed to us by an esteemed correspondent.

"The fact that a newspaper is to be put in circulation among the Cherokees, in their own language, and designed for their benefit, and edited by one of their own Nation, is, in itself a *Prospectus*—pointing out the condition to which the Cherokees may, ere long, attain as an enlightened people;—a guarantee, under providence, to their rise and prosperity as a *Tribe*, a *State*, prepared for the privileges of inter-community, in all that constitutes political life, and health, and vigour, and enjoyment, among the States, composing the Great American Republic."

Cherokee Constitution.—We are happy to see that the attempts made in the House of representatives of the United States, to interfere with the newly organized government of the Cherokee nation, are likely to fail. It would have been a deep reproach to this country, after all the injustice the Indians have suffered at our hands, and all the aspersions that have been cast on their native character and capacity, if we should refuse to permit them to follow us in those paths of civilization and moral improvement, which through our means have been already strewn with thorns for their feet. The prospects of the Cherokees are flattering in some respects. They are considered equal to any of the red men in their mental capicity; they have made very considerable progress in civilization, and one of their members has recently made an invention of a syllabic alphabet, which seems to afford the only means by which education can be speedily and efficiently introduced among them; an invention which is considered, under all the circumstances of the case, comparable to that which the ancients ascribed to Cadmus. They have within a few months, by popular delegates, formed a government under the first liberal constitution ever adopted by a savage tribe. This will form an era in a new branch of the history of constitutions, and if their plan succeeds, will furnish philanthropists new grounds for congratulation, and legislators new subjects of reflection.—*N. Y. Daily Adv.*

FOR THE CHEROKEE PHŒNIX.

Mr. Boudinott—I see in yonr paper of the 28th, a communication signed "A Cherokee," on the subject of public offices, in which he says, "In viewing the public offices of the Cherokee Nation now held by different persons; it will be found, on recurrence to the signers of the late Constitution, that there is no conformity to it in their subsequent proceedings, compared with their asserted principles."

That the late convention which framed the constitution was composed of twenty-one Members, and that several of those members were members of the Convention, and others members of the Council, I readily admit.—Those members were recommended by the Legislature to the several districts in which they respectively resided, under a law which passed both houses of the Gen. Council on the 14th of Nov. 1826, and under which the delegates from the several districts were duly elected as members of the Convention to frame a Constitution for the Government of the Cherokee Nation. This Constitution was submitted to the General Council for their assent or rejection, and was unanimously approved by that body. "A Cherokee" complains of one person's holding more than one office; referring to the electing of the present Treasurer of the Nation. He appears to think that the Council, in appointing John Martin Treasurer for one year, acted unconstitutionally from the provision made in the constitution, which expressly declares that no person shall hold more than one office, under the authority of the nation; stating that the Treasurer now holds four different offices. It would appear at first sight of the Communication that a Cherokee thinks that the present Treasurer has abandoned principle for the sake of gain. Among the provisions of the Constitution, you will find in the 12th section of the 6th article these words. "All laws in force in this nation, at the passing of this Constitution, shall so continue until altered or repealed by the legislature, except when they are temporary, in which case they shall expire at the times resectively limited for their duration; if not continued by an act of the Legislature." I cannot therefore admit or argue that the constitution is in full and operative force, neither will it be until after the rise of the General Council in 1828, at which time the several offices of the nation will be appointed and commissioned agreeably to the provisions of the Constitution. If the present Treasurer's acceptance of his appointment is an abandonment of the principles of the Constitution, I am confident that other officers of the Nation are guilty of the same, as some of them are holding responsible offices under the United States Government. But this I do not consider contrary to the Constitution, as it is not yet in full and operative force.

I will not however pretend to say that the Constitution is without its faults, this part of the subject I leave for those who are more qualified than myself; but the appointment of a Treasurer was made by a joint vote of both houses of the General Council; and if the same appointment had often been conferred on a citizen living in a remote part from the seat of Government, of the Cherokee Nation, I say let him have it, if he can give sufficient security, for the faithful discharge of his duty.

A FRIEND.

IMPORTANT FROM GIBRALTAR.

A letter has been received in town, from the House of Robert Anderson and Co. dated 22d Dec., which states that the GRAND SEIGNOR had DECLARED WAR against Russia, France, and England. From the respectability of this House, there can be no doubt of the truth of the account. We have been politely favored with the above information by Messrs. G. W. and H. Bruen.—*Merchants' (New-York) Telegraph, Feb. 6.*

Snelson, late teller of the Bank of Virginia, who absconded with $40.000 was taken on his arrival at Liverpool from Quebec, one of the Bank Directors having reached there before him, by a quick passage from New-York. He surrendered himself quietly, together with about $30,000.

