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THE LYRE AND SWORD.

The freeman's glittering sword be blest— Forever blessing the freeman's lyre— That sings upon the tyrant's crest, This sings the heart like living fire; We'll can he wield the shining brand, Who battles for his native land; But when his fingers sweep the chords That summon heroes to the fray, They gather at the foot of swords, Like mountain eagles to their prey! And 'mid the vales and swelling hills, That echo my bloom on freedom's land, A living spirit brother and fills The freeman's heart and nerves his hand; For the bright coil that gave him birth, The home of all he loves on earth— For this, when freedom's trumpet calls, He waves on high his sword of fire— For this, amidst his country's halls, Forever strikes the freeman's lyre! His burning heart he may not lend To serve a dotting despot's way— A suppliant knee he will not bend, Before those things of brass and clay; When wrong and ruin call to war, He knows the summons from afar; On high the glittering sword he waves, And myriads feel the freeman's fire, While he around their fathers' graves, Strikes to old strains the freeman's lyre!

Circumstantial Evidence.

The circumstances which I am about to relate are familiar to many living. In some particulars I have varied from the truth; but if in the relation of an event which excited intense interest at the time of its occurrence, I shall succeed in impressing upon any one the delusive character of circumstantial evidence, my object will be attained.

Beneath the magnificent sycamores which bordered a lovely stream in the southwest part of Kentucky, a company of emigrants had pitched their encampment for the night. The tents were set up, the night-fire threw its gleams upon the water, the weary horses were feeding, the evening repast was over, and preparations were made for repose. The party consisted of three brothers with their families, who were wending their way to the new lands of the distant Missouri. On their visages, where age had left the fallow traces of its touch, few of the nobler traits of the human character were visible. Accustomed to reside upon the outskirts of society, little versed in its forms, and as little accustomed to the restraints of law, or the duties of morality, they were the fit pioneers of civilization, because their frames were prepared for the utmost endurance of fatigue, and society was purified by their removal. There were not the fearless independence and frank demeanor which marks the honest backwoodsman of our country; but the untamed license and wily deportment of violent men, who loved not the salutary influence of the law, nor mingled of choice with the virtuous of their own species.

As they stirred the expiring fires, the column of light, mingled with the smoke and cinder, that rose towards the clear sky of the mild May night, revealed two travellers of a different appearance, who had encamped on the margin of the same stream. One was a man of thirty. Several years passed in the laborious practice of medicine in a southern climate, had destroyed his constitution, and he had come to breathe the bracing air of a higher latitude. The wing of health had flung into new vigor the waning fires of life, and he was now returning to

ed frame. The young man who sat by him was a friend to whom he had paid a visit, and who was now attending him a short distance on his journey. They had missed their way, and reluctantly accepted a sullen commission of the emigrants to share their coarse fare, rather than wander in the dark through unknown forests. Hamilton, the younger of the two, was, perhaps, twenty-seven years of age—and was a young gentleman of prepossessing appearance, of cultivated mind, and of a chivalrous and sensitive disposition. His parents were indigent, and he had, by the energy of his own talents and industry, redeemed them from poverty and placed them in easy circumstances. In one of his commercial expeditions down the Mississippi, he had met with Saunders the physician. An intimacy ensued, which, though brief, had already ripened into mature friendship.

"Affection knoweth nought of time, It riseth like the vernal flowers; The heart pulse is its only chime, And feelings are its hours."

Together they had hunted over the flowery barrens, and through the majestic forests of their native state—had scaled the precipice and swam the torrent—had explored the cavern, and visited whatever was wonderful or curious in their region around them; and both looked forward with painful feelings to the termination of an intercourse which had been pleasing and instructive. As they were to separate in the morning, the evening was spent in conversation—in that copious and involuntary flow of kindness and confidence which the heart pours out at the moment when friends are about to sever, when the past is recalled and the future anticipated, and friendship, no longer silent nor motionless, displays itself like the beauty of the ocean wave, which is most obvious at the moment of its dissolution.

Early in the morning the two friends prepared to pursue their journey. As they were about to depart, one of the emigrants advanced towards them, and remarked—

"I reckon, strangers, you allow to encamp at Scottville to-night?" "Yes," said Saunders, "I do." "Well, then, I can tell you a shute that's a heap shorter than the road you talk of taking—and at the forks of Rushing River, there's a smart chance of blue clay that's mirey like and it's right scary cros'ing at times."

