

From Dr. King's Memoirs of his own times.

A presence of mind is a very rare, but a very happy and useful talent, and is a certain guard against many mischiefs and inconveniences, to which life is continually exposed. It is something very different from impudence, or vain assurance. A presence of mind is always well bred, and is generally accompanied with wit and courage. Amongst my numerous acquaintances, I cannot recollect of more than three persons who were eminently possessed of this quality. Dr. Atterbury, Bishop of Rochester, the Earl of Stairs, who was Ambassador in France, the beginning of the last reign, and Dr. James Meade, who was many years Physician at Bethlehem Hospital. In 1715, I dined with the Duke of Ormond at Richmond. There were fourteen at table, and during the dinner there was a jocular dispute concerning short prayers. Sir William Wyndham told us that the shortest prayer he had ever heard, was the prayer of a common soldier, in the battle of Blenheim: "O God, if there be a God, save my soul if I have a soul." This was followed by a general laugh. I immediately reflected that such treatment of the subject was too ludicrous, at least very improper, when a learned and religious prelate was one of the company. But I had soon an opportunity of making a very different reflection. Atterbury seemed to join in the conversation, and applying himself to Sir William Wyndham, said, "Younger, Sir William, is indeed very short; but I remember another as short, but much better, offered up likewise by a poor soldier under like circumstances: 'O God, if in the day of battle I forget thee, do thou not forget me.'" This, as Atterbury pronounced it, with his usual grace and dignity, was a very good and pithy prayer, and was immediately felt by the whole company.

Honesty.—There are certain obligations of honesty, which the Law defines and punish as open frauds, of the nature of which no one can be ignorant. But there are other departures from the strict rule of truth, from which no one is exempted by the Laws, which really amount to the same thing as dishonesty, though they sometimes receive a milder name. Of this nature is every species of perjury, dissimulation, or evasion in our dealings with one another. For not only is it dishonest, expressly or by implication, to use lies to our reads any of it, which we know they have not; but also dishonestly to conceal any fault which we know they have, and which the buyer cannot in fairness be supposed to be acquainted with. It is dishonest to represent our wares to be, in any respect what they are not, or not to be what they are.

It is dishonest, also, of a very agreeable kind to take advantage of another's confidence in our integrity—to borrow, for instance, on false securities or false representations of our circumstances, without any intention or reasonable expectation of repaying—and it is dishonest to raise by design any expectations which we do not intend or desire to fulfill.

We must place excessive rigour and hardness in our dealing, among the violations of strict integrity. He who takes advantage of a buyer's ignorance or partial necessities, to insist on a higher price than the current value or fair market price of his commodity—or on the other hand, who uses the same artifices to bring down his merchandise greatly below its standard value, shows the laws of honesty. Under this head must also be placed the execution of usury—not because it is not right that a usurer should receive compensation for lending his money, as any other property into which that money may be converted—but in some degree, because the rapid accumulation of wealth without industry is bad for the state and for the individual, and chiefly because we must know that in some instances he who is willing to borrow at exorbitant interest must be on the brink of insolvency—and that by leading to him we only precipitate his downfall, and increase his inability to discharge the just demands of those creditors who entrusted him with the hard earnings of their own exertion. In this way we make ourselves partakers of another man's sin.

FROM THE KNOXVILLE REGISTER.

Cherokee Indians.—Some curiosity having been expressed as to the laws of the Cherokee Nation, the following sketch of them may not be unacceptable to our readers.

They prohibit the introduction by the white men of spirituous liquors into the nation. They have laws establishing and regulating turnpikes, prohibiting stealing and rape; requiring white men, if they take a Cherokee wife, to be legally married to her; and then the property of the wife is not thrown into the hands of the husband, but remains at her own disposal; nor do they permit one man to have more than one wife.