MURDER.

We are informed of a murder being committed in the neighbourhood of Sumach. The name of the person killed is William Fallen, and of the murderer Bear's Paw. We have not heard of the circumstances.

Horses.—The following remarks upon horses are copied from the publication of an eminent farrier in Europe, and we think them worth the perusal of farmers generally.

The pulse of a horse in health is from 36 to 40 beats in a minute, and may be easily felt by placing the finger gently upon the temporal artery which is situated an inch and a half backwards from the corner of the eye.

Horses have not the faculty of puking, or even belching wind out of their stomachs, and therefore are peculiarly subject to wind cholic.

When a horse has been overridden, bloody spots may be seen in the whites of his eyes.

A limber dock is a sure evidence of a limber back; that is, a weak one.

A horse that is hardy and good for business, has a short back bone which terminates forward of the hip bones.

A decoction of white oak bark will kill bots by tanning them, and they will become so shrivelled as scarcely discernable when discharged.

The principal signs of a good horse are these.

The eyes set apart in the head, and large and bright; the quirl high in the forehead, one or two in the neck is a good sign; the neck well set on high, the shoulder blades pretty high, and converging to a point; the breast full and large, and so also behind; the body round, for flat bodied, or slab sided horses, are weak natured; the dock stiff; going wide behind, for if the gambrels knock together, it shows that the horse is feeble; chewing the bit, when provoked, is a good sign.

It is a Spanish proverb that "a dapple grey will sooner die than tire."

ON KILLING ANIMALS.

"That man has a right to destroy such animals as are *noxious* to him is undoubted. That he has a right also over the lives of such animals as are *useful* to him for food and other necessaries, is equally unquestioned. But whether he has a right to destroy life for his *amusement*, is another question. If he is determined to *act the tyrant*, (that is, to consider *power* as conferring *right*,) the point is decided. Power he certainly has. But if he wish to act on authorized and equitable principles, let him just point out the passage in his charter of rights over the brute creation, which gives him liberty of destroying life for his *amusement*.—*Gilpin.*

In the year 1804, the number of persons committed for trial in England and Wales was *four thousand, three hundred and forty-six;* in 1816 it had increased to *nine thousand, and ninety-one;* & in 1826, it amounted to *sixteen thousand, one hundred and forty seven.*

New species of Brilliants.—At a ball in Calcutta, a lady, remarkable for the splendour of her dress and ornaments, attracted the eyes of all the company on entering the ball room. Rows of brilliants, which threw around her a light like that of the fabulous carbuncles of the Arabian Nights, glittered down her dress, and eclipsed all the jewels in the room. When the other ladies, desirous of examing her sumptuous ornaments, drew near, and began to pry into the mystery, it was discovered that the ingenious fair one had imprisoned some hundreds of fire flies in little bags of muslin, the *ventus textilis* of Petronius; and that proud to adorn so much beauty, they fluttered as she moved, & gave her the appearance of being decked out with jewels of living fire.

Matrimony.—One of the Philadelphia editors has been at the trouble and expense of embellishing the hymeneal department of his paper with the cut of a *mouse-trap;* and lest the reader should be at a loss to "smell his device," he has surmounted it with the adage, that "marriage is like a mouse-trap, easy to get in, but hard to escape." The trap is represented to be full of prisoners, dissatisfied with their *locus in quo;* and, like Yorick's starling, they are trying to "get out," but "can't."—*N. Y. States.*

A Good Law.—A law has been passed in South Carolina, that from and after the first day of May next, the books of account of tavern keepers, shop-keepers or retailers of spirituous liquors shall not be admitted, allowed, or received, as evidence in any court having a right to try the same of any debt contracted, or monies due for spirituous liquors, sold in less quantity than a quart.—*New York Ob.*

No less than 105,517 hogs have passed the turnpike gate, Cumberland river, Tenn. the past season,

The anti slavery Society of Washington have addressed a memorial to the citizens of the District of Columbia, praying Congress to take measures for the total abolition of slavery in that District.—*Ib.*

A SCENE IN AFRICA.