Supposing they had found a nearer and better road, and one by which a dangerous ford had been avoided, they thanked their informant, and proceeded on their journey.

In some previous conversations, Saunders had learned that his friend had recently experienced some heavy losses, and was at this time much pressed for money, and, wishing to offer him assistance, had, from time to time, deferred it, from the difficulty of approaching so delicate a subject. As the time of parting approached, however, he drew the conversation to that point, and was informed that the sum of five hundred dollars would relieve his friend from embarrassment. Having a large sum in his possession, he generously tendered him the amount required, and Hamilton, after some hesitation, accepted the loan, and proposed to give his note for its repayment, which Saunders declined, under the plea that the whole transaction was a matter of friendship, and that no such formality was requisite. When they were about to part, Hamilton unclasped his breast-pin, and presented it to his friend. "Let this," said he, "remind you sometimes of Kentucky. I trust that when I visit you next year, I shall not see it adorning the person of some favored fair one." "I have not so much confidence in you," laughingly returned the other; and, handing him a silver-hafted pen-knife, curiously embossed, "I am told that knives and scissors are not acceptable presents to the fair, as they are supposed to cut love, so I have no fear that Almira will get this—and I know that no other human being would cause you to forget your friend." They then parted.

As Hamilton was riding slowly homeward, engaged in thought, and holding his bridle loosely, a deer sprang suddenly from a thicket, and fell in the road before his horse, who started and threw him to the ground, in examining the deer, which had been mortally wounded, and was still struggling, some of the blood was sprinkled on his dress, which had been otherwise soiled by his fall. Paying little attention to those circumstances, he returned home.

Though his absence had been brief, many hands grasped his in cordial welcome, many eyes met his own in love, for few of the young men of the country were so universally beloved, and esteemed as Hamilton. But to none was his return so acceptable as to Almira. She had been his playmate in infancy, his

their intimacy ripened into love, and they were soon to be united in the holiest and dearest ties. But the visions of hope were soon to pass from before them, as the mirage of the desert, that mocks the eye of the thirsty traveller, and then leaves him a death devoted wanderer on the arid waste.

A vague report was brought to the village, that the body of a murdered man was found near Scottville. It was first mentioned by a traveller, in a company where Hamilton was present; and he instantly exclaimed, "No doubt it was Saunders—how unfortunate that I left him!" and then retired under great excitement. His manner and expressions awakened suspicion, which was unhappily corroborated by a variety of circumstances, that were cautiously whispered by those who dared not openly arraign a person whose whole conduct through life had been honest, frank, and manly. He had ridden away with Saunders, who was to have been in possession of a large sum of money. Since his return he had paid off debts to a considerable amount. The pen-knife of Saunders was recognised in his hands—yet none were willing on mere surmise to hazard a direct accusation.

The effect of the intelligence on Hamilton was marked. The sudden death of a dear friend is hard to be supported—but when one who is loved and esteemed is cut off by the dastardly hand of the assassin, the pang of bereavement becomes doubly great, and, in this instance, the feelings of deep gratitude which Hamilton felt towards his benefactor caused him to mourn over the catastrophe with a melancholy anguish. He would sit for hours in a state of abstraction, from which even the smile of love could not awaken him.

The elections were at hand; and Hamilton was a candidate for the legislature. In the progress of the canvass the foul charge was openly made, and propagated with the remorseless spirit of party animosity. Yet he heard it not, until one evening he sat with Almira in her father's house. They were conversing in low accents, when the sound of an approaching footstep interrupted them, and the father of Almira entered the room. "Mr. Hamilton," said he, "I consented to your union with my daughter, believing your character to be unstained—but I regret to hear that a charge has been made against you, which, if true, must render you amenable to the laws of your country. I believe it to be a fabrication of your enemies; but, until it can be disproved and your character as a man of honor placed above suspicion, you must be sensible that the proposed union cannot take place, and that your visits to my house must be discontinued."

"What does my father mean?" inquired the young lady anxiously, as her indignant parent retired.

"I do not know," replied the lover, "it is some electioneering story, no doubt, which I can easily explain. I only regret that it should give him or you a moment's uneasiness."