The nation is laid off into eight judicial districts, and a judge and marshal appointed in each district in order to the due administration of Justice. They have their rangers in each district whose duty it is to post and advertise strays. Their taxes are regularly paid and collected by the marshals. Nor do they overlook the benefits of tuition in their missionary seminaries; they compel parents to pay the expense of such children as

leave the school without any just cause. They permit the superintendent of these missionary stations, with the consent of the parents to bind out children to such trades as may be suitable for them, and at the expiration of their apprenticeship, the nation is bound to procure them tools.

Each district is entitled to be represented in the National Council by four members. They pay to each member for his services, one dollar per day, and to the speaker one dollar and fifty cents. The principal chiefs, the Path Killer, is allowed \$150 per annum, and Charles R. Hicks, in consideration of his extra services as interpreter and writer \$200. The committee men are allowed two dollars, and their president two dollars and fifty cents per day, during the sitting of the National Council.

For embezzling, intercepting and opening sealed letters, the punishment is a fine of one hundred dollars, and one hundred stripes on the bare back.

The business of the Council during its sessions shall be suspended on the Sabbath; and all merchants, peddlars and mechanics in New Town, shall close their doors during that day.

They have a law declaring what shall be a lawful fence, they have also a statute of limitations, but does not appear on notes and liquidated accounts. The treasury of the Cherokee Nation is authorized to loan upon good security, such surplus moneys as may remain after discharging the annual appropriations.

A marshal, a sheriff, deputy sheriff, and two constables are appointed in each district. These officers have superseded the companies of light horse, which, before the passage of this resolution executed the duties of their counterparts and brought justice to the marshals. The sheriff and constables are elected by the National committee, the sheriff and constables by the people in each district. The duty of these officers are to preserve the peace and security taken for their faithful performance. In pursuit of criminals they are allowed to summon as many men as may be necessary to assist them. A will is found among the valuable papers of the deceased, although not witnessed, is considered established, if proved to be written and signed by the testator. A will is regular according to their law, should be given by the testator in the presence of two witnesses, and its validity proved to the satisfaction of the court of the district. There are also some regulations about municipalities.

The property of any person dying intestate is divided equally among the children and wife, the wife taking a child's part. If there be no children, the estate is divided equally between the wife and the nearest heirs. The property of the wife, who is exclusive rights to it, is divided in the same way between her children and her husband.

This is a faint outline of some of the laws by which the Cherokee nation are governed. The resolution to procure two sets of types to establish at New Town a printing office, has already been noticed in a former paper; one set of types to be composed of English letters, and the other of Cherokee characters, the invention of G. G. G. a Cherokee.

The inventions which adorned by those engaged with it for its ingenuity, simplicity and usefulness; although there are perhaps, more than seventy distinct characters, they are learned by the natives in a short time with great ease, and in their own language they now correspond with each other in these characters.

Mammoth Ox.—A few days since, on a farm in Greenfield belonging to Mr. C. Pierce Esq. of Portsmouth, we measured an Ox, seven years old, of an extraordinary size. He stood just back of his fore legs, was nine feet, one inch and a quarter. His length, from the end of his nose to his shoulder blade, was four feet, minus two inches, and from there to his rump eight feet and two inches, making his length exactly twelve feet. His breadth across the back from one hip joint to the other, is four feet nine inches. He weighed in June last, three thousand and thirty-eight lbs. and is now probably, two hundred pounds at least heavier.

He had no remarkable keeping for the two first years of his life, but the owner finding how rapidly he grew on common fare, has kept him nearly under the full force of feed since. The animal is well shagged and sprightly, and although they call him of common breed he descended no doubt from a stock of cattle imported by Governor Wentworth about sixty years ago. A few of the race we have seen near Wolfborough, in New-Hampshire, where Wentworth had a large farm. The blessings derived from a good agriculturalist are often remembered when the politician's deeds are forgotten.—*Boston Gaz.*

Beauchamp convicted.—We learn from the Kentucky Reporter that the trial of Beauchamp, at Frankfort, Ky. for the murder of Col. Sharp, was brought to a close on the 19th ult. The jury found him guilty. He is sentenced to be hung on the 7th of July next. The wife of the prisoner, who was supposed to be accessory to the murder, has been acquitted by the examining Court.