I stood on Cape Montserado—night had spread over it her shadows—silence reigned, broken only by the sound of the distant, dashing waters. As the bright and beautiful constellations moved through the heavens in their illustrious and unchanging courses, evidences of invisible glory—of an eternal and immutable God—what scenes of horror—of relentless cruelty, said I, have ye witnessed, along the whole border of the afflicted, this injured land. Here every day for centuries, has the human body been bound in chains, the ties of kind fellowship, of nature's strongest affections, ruthlessly sundered, and hope, which smiles in death, made to perish by living agony. Here has manly courage been subdued by torture—parental love punished as a crime, and female tenderness rewarded by the keenest sufferings. If the pure spirits which inhabit you, can look upon human affairs, must they not suppose that knowledge and civilization harden the heart, and that sympathy lives only in the breasts of barbarians. Rejoice they must, that the fair planets roll so far above the unholy and contagious influences of our world.—What multitudes of human beings on this shore, have been immolated on the altars of avarice—how many have wished to die, as they bid a final farewell to their lovely homes, and saw for the last time their wives, children, and friends! My God! who can describe the miseries of those crowded to death in the dungeons of a slave ship? But shall everlasting night cover this land, and the records of African history forever contain nothing but mourning, lamentation, and woe?—Heaven forbid it. The Omnipotent will not suffer it. A universe beautiful and grand, arose at his word from chaos; from the ruins of human virtue and hope, his wisdom is displaying a new moral creation, and the exile, sufferings, and degradation of the Africans, may be succeeded by their return, felicity and honor.—*African Repository.*

POETRY.

HUMAN LIFE—BY BERNARD BARTON ESQ.

"In the morning it flourisheth, and groweth up; in the evening it is cut down, and withereth."—*Psalm* xc. 6.

I walk'd the fields at morning's prime,
The grass was ripe for mowing,
The sky-lark sang his matin chime,
And all was brightly glowing.

"And thus," I cried, "the ardent boy,
His pulse with rapture beating,
Deems Life's inheritance is joy—
The future proudly greeting."

I wandered forth at noon:—alas!
On earth's maternal bosom
The sythe had left the withering gras,
And stretch'd the fading blossom.

And thus, I thought with many a sigh,
The hopes we fondly cherish,
Like flowers which blossom but to die,
Seem only born to perish.

Once more, at eve, abroad I stray'd,
Through lonely hayfields musing;
While every breeze that round me play'd
Rich fragrance was diffusing.

The perfumed air, the hush of eve,
To purer hopes appealing
O'er tho'ts perchance too prone to grieve,
Scatter'd the balm of healing.

For thus "the actions of the just,"
When Memory hath inshrined them,
E'en from the dark and silent dust,
Their odour leave behind them.

FROM THE NATIONAL GAZETTE.

Oft when the glowing tints of Autumn's even
Have o'er the west their golden radiance flung—
Soft as that hallowed light that burst from Heaven,
When seraph minstrels to the shepherds sung—
When not a cloud has on the horizon hung;
When stillness has her peaceful mantle spread,
And calmed e'en whispering zephr into rest—
Hushed each discordant note, and gently shed
Her holy, happy influence o'er the breast;
Thus have I thought the righteous seek repose,
Thus shine refulgent ere their labours close.

But dearer far to me the evening hour,
When, from the earth in massive columns roll'd
High up the blue empyrean, vapours lower,
And leave below a glorious space of gold;
For thus I've hop'd, though clogg'd with earthy mould,
Tho' Sin her cloudy veil around me cast,—
When all my little hour of life is told,
And all my errings and repentings past—
Thus have I hop'd shall Faith disperse the gloom,
And thus with peaceful promise gild the tomb.

C. DELWYNNE.

SCRIPTURE TRANSLATION.

The Parable of the Prodigal Son, Luke 15: 11—31; *with Remarks.*

ԼԵ ՕՐհRՅ, Mᵹ ՕՕЧWՐՐ, ՕᵒԻᵒᵒ ᴬЧԻ ᴬՕЧᵒ.

Mᵹ XV.

11. ᴬDZ ՂЧ4T. ՎՐ WԻ ᴶЧЬ DհᵒᵹᵹՈ ᴰᴶᴬᵒT.