"It shall cause me none," replied the confiding girl: "I cannot believe anything evil of you."

He retired—sought out the nature of the charge, and to her inexpressible astonishment and horror, learned that he was accused of the murder and robbery of his friend! In a state little short of distraction, he retired to his room, recalled with painful minuteness all the circumstances connected with the melancholy catastrophe, and, for the first time, saw the dangerous ground on which he stood. But proud in conscious innocence, he felt that to withdraw at that stage of the canvass, might be construed into a confession of guilt. He remained a candidate, and was beaten. Now, for the first time, did he feel the wretchedness of a condemned and degraded man. The tribunal of public opinion had pronounced against him the sentence of conviction; and even his friends, as the excitement of the party struggle subsided, became cold in his defence and wavering in their belief of his innocence. Conscious that the eye of suspicion was open, and satisfied that nothing short of a public investigation could restore him to honor, the unhappy young man surrendered himself to the civil authority, and demanded a trial. Ah! little did he know the malignity of man, or the fatal energy of popular delusion! He reflected not that when the public mind is imbued with prejudice, even truth itself ceases to be mighty. Many believed him guilty, and those who, during the canvass, had industriously circulated the report, now labored with untiring diligence to collect and accumulate the evidence which should sustain their previous assertions. But arrayed in the panoply of innocence, he stood firm, and confident of acquittal. The best counsel had been engaged, and on the day of trial Hamilton stood before

pruit in the presence of those before whom he had walked in honor from childhood.

As the trial proceeded the confidence of his friends diminished, and those who doubted became confirmed in the belief of the prisoner's guilt. Trides light as air became confirmations strong as proofs of Holy Writ, to the jealous minds of the audience, and one fact was linked to the other in curious coincidence, until the chain of corroborating circumstances seemed irresistibly conclusive. His recent intimacy with the deceased, and even the attentions which friendship and hospitality had dictated, were ingeniously insisted on as evidences of a deliberate plan of wickedness—long formed and gradually developed. The facts that he had accompanied the deceased on his way—that he had lost the path in a country with which he was supposed to be familiar—his conduct on hearing of the death of his friend—the money—the knife—caused the most incredulous to tremble for his fate. But when the breast-pin of Hamilton, found near the body of the murdered man, was produced—and a pistol, known to have been that of the prisoner, was proved to have been picked up near the same spot—but little room was left, even for charity to indulge a benevolent doubt. Nor was this all—the prosecution had still another witness—the pale girl who sat by him, clasping his hands in hers, was unexpectedly called upon to rise and give testimony. She shrunk from the unfeeling call, and buried her face in her brother's bosom. That blow was not anticipated—for none but the cunning myriads of party vengeance, who had even violated the sanctuary of family confidence in search of evidence, dreamed that any criminating circumstances were in the possession of this young lady. At the mandate of the court she arose, laid aside her veil, haggard with anxiety and terror. In low, tremulous accents, broken with sobs, she reluctantly deposed, that the clothes worn by her brother on the return from that fatal journey, were torn, soiled with earth, and bloody! An audible murmur ran through the crowd, who were listening in breathless silence—the prisoner bowed his head in mute despair—the witness was borne away insensible—the argument proceeded, and after an eloquent, but vain defence, the jury brought in a verdict of guilty! The sentence of death was passed.

The summer had passed away. The hand of autumn had begun to tinge with mellow hues the magnificent scenery of the forest. It was evening, and the clear moonbeams were shining through the grates of the prisoner's cell. The unhappy man, haggard, attenuated, and heart-broken, was lying upon the wretched pallet, reflecting alternately upon the early wreck of his bright hopes, the hour of ignominy that was just approaching, and the dread futurity into which he should soon be plunged. It was the season at which his marriage was to have been solemnized. With what pride and joy had he looked forward to this hour! And now, instead of the wedding festivities, the lovely bride, and the train of congratulating friends, so often pictured in fancy, he realized fetters, a dungeon, and a disgraceful death! The well known tread of the jailer interrupted the bitter train of thought. The door opened, and as the light streamed from a lantern across the cell, he saw a female form timidly approaching. In a moment Almira had sunk on her knees beside him, and their hands were silently clasped together. There are occasions when the heart spurns all constraint, and acts upon its own dictates, careless of public opinion, or prescribed forms—when love become the absorbing and overruling passion—and when that which, under other circumstances, would be mere unlicensed impulse, becomes a hallowed and imperious duty. That noble hearted girl had believed to the last, that her lover would be honorably acquitted. The intelligence of his condemnation, while it blighted her hopes and withered her health, never disturbed for one moment her conviction of his innocence. There is a union of hearts which is indestructible, which marriage may sanction, and nourish, and hallow, but which separation cannot destroy—a love that endures while life remains, or until the object shall prove faithless or unworthy. Such was the affection of Almira; and she held her promise to love and honor him, whose fidelity to her was unspotted, and whose character she considered honorable, to be sacred as if they had been united in marriage. When all others forsook, she resolved never to forsake him. She had come to visit him in his desolation, and to risk all, to save one who was dear and innocent in her estimation, though guilty in the eyes of the world.