We understand, that on Sunday, a STURGEON was discovered in the canal near Pittsford. Curiosity was on

tip-toe, to learn from whence could have come this subaltern of the deep. The prevailing opinion seemed to be, that it was a remittance in kind, from our good friends in Albany, in exchange for the fine beet we send them, and that he had been smuggled along thus far on his way to Rochester, to avoid the tolls which are now so high as almost to prohibit the transportation of all country produce.—At length it occurred to one wiser than his fellows, to examine which way the wanderer was going, and learning by the movements that he was wending his way Eastward, and probably from Lake Erie he was instantly seized, and not being able to produce a license from Mr. Collector Dox, his stewardship was instantly put "in duress est" where he will be kept subject to custom house regulations, and we trust will, in due time be properly labelled with his "tail, apparel and furniture," for presuming to navigate the canal without the consent of Uncle Sam.—*Rochester Telegraph.*

Melancholy Disaster.—On Wednesday afternoon, a young man aged about 16 years, son of Gen. HOPKINS, of Amherst, was drowned in Black Rock Harbor. He was on a horse, which was towing a boat up through the basin; but the current struck the boat with such force as to drag him and his horse off the tow path, and no efforts could save his life. His body was not found on Friday morning.—*Buffalo Lmporium.*

A new Canal Lock, has lately been invented and exhibited at Wilkesbarre, Pa. by Isaac A. Chapman, upon an entirely new principle. It is so constructed, says the Democrat, that by means of a canal, the water may pass up and down from one level to another without any expenditure of water. A movable box is made to rise and fall in the Lock by means of water, admitted into it through a Siphon and this water is returned again by the Siphon into the upper level of the Canal. As the box or movable lock rises in the permanent lock, the boat falls, and vice versa. The inventor calls it the "Siphon Lock," and there appears to be no doubt in the minds of those who have seen its operation, that a canal provided with such locks, would require but little more water than would be sufficient to supply leakage, soakage and evaporation. Should there be found any difficulty in the operation of this lock, of which we believe there can be no doubt, it is thought the quantity of water sufficient, would be so small, that a canal may be excavated and successfully used on almost any ground suitable for a rail road.

Languages spoken in the Continent.—The English language is said to be spoken in America by eleven and a half millions of people; the Spanish by ten millions; the Indian by seven and a half; the Portuguese by three; the French by one million two hundred thousand; the Dutch, and Danish, and Swedish, by two hundred thousand—being twenty-seven millions, in the whole, of people speaking European languages in America.

During the recent session of the Legislature of Connecticut, a full investigation was made in relation to the management and failure of the Eagle Bank of New-Haven. The following extracts from the report of the committee, shows in what manner the concerns of that institution were conducted. The committee say:—

That they have attended to the duties assigned them, and having examined the books of the Eagle bank, and the officers and person connected with said bank, find, that George Hoody, Esq. the President of the institution, was employed as cashier of said bank, from its commencement until the year 1817, when at the resignation of the Hon. Samuel Baltham, he was elected President. From that period the President was permitted to be the sole manager of the institution.—His funds were placed entirely under the control and disposal. No rules were prescribed by the board of directors regulating the mode of transacting the business of the institution, or requiring its officers to bring their doings under the review of the board during the aforesaid time. The President had not only in his hands the entire control of the concerns of the bank, but had the accumulation of proxies, the powers of appointing the directors. In the successive changes of the board, no examination was made into the state and condition of the bank. The funds of the institution were employed in speculation and adventures unknown to the directors and stockholders, and entirely unconnected with and remote from the business of banking. Loans were made in various forms, and to a great extent, which were not communicated to the directors, and in some instances by arrangement, not to be communicated. In this course of management, individuals obtained, without the forms of security, and for various purposes, funds of the bank, exceeding the capital; and to supply the exigencies created thereby, agents were employed, in whose hands the bills of the bank were placed, to give them a forced and distant circulation, and by that means to sustain the operations of the bank. These operations were not recorded in the regular books of the bank, but vested in loose papers, in the custody of the president, and in a book, in which the initial letters