12. ᵹհZ Rᴬ ᴬD ՂЧ4ᵹ ՕᴬՆ, RᴬՆ, ᴰᴱᵀᴵᵀ TᵹᵒᴳՈᴬᴶ ᴋᵀ ᴶᴱᵹᵹᴶ ᵹᵹᵀհᴬᵒᵀ ՈᴱՆ. ᴷᵹZ հᵹi ᴶᴱᵹᵹᴶ ՕᵒᵀT ՏᵹᴬᵒᵀT.

13. ᴬᵹՈᵹᵒᵂZ ՂRՂ ᵹհ Rᴬ ՕᵒЧ հᵹᵒ ՕᵒᵹGRᴬT, Ծᵒ ՕհᵛᵹᵀT, TՐ ՕᵒЧՐ-ᵀT, ՈᵀZ ՂᵀᵛᵹՂՈ RᵹT ᵀᵀՈᴬᵹT ᴶᴱᵹᵹᴶ ՕᵒᵀT.

14. հᵹᵒZ ᵀՂՈ ՕՈᵀհ ᵹᵹᵀ Օᵹᴶ ՕᴬՂ4T; Ծᵒ ՕᵹՐᵒᵀ ՕᵀՂᵀᴬT.

15. ՕᵒЧՐ-ᵀZ Ծᵀ Rᴬ ᴰՈᵹᵹՈ ՕᵀᴬᴶᵹT; ᴶᵹᵀᴷRTZ ᴸᴱ ᴶᴱᵹᴶ ՐᵹᵀT.

16. ᵹᵀ4ᵢZ ՕᵀᵀՐ- ᴸᴱ ՕՈᵀᵹᵀᴱᴶ ՕᵀᵀᵀՈᵀ ᴶЧЬᵀᴬᵀ. ᴰ4Z ᵛᵹ ᴸᵹՐՐᵀᴬᵀT.

17. Ծᵒ'Z ՕᵀՐᴶᴱՐ- ᴬD ՂЧ4T; ᵀհᵹᴳ RᴬՆ ᴶՐ-ᴸᵀᴷᴶᴱᴶ ՕᵹW ᴰᵀᵹᵀᴷᴶᴱᴶ ՕհᵒᵀF, ᴰᴮZ ᴰᴬᵀ ᴰᵛᵹᵀ!

18. ᴬᵀᵹհ, Rᴬᴬ ᵀᵀᴷ, ᴬD հᵀᵀᵛЧᵀ; ᴷᴬᵀ, ᵹᵹᵛᵹՐ-ᵀ Ղᵂᴶᴱᴶ ᵀᵀՈᴬᵹT.

19. ᵀZ Ծᵒ' ᵹᵀ ᴰᴶᴬᵒ ᴶᵒᵂᵒᵀᴶ ᵹᵛ: ᴶՐ-Rᵂ DᵹՐՐ-ᴶ հᵹᵹᵹ.

20. ᴷᵹZ ՏᵹᴶᵀT, Օᴬᴬᵹ ՕᵐᵀᵀT. ᴰ4Z ᴰᴷ TՐ-ᵹ ᵹT4T, Օᴬᴷ ՕᴬᵀT; ՕᵂᴬᵀᵀT, Տᵹᵀᴷᵀᴬᵀ, ᴰᵛᵀᵀᵏհ ՕᵂᵹᵹᵀᵀT, Օᵀᵂᴬᴶ-ᵀZ.

21. Rᴬᴷ, ՏᵹᵛՏՐ-ᵀ, ՏՂᵂᴶ հᵹՏՐ-ᵀՂ, ᵀZ Ծᵂ Րᵀᴶᴱᴶᵂ ᵂᵛᵹᵀᴶ ᵹᵛ, Օᵐᴶ ᴰ ՐՐ-.

22. ᴰ4Z RՏᴮᴾᵏ ᴬD հՏᵂ4ᵹ ᴶՐ-ᴸᴷ ᵹᵹ.ᴶ; ᵹᵹᵐ ᴰՂᵀ Օհᵹᵛᵢ, ᵀհՂᵂᴳ, Ծᵒ RհᵹᴾᵀᴬՏ, ᵀᵹᵂᵏᵀՂՏ.

23. ՏᴾᴷՐ-Z ᵹᵀՏ ᴰᵛᵹ ՕհᵹՐ-, ᵀհᴹՏ, ᵀᴷᴾᵀᴬᴮᵡ, ᵹᵹᵐ ᵀᴷᴸ-ᴷᴷ.

