

Our readers will agree with us, we believe, that these particulars savor a little of the marvellous, especially when considered as uttered by the voice of an Indian; yet we have no doubt of their truth. The Cherokees have written laws, and a representative government, though not, as far as we can learn, of a very republican cast. The chiefs have found little difficulty, probably, in persuading the people, that they know not how to govern themselves. Power is a strong argument, and this the chiefs had entirely in their own hands. They deserve credit, therefore, for giving up as much of it as they have done; and it may be expected, that the same spirit of concession will hereafter operate in accordance with circumstances, till a free government shall grow out of the present aristocratical system. The Cherokees exhibit a novel spectacle; but the result is not difficult to conjecture. A community of *civilized Indians* is an anomaly that never has existed, nor do we believe it ever will exist. Bring the Indians up to this mark, and you put them on a level with whites; they will then intermarry, and the smaller mass will be swallowed up by the larger; the red skin will become white, and the Indian will be remembered only as the tenant of the forests, which have likewise disappeared before the march of civilization.

- 9.—1. *Memoria de los Ramos del Ministerio de Relaciones Interiores y Exteriores de la Republica, leida en las Cámaras del Soberano Congreso en los días 9 y 14 de Enero del Año 1826.*

*Memoria de Marina, presentada a las Cámaras por el Secretario de Estado y del Despacho del Ramo. Mexico, 1826.*

2. *Memoria, que en Cumplimiento del Artículo 120 de la Constitucion Federal de los Estados Unidos Mexicanos, leyó el Secretario de Estado y del Despacho universal de Justicia y Negocios Eclesiásticos, en la Cámara de Diputados el día 3, y en la Senadores el día 4 de Enero de 1826, sobre los Ramos del Ministerio de su Cargo.*
3. *Aguila Mejicana de Mayo y Junio, 1826.*
4. *Memoria del Secretario de Estado y del Despacho de la Guerra, presentada a las Cámaras en Enero de 1826. Mexico.*
5. *Memoria de Marina, presentada a las Cámaras por el Secretario de Estado y del Despacho del Ramo. Mexico, 1826.*

THE ancient states of Mexico, in their new condition of civil freedom, and of national independence, are a most interesting

subject of contemplation to the inhabitants of this country. The conquests of Cortez, like nearly all the rest of Spanish America, have ceased to be humble dependants of Spain, walled around by the narrow maxims of impolitic monopoly, with which the council of the Indies impoverished the mother country, and oppressed her colonies. Like her sister republics, too, Mexico, is pressing forward in the race of improvement, with all that speed and vigor, which liberal institutions never fail to impart. She has rejected the *central* system, which the Colombians deemed necessary for their country and alone fitted to their situation; and in imitation of us, has adopted the more auspicious form of a federal government. Lying contiguous to our territory, inviting by her position to the closest commercial intercourse with her, and professing so many political principles in harmony with ours, Mexico assuredly yields not to the other emancipated regions of the New World, in her claims upon the attention of the United States.

The official documents, enumerated at the beginning of this article, exhibit a cheering picture of the rapid advancement of these important regions to the tranquil state of well ordered government. The early promise of their independence was unpropitious; but its approach to maturity continues under every most favorable omen. The memoirs of the respective heads of department afford us the means and the opportunity of explaining, a little in detail, the public concerns of the renovated realms of Montezuma.

The condition of the army and navy of the republic as exhibited by the minister Gomez Pedraza, deserves a passing word, although these do not interest us so much as her civil institutions. Her forces are undoubtedly adequate to her defence against the exhausted resources of Spain. They actually consist of a ship of the line, a frigate, a corvette, six brigs, four schooners, and eight gunboats, for the sea; and 22,750 standing troops, and 21,577 effective militia. The surrender of the castle of St. Juan de Ulúa has left these forces no immediate offensive service to perform; and their defensive duties are chiefly precautionary. The government is making every exertion to provide means for the education of officers for both navy and army, in which they are very deficient. Vigor, discipline, and activity will be infused into their military and marine by the acquisition of Commodore Porter; and if Spain should persist in her insane obstinacy in refusing to acknowledge their independence, his bold and busy talents may yet again be signalized on the shores of Puerto Rico and Cuba. But as to this, the deliberations of the Congress of Panamá will probably determine.

The foreign relations of Mexico are not yet in a perfectly settled state. The republic has interchanged diplomatic agents with Colombia, Great Britain, the Netherlands, and the United States. Her independence has been recognised by Prussia, also; and France, with some other powers, indicates an awkward anxiety to engage in commercial intercourse with her, without being willing to accede to fair terms. Treaties are in the course of negotiation between the republic on the one hand, and England and America on the other; but are not finally accomplished. President Victoria enters cordially into Bolivar's idea of the Congress of Panamá, from which the happiest effects are anticipated upon the reciprocal friendly feelings of all the free nations of the New World.