Memorials of the Dead.

One of the most simple, yet beautiful and affecting customs of antiquity, which has descended to modern times, is the decorating with flowers, the graves of those we respected and loved. Accustomed, as moderns are, to term the ages and usages that are passed, barbarous and uncivilized, we cannot but think, that the little regard paid in our days to the memory of the departed, is a sad proof that advancement in literature and the sciences is unfavorable to the cultivation and growth of some of the finest, sweetest, and holiest emotions, of which the heart is susceptible. We have no desire to be ranked among the ultra sensitive; but certainly with us, this is no theme for unbecoming levity. There is a deep-toned voice in the care and respect which every age and nation of antiquity has shown to the memory of the dead; there is a divinity that speaks in the lessons from the grave, which cannot be misanderstood, and which finds a response in every soul, not utterly callous and insensible to its noble destinies. In the unfolding green of the cypress and ivy, the ancients found an emblem of the immortal vigor of the mind; and in the annual renewal of the rose, and the fresh blossoms of spring, a proof, that man, too, after the winter of death, and the grave be past, is destined to flourish in renovated beauty

with Almira, had devised for the escape of Hamilton. He had consented to allow the prisoner to escape in female attire, while she was to remain in his stead, so that the whole contrivance should seem to be her own. "I am a plain man," concluded the jailer, "but I know what's right. It ain't fair to hang no man on suspicion—and more than that, I am not going to stand in no man's way—especially a friend who has done me favors, as you have. I go in for giving every fellow a chance. The track's clear, Mr. Hamilton, and the quicker you put out, the better."

To his surprise the prisoner peremptorily refused the offer.

"I am innocent," said he; "but I would suffer a thousand deaths rather than injure the fair fame of this confiding girl."

"Go, Dudley, my dear Dudley," she sobbed; "for my sake, for the sake of your broken-hearted father and sister—"

"Do not tempt me, my dear Almira. I will not do that which would expose you to disgrace."

"Oh, who would blame me!"

"The world—the uncharitable world—they who believe me a murderer, and have tortured the most innocent actions into proofs of deliberate villainy, will not hesitate to brand you as the victim of a cold-blooded felon. And why should I fly? to live a wretched wanderer, with the brand of Cain on my forehead, and a character stamped with infamy?"

He would have said more—but the form, that during this brief dialogue, had sunk into his arms, was lying lifeless on his bosom. He kissed her cold lips, and passionately repeated her name—but she heard him not—her pure spirit had gently disengaged itself, and was flown forever. Her heart was broken. She had watched, and wept, and prayed, in hopeless grief, until the physical energies of a delicate frame were exhausted, and the excitement of the last scene had snapped the attenuated thread of life.

Hamilton did not survive her long. His health was already shattered by long confinement and the chafing of a proud spirit. Almira had died for him—and his own mother—oh! how cautiously did they whisper the sad truth, when he asked why she who loved him better than her own life, had forsaken him in the hour of affliction—she, too, had sunk under the dreadful blow. His father lived a withered, melancholy man, crushed in spirit; and his sister hung like a guardian angel over his death-bed, and as he gazed at her pale, emaciated, sorrow-stricken countenance, he saw that she, too, would soon be among the victims of this melancholy persecution. When, with his last breath, he suggested that they would soon meet, she replied: "I trust that God will spare me to see your innocence established, and then will I die contented." And her confidence was rewarded—for God does not disappoint those who put their trust in him. About a year afterwards, a wretch who was executed at Natchez, and who was one of three persons named in the commencement of this narrative, confessed that he had murdered Saunders, with a pistol which he found at the place where the two friends had slept. "I knew it would be so, was the only reply of the fast declining sister—and soon after she was buried by the side of Dudley and Almira. Reader, this is not fiction—nor are the decisions of God unjust—but his ways are above our comprehension.