24. ᴬD ՏZ Ծᵒᵂ ᵒհᵀR ᵏᴾᵛ, ᵂᴾᴶ TRᵒᵀ, Rᴷᵀᵹᵀᴬ Ծᵒ ᵏᴾᵛ ᴰհᵹᵀᵒᵡ, ᵹᵹᵐZ ᵒᵀᴷᵀ-ᵂᵀᵀ ᵒᵀᵀᵀ-ᵀ.

25. ᵒᵀհᴾᵏZ ᵛᴾᴷ ՂᴬᵀT; ᴶՐᵂᵀ-Z ᵍᵢ ᴰᴷᴬᵀᵀ ᵒᴹᵹ, ᵀհZᵛᵍᴱ ᴰᵍᴾᵍᵛᵍᴱZ ᵒᵐᵀᴬᵀ.

26. ᵁᵂᵀZ ᴰᵢ ᵒᴷᴷᵍᴶ ՏᵍᵍᵀᵀT, ᵒᵐᵐ ᴬZ ᵍᵍᵛ ᵒᵍՂᵍᵀT.

27. ᵒᴬᵀᵍZ [ᵒᵀᵀᴷᵍᴶ;] Rᵍᵀᵀᵍᵛհ ᵒᴹᵹ, ᵍᴬᴷZ ᵍᴾᴷᵀᵀ- ᵀᵍ ᴰᵛᵹ ᵀᵀᵍ, ᴬᴬᵍ ᵍᴷհᵹᵹ ᵀᵍᵐᴶ.

28. ᵒᵍᵀᵀᵀᵀT [ᵒᵐᵍᵀᵀ, ᵍᴾᴷᵍZ] ᵍRᵍ-ᵂᵛ ᴾᵍT; ᵍᵍᵛZ ᵀᵍᵐᴶ ᵒᴬᴷ ᵍᵍᴬᵀᵀ ᵒᵛ ᵍᴶᵍᵛᴬT.

29. ᵒᴬᵹZ ᴬD ՂЧ4ᵹ ᵒᴬᴷ. ᵍ, ᴬD

Rᴬᴷ Eᵍᵀᵀ-ᵀᵍ, ᵒᴬᵂᵀ-ᴬZ.

4. ᴸ ᵀᵛᵛ ᵍᴾ Ծᵒᴵᵍ ᴾᵛᵛ-ᵀᵍᴶ ᵍᵛ; ᴶᵀ-Rᵂ ᵀᵍᵐᴶ, Rᴬᴷ, հᵍᵍᵍ.

5. ᵒᴬᵹZ, ᵒᴬᴬᵍ ᴸᵛ ᵒᴹᵀᵀ: ᵒᴬᴷZ ᵒᴬᵀᵀ Ծᴷ ᵍᵀ4T.

6. ᵒᵍᴵᵍ ᵒՂᴬᵀᵀ; ᵍᵍᵀᴸᵀᴷᵀ; ᵒᵍᴷ ᵒᵀᵐᵍ4T; ᴬD ՂЧ4T.

7. Ծᵒᴵᵍ ᵀհՂᵂᵍ ᵒᵍᵍ Ծᵍᵂ, ᵍᵐᵐZ ᵀᴷᴷ-ᴷᴷ Ծᴮ հᵀᵀᵀ.

8. ᵒᵀհᴾᵍ ᵏᴾᵛ, ᵂᴾᴶ TRᵒᵀ: RᵍᵀᵐᵍᵍA ᵏᴾᵛ Ծᵍᵀᵐᵍᵍᵀ.

9. ᵍᵍᵛ ᵒᴬᴷ ՂЧ4, ᵒᵂᴬᴾᵀᵀT. ᵍᵍᵂᵐᵍᵛհ ᵀᵛᴬᴷ ᵒᵍᴬᵀᵍᴷ.

MISCELLANEOUS.

TRAITS OF INDIAN CHARACTER.

The following beautiful remarks are from the pen of WASHINGTON IRVING, *originally published in the* ANELECTIC MAGAZINE.

"In the present times, when popular feeling is gradually becomeing hardened by war, and selfish by the frequent jeopardy of life or property, it is certainly an insuspicious moment to speak in behalf of a race of beings, whose very existence has been pronounced detrimental to public security. But it is good at all times to raise the voice of truth, however feeble; to endeavor if possible to mitigate the fury of passion and prejudice, and to turn aside the bloody hand of violence. Little interest, however, can probably be awakened at present, in favor of the misguided tribes of Indians that have been drawn into the present war. The rights of the savage have seldom been deeply appreciated by the white man—in peace he is the dupe of mercenary rapacity; in war he is regarded as a ferocious animal, whose death is a question of mere precaution and convenience. Man is cruelly wasteful of life when his own safety is endangered and he is sheltered by impunity—and little mercy is to be expected from him who feels the sting of the reptile, and is conscious of the power to destroy.