of the names of the agents were entered, and the figures containing the amount by them received. The statements annually rendered to the legislature, have been calculated to mislead, rather than to afford any information on which the public could safely rely in relation to the true state and condition of the bank. In one instance, two hundred and twenty thousand dollars issued upon the checks of the president, Norman Dexter, Henry Rossiter, the Messrs. Hindsdales and other memorandums of indebtedness, not entered on the books of the bank were not included in the reported amount of circulation, making an error in the statement of the aforesaid sum, of two hundred and twenty thousand dollars.—In the course of the last spring other and further expedients were adopted by the President to assist his operations.—Without the order or consultation with the board of directors, a new post note plate was procured, and notes in that form payable on different times, were placed in the hands of an individual to an alarming amount and without the precautions of security, to obtain by negotiations, the funds necessary to relieve the increasing pressures on the bank.—These notes were not entered regularly into the books of the bank, and not known otherwise than casually to the board. The consequence of such expedients were in a few months developed. The inability of the institution to redeem its notes, brought to an end its operations as a bank in September last, and the distress in which the creditors were involved and the great body of stockholders, who cannot be supposed to have any agency in the management, is too deep and too extensive to require to be stated by the committee. As the conduct of the principal officer and others connected with its affairs, is to become a matter of legal investigation, the committee deem it their duty to forbear the animadversions that the disclosures would otherwise have demanded. They therefore recommend the passage of the accompanying bill for a public act.

POLITICAL.

FROM THE NATIONAL GAZETTE.
Many of our readers, no doubt recollect the three very respectable and intelligent members of the British parliament who visited this country last year. One of them, Mr. J. Denison, pronounced a speech on the 27th April, in the house of commons, against Lord John Russell's motion relative to a reform of Paikment, and obtained the warmest applause from both sides of the house for the ability which he exhibited. In the annexed extract from the report of his speech, there is a reference to our institutions that may be perused with interest by his American acquaintance.

"He bethought that no reform would satisfy those who called for it but a reform on principle. By a reform on principle, he meant such a change as would go the length to approximate our representative system to a principle of uniformity. He could only regard such a change on two grounds. The one, a greater extension of the popular principle; the other to place our representation on the basis of property. Now as experience was no faithful or uncertain guide in those matters, he would beg to draw the attention of the house to these two systems.—In France, the elective franchise was founded upon property; and for the furtherance of this object, a certain average rate was necessary, the consequence of which was, that the opinion of the lower orders, which was so usefully felt in this country, was altogether unknown there [hear, hear!] The first step towards this object in the country, would be to disfranchise a large portion of our present representatives; but they were few gentlemen who heard him, that did not know how feeble the strength of Parliament and the Government of England must be, if the representation were founded on such a system [hear, hear!]—The second principle then, was the popular basis, or Representative Democracy. This system was found in a country with which we had a close affinity—namely, the United States of North America. In any observations which he might make respecting that country, he must not be supposed to speak in any terms of disparagement, for he felt towards it the greatest possible respect; but if a system was found to be good in practice there, it did by no means follow that it must be also good here.—There was the greatest difficulty in drawing a parallel between the two countries.—here we have a limited Monarchy—here they have a Republican Government. Whatever of liberty we possess here, has been wrung from absolute rulers—whatever of security and freedom is enjoyed there has been raised up as controls upon the freedom of Democracy [hear, hear, hear!] In America they have their Annual Parliaments—then universal suffrage, and in some instances the election by ballot; the consequence is that property there loses its influence and useful influence. This might not be so important there; but the preservation of property was attended to with much less scrupulous regard than here. Their elections are conducted on an uniform principle; and in times of great political excitement the effect is that the elections all turn on one consideration. No man is received without an all-devouring pledge by which whole principles are swept away. It is not that one set of principles are preferred to the other, but no opposition is tolerated.—It is