The relations of Mexico with Spain remain unchanged; and we apprehend will for a long while so continue. Spain is not likely to emulate the prudence of Britain in our own case, and make a virtue of necessity. Procrastinating the evil day of decision, she will sooner suffer all her possessions to be wrested from her by the revolutionary tempest, than condescend, like a ship's crew endangered at sea, wisely to abandon a part of her riches to secure the residue, and save herself. She holds good to the character given of her, centuries ago, by Sir Francis Bacon. 'The Spaniards and Spartans,' observed the philosopher, 'have been noted to be of small despatch. *Mi venga la muerte de Spagna*. Let my death come from Spain; for then it will be sure to be long a coming.' We conceive her chance of reconquering the colonies to be perfectly desperate. In May last, the Mexican legislature determined to receive no proposition from Spain or any other power, but on the basis of independence; and never to give any tribute or indemnity as the price of independence; and at the same time made it highly penal for any Mexican to recommend either, whether in public or private, verbally or in writing. And is it possible that after this they can be *persuaded* back to vassallage? Subdued they cannot be by the *force* of Spain.

The Catholic religion, our readers well know, is established by the constitution as the religion of the republic. In consequence of this, the government have despatched a minister to Rome, to endeavor to arrange its relations with the apostolic see; but the subservience of the latter to Spanish influence, renders the issue of the negotiation somewhat doubtful. It seems, that, although the Pope has professed a disposition to place himself at the head of the church in the new states, on a footing satisfactory to them, yet, not long since, he addressed a circular letter to the American ecclesiastics, urging them to rise against the

revolutionary governments. This letter was perfectly harmless in Mexico; for, on its appearance there, the church dignitaries, with great unanimity, immediately and spontaneously signified their devoted attachment to the republic. The general direction of the church is now in the hands of the Secretary of Justice and Ecclesiastical Affairs, Miguel Ramos Arizpe; and the details are managed by a *junta* appointed by the prelates, to sit in the capital. The inconveniences arising from the want of a *concordat* with the Pope, are extreme; and will compel the Mexicans, if he continues unfriendly to the cause of freedom, to act independently of his authority. The whole number of their clergy is 3,473, of whom only 1240 are employed in the immediate cure of souls. Of nine bishoprics, six are vacant. A large portion of the republic is therefore without any regular ecclesiastical government. In our file of the *Aquila* is a long and able piece, in the form of a Supplement, maintaining with great boldness, that the patronage of the Mexican church should devolve upon the nation. In our apprehension, not only the civil liberty of the people, but their religious welfare, most urgently demands it.

Beside the *territories* belonging to it, the Mexican republic consists of nineteen confederate States. Fourteen of these have already adopted constitutions of their own, which are now successfully in operation; and the remaining five are actively engaged in the organization of their governments. Their municipal laws are as yet substantially those which existed before the revolution; and justice is still usually administered by the *alcaldes*, according to the ancient forms. Among its other multifarious cares, the federal government has been attentive to the task of establishing a proper judiciary, which is speedily to enter upon the general discharge of its functions. The political condition of the country caused robberies to be not uncommon until lately; but this evil has been diminished by subjecting the guilty to trial and punishment by law martial. The minister of justice congratulates his countrymen, that, in a population of eight millions, no extraordinary crime had occurred the past year to disturb the public tranquillity, or affect the regular execution of the laws.

The Secretary for Domestic and Foreign Relations is Sebastian Camacho. The former branch of his duty covers so wide a field; that we will not venture to undertake the examination of the many topics on which he touches, since our limits would compel us to do it so imperfectly. Suffice it to say, that they exhibit a people steadily advancing in public improvement, animated by the spirit of a regulated freedom, and content with a

government of their choice, and a constitution of their own creation. Efforts are making for facilitating internal intercourse by roads and canals; public institutions for the purposes of education and beneficence are protected; agriculture, commerce, and domestic industry are fostered, and begin to manifest the wholesome influences of liberty; the working of the mines is encouraged; and everything, in fine, is done, which, in the present circumstances of the country, a wise and upright government can devise and accomplish, to enable the nation to enjoy the invaluable blessings of independence.

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- 10.—*Strictures on Dr Livingston's System of Penal Laws, prepared for the State of Louisiana.* By SETH LEWIS, Judge of the Fifth District in said State. New Orleans. 1825. 8vo. pp. 67.

As we have not had an opportunity of examining Mr Livingston's Code, so far as it is now published, nor of hearing his answer to the *Strictures* contained in this pamphlet, it would be unjust, if not impracticable, to form a conclusive opinion against him, on the merits of the controversy. Some of the objections urged by Judge Lewis certainly present a formidable aspect; many are at least plausible; while others strike us, from his own showing, as trivial, and betraying more of captiousness than of candid criticism. There are unquestionably great difficulties in the whole system of codification. Laws, ordinarily speaking, grow up with society, and conform themselves gradually, though tardily to its changes. The demands of society, in our own country at least, it must be confessed, are somewhat in advance of legislative improvement. Rules of conduct, which were well suited to the circumstances of our ancestors, are in some cases inconvenient, perhaps injurious, in their operation upon us; and the immense labor of finding out what the law originally was, and tracing all its changes and modifications, whether by legislative enactment or judicial construction, through countless volumes of statutes and reports, foreign and domestic, down to the present time, in order to ascertain with precision what the law is, calls loudly for some system of condensation. On the other hand, the danger of unsettling the foundations of this great and goodly fabric, which has been built up by the wisdom and experience of ages, the extreme difficulty of making written rules prospectively to meet all possible cases, and the fear that change may not be amendment, beget a