"It has been the lot of the unfortunate aborigines of this country, to be doubly wronged by the white men—first, driven from their native soil by the sword of the invader, and then darkly slandered by the pen of the historian. The former has treated them like beasts of the forest; the latter has written volumes to justify him in his outrages. The former found it easier to exterminate than to civilize; the latter to abuse than to discriminate.—The hideous appellations of savage & pagan were sufficient to sanction the deadly hostilities of both; and the poor wanderers of the forests were persecuted and dishonored, not because they were guilty, but because they were ignorant.

"The same prejudices seem to exist, in common circulation, at the present day. We form our opinions of the Indian character from the miscrable hordes that infest our frontiers.—These, however, are degenerate beings, enfeebled by the vices of society, without being benefited by its arts of living. The Independence of thought and action, that formed the main pillar of their character, has been completely prostrated, and the whole moral fabric lies in ruins. Their spirits are debased by conscious inferiority, and their native courage completely daunted by the superior knowledge & power of their enlightened neighbours. Society has advanced upon them like a many-headed monster, breathing every variety of misery. Before it, went forth pestilence, famine and the sword; and in its train came the slow, but exterminating curse of trade. What the former did not sweep away, the latter has gradually blighted. It has increased their wants, without increasing the means of gratification. It has enervated their strength, multiplied their diseases, blasted the powers of their minds, and superinduced on their original barbarity the low vices of civilization. Poverty, repining and hopeless poverty—a canker of the mind unknown to sylvan life—corrodes their very hearts.—They loiter like vagrants through the settlements, among spacious habitations replete with artificial comforts, which only render them sensible of the comparative wretchedness of their own condition. Luxury spreads its ample board before their eyes, but they are expelled from the banquet. The forest which once furnished them with ample means of subsistence has been levelled to the ground—waving fields of grain have sprung up in its place; but they have no participation in the harvest; plenty revels around them, but they are starving amidst its stores; the whole wilderness blossoms like a garden, but they feel like the reptiles that infest it.

"How different was their case while yet the undisputed lords of the soil. Their wants were few, and the means of gratifying them within their reach. They saw every one around them sharing the same lot, enduring the same hardships, living in the same cabins, feeding on the same aliments, arrayed in the same rude garments. No roof then rose, but what was open to the houseless stranger, no smoke curled among the trees, but he was welcome to sit down by its fire, and join the hunter in his repast. "For," says an old historian of New-England, "their life is so void of care, and they are so loving also, that they make use of those things they enjoy as common goods, and therein so compassionate that rather than one should starve throughout, they would starve all: thus do they pass their time merrily, not regarding our pomp, but are better content with their own, which some men esteem so meanly of," Such were the Indians while in the pride and energy of primitive simplicity: they resemble those wild plants that thrive best in the shades of the forests, but which shrink from the hand of cultivation, and perish beneath the influence of the sun.

]TO BE CONTINUED.]

PRECIPICE OF KOLAU.

From the Journal of Mr. Stewart, late Missionary to the Sandwich Islands, recently published—

It seemed like enchantment, to find myself transported, in the short space of an hour, from the dusty plain, stagnant pools, dreary beach, and various desolations of the sea-side, to the freshness and verdure, luxuriance and bloom of a woodland region, where the eye rested only on objects of grandeur and beauty, and the ear caught no sounds amid the solitude of the forest, but the chirping of birds, the murmurs of the mountain stream, or the dashing of the distant cascade.