not that one party is preferred, but the other is annihilated. [hear, hear, hear!] It is true this system, in America, has worked well; but no argument referable to this country could be deduced from that circumstance. In the central province, which regulated the external affairs, and much of the internal affairs of the country, there existed a check which from other causes was provided in this country. In Washington the representatives were rather local agents than a council to regulate the general policy of the state; and the distinctions between slaveholders and non-slaveholders were so various that no change can take place that was not founded on compromise, and compromise generally begets moderation. We have no distinctions here, and are consequently obliged to look to other causes for these wholesome checks, and the applicable argument must rather be taken from a single state than the whole Republic."

Mr. Hobhouse engaged in the debate, in defence of the motion, and noticed Mr. Denison's remarks thus:

"Adverting to the speech of the Hon. Member from New Castle under-Lyne (Mr. Denison) he did not see how (Mr. Hobhouse) and that Hon. Member could come into conclusion upon the question, unless upon the broad principle of its necessity, or non-necessity.—When he considered the talents which that Hon. Member had displayed, he was sorry their views upon so important a subject, were so widely different. He was sure, however, that mature reflection would teach that Hon. member the expediency of changing his opinion. He would, he had no doubt, see, ere long, how vain it was to struggle against the increasing knowledge of the age, and to quarrel with Ovid—"

"Nitor in adversum—nec me, qui cetera, vincit Impetus, et rapido contrarius invehit orbi."

He felt confident that the Hon. Member would in the progress of time, be convinced of the inutility of contending with a current which had carried with it the greatest men and would conclude by carrying himself also in its stable course. He repeated his regret that the Hon. Member had any necessity for such a conversion, for, from the talent he had that evening displayed, he (Mr. Hobhouse) would, with sincerity have welcomed him to his side.—*Utamur nostris esset* was the feeling with which he had listened to the Hon. Member's address, a feeling not unmixed with surprise, that one, who had been returned from visiting one of the few free and independent nations of the earth, should not be desirous to introduce those institutions which his education, and early association must have led him to regard as his native country. He (Mr. Hobhouse) might be pardoned for feeling natural pride in contemplating the institutions of America, since no nation could ever forget that it was her native country she imbibed that love of freedom which led to her present prosperity—that this country was the parent soil from which her free institutions had been transplanted to flourish more kindly in a foreign land. [Hear, hear, hear!] It had been said however that the Americans had departed from the institutions of their forefathers; that instead of a representative system, they had introduced a democracy. This was however, a mistake. The ancestors of the Americans left this country when the Government seemed about to be representative, and in the great contest which then arose, the great contest which then arose, they only vindicated those principles which their forefathers had maintained at the revolution, and in anterior times too, [hear, hear!] times which some slavish historians had thought fit to minimize, but which would be hallowed in the breasts of Englishmen, while the names of a Hampden, a Sidney, and a Selton should survive. [Hear, hear, hear!] the Americans had, however, wisely taken advantage of the history of the parent country, and in forming a permanent Constitution for themselves they had laid it down as an axiom, sanctioned by experience, that no good government could subsist where the people had not the full and free control over the representation.

Latest from Colombia.

By the arrival of the James Oglethorpe, at Philadelphia, in 19 days from London, Caracas papers and letters to the 20th May, have been received. They generally had been completely restored in Venezuela; and the municipalities of Valencia and Caracas had invested Gen. Paez with the supreme authority of civil and military chief of Venezuela, and the arrival of President Bolivar, for the maintenance of public order and tranquillity; for raising armies for the defence of the country from foreign invasion, or other acts of hostility, and for preserving regularity in the administration. A convention of the people, which was not to have been held until 1814, is to be assembled at an earlier period, to deliberate on the form of government most consonant with the situation, customs and productions of Venezuela." Translation of a letter from Laguiru, dated May 20.

"All that I can say to you is, that in the midst of these political movements, we enjoy tranquilly our security and liberty. Every body has determined not to sacrifice the enjoyment of these precious gifts. Good policy will arrange the pres-