The path we took led up the valley, immediately in the rear of the village. As this gradually contracted from a width of three to that of one mile, the scenery became more and more picturesque and delightful, till at a distance of five miles from Honoruru, it far surpasses any thing I have ever witnessed. The mountains are so lofty and so graceful in their outlines; so rich and beautiful in their foliage; so diversified by dark grottos, projecting cliffs and spouting waterfalls—while all below presents an exuberance of vegetation almost incredible; that I cannot but think it among the finest of the exhibitions of nature, in a state of undisturbed simplicity and wildness. Such was the character of the scenery for the two last miles of the walk, while our path led successively through glade, copse, and dell, and was frequently, for long distances together, entirely embowered by the interlacing branches of the spreading hau-tree, species of *hybiscus.*

After ascending from one of these dark passages, Mr. Bingham suddenly cautioned me against the violence of the wind we should soon meet. At the same time, the rushing of heavy blasts was heard, intimating, like the roarings of a cataract, or the murmerings of a volcano, an approach to one of the most sublime phenomena of nature; and on abruptly turning the angle of a projecting rock—with an admiration approaching to terror—I found myself balancing in strongly conflicting currents of air, on the brink of a precipice, little less than a thousand feet in perpendicular descent, without the parapet of a single stone to guard against the fatal consequences of a false step. Immediately before me, at the foot of this tremendous offset, in most perfect bird's-eye view, lay a widely extended, cultivated and thickly inhabited country, against whose distant shores the peaceful billo w s the Pacific were rolling, in ever-varying and snowy brightness; while farther still, the blue waters of the ocean rose in gradual ascent, still apparently midway between heaven and earth, they met the sky, in a haziness that rendered either distinguishable from the other, only by the regularity of a scarcely discernible horizon.

To the right and to the left, within a stone's throw of the rock on which I stood, two richly covered peaks rose many thousand feet above my head; while beyond them, on either side, summit after summit of mountains, whose broad bases were planted in the valley below, appeared in long perspective, still with a semicircle sweep both terminated in the sea by bold and romantic head-lands, rendered more picturesqe by a partial continuation of detached cliffs & islets. In full view behind, was the bautiful valley thro' which we had ascended, gradually sinking, from the very spot on which we stood, to the now miniature town and port of Honororur, beyond which again rose "*the illimitable sea.*"

The sublimity of the whole was not a little increased by the almost overwhelming sounds of the trade wind, as it swept along the mountains, which resisted its progress to this narrow pass, and through which it rushed with irresistible velocity and power, bearing in its broad current and whirling eddies, leaves, sand and even pebbles, which might claim the name of stones. Such was the effect of this, that though every thing far and near gleamed in the brightness of a cloudless sky and noon-day sun, I could not resist the impression that we were standing amidst the ragings of a tempest; an illusion not diminished by the harsh screams of the sea-gull and cry of the tropic bird, as they passed us on rapid wing to the lofty peaks above or hastened again to sail in the calmer regions beneath our feet.

None but an atheist could have kept his thoughts from rising to that Being of majesty and power, who "founded the earth and hung it upon nothing;" "who formed the mountains and created the wind;"—"who shut up the sea, and said, hitherto shalt thou come, but no farther; and here shall thy proud waves be staid." And in the lively contemplation of the marvellous wisdom and omnipotence that overlooks and upholds the mighty wonders of the universe, we could not but feel the force of humbling interrogative, "O Lord, what is man, that THOU art mindful of him, or the son of man, that THOU visitest him?"

The battle that decided the fate of Oahu, in the conquests of Tamehameha, in which he gained the victory that made him the sole monarch of the group, was fought in the valley leading from Honoruru to this pass. The king Oahu, after a desperate conflict, fell bravely at the head of his army; upon which a complete rout ensued. One party of more than three hundred warriors, fled towards this precipice, and were pursued so closely and with such relentless purpose, as to have been plunged, without an exception, from the tremendous offsett to the depths below!—*West. Rec.*

Mount Ararat.—Nothing can be more beautiful than the shape of Ararat; nothing more awful than its height. All the surrounding mountains sink into insignificance when compared to it. It is perfect in all its parts. No rugged features—no unnatural prominences. Every thing is harmony; and all combines to render it one of the most interesting objects in nature. Spreading originally from an immense base, the slope towards its summit is easy and gradual, until it reaches the regions of snow, where it becomes more abrupt. As a foil to this stupendous object, a small hill rises from the same base, similar in shape, and in any other situation entitled to rank among high mountains. No one since the flood seems to have been on the summit of Ararat. For the rapid ascent of its snowy top appears to render the attempt impossible. No man, certainly has ascended it in modern times. When the adventurous Tournefort failed, it is not probable that any one else has succeeded.—*Asiatic Journal.*

ANECDOTE.

"Make way, gentlemen," once cried a Massachusetts representatives to the populace, who were crowding him out of his place in the procession on election day, "make way; we are the representatives of the people."—"Make way yourself," replied a sturdy member of the throng, "we are the people themselves."