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made known to us by revelation, they endeavored to read in the wide spread volume of nature, and the result was such as may well make us blush at the arrogance of our pretensions. Notwithstanding the disuse and neglect of this remnant of the fine feeling of the ancients, among the greater part of the nations of Christendom, still there are places where it is preserved in its primitive and hallowed purity. A traveler assures us, that amidst the desperate struggle between the French armies and the Tyrolese peasantry, when the former were defeated in their murderous attempts to penetrate the mountain fastnesses of the south of Austria, not one of the Tyrolese who fell, was buried on the field, but, after the strife of death was over, was borne by his friends to his own native village, in the church yard of which, the little green mounds, planted with flowers, and freed from weeds by the pious care of survivors, still show the number of those that perished in that conflict of liberty. In the Crimea, in Niphon, on the southern shores of the Mediterranean, among the Moors, and in China, is still observed the beautiful custom of planting and strewing flowers over the dead; a custom so affecting and so full of refined taste, that it ought never to be suffered to fall into oblivion, by those who make the slightest pretences to civilization. In Wales, when a young woman dies, she is attended to the grave by her virgin companions, each one bearing flowers, which, after she is deposited in her last abode, are sprinkled over the coffin. Over the monument of Klopstock, the impassioned author of the "Messiah," flowers are yearly strewn, and a lime tree there, ever waves its spreading branches. In that populous city of the dead, the Pere La Chaise of the French capital, the cypress, the rose, and the willow are beautifully blended; and on All-souls-day, those who have friends buried there, are in the custom of visiting the place; bearing garlands of wild flowers and evergreens intermingling, to place upon the graves. The epitaph of the founder of Grecian Tragedy, the celebrated Sophocles, written by Simonides, proves that such a custom of honoring the illustrious dead, then existed:

"Wind, gentle evergreen, to form a shade, Around the tomb where Sophocles is laid, Sweet ivy, wind thy boughs and intertwine With blushing roses, and the clustering vine: So shall thy lasting leaves, with beauty hung, Prove a fit emblem of the lays he sung."

There can scarcely be imagined a more delightful place than that valley of unfolding green, and everlasting flowers, where Sadi the royal Persian poet is entombed. Hafiz, of the same nation, and scarcely less renowned as a poet, planted with his own hands the cypress under which he directed his body to be entombed, and over which, for ages, his enthusiastic admirers and countrymen scattered roses, and hung chaplets of flowers. There is no place that awakens more deep and sadly pleasing emotions, than to tread the ground where those we once loved, rest forever from their sorrows and their cares. Every thing disagreeable and repulsive, in such a quiet scene, ought to be carefully avoided; and every thing should be introduced which can have a tendency to soften the passions, and soothe and tranquilize the feelings. Yet how often do we, in the sleeping place of the dead, to the church-yards of both city and country, find the graves trampled upon by the most disgusting of brutes: a cold stone perhaps, to tell who sleeps below; but no flowers are seen to picture, by their renewal, the cheering hope of a resurrection; no evergreen to shadow forth the immortality of the dead. To the contemplative mind, there is something pleasing in the idea of sleeping the dreamless sleep, surrounded by those whom we loved while living, and beneath the turf made radiant by the unsullied blossoms of Spring. To us, there is another interesting view of the subject, and which is so quaintly and beautifully expressed by Osborne: "He that lieth under the herse of heavenne, is convertible into swete herbes and flowers, that maye rest in bosoms that wolde shrink from the ugly bugs which may be found crawling in the magnificent tomb of Henry the VII." The same thought occurs in an "Address to the Mummy," by a later author:

"O not like thee would I remain, But o'er the earth my ashes strew; And in some rising bud regain The freshness that my childhood knew."

For ourselves, much rather had we sleep where the moonbeams would convert into diamonds the dewdrops gathering on the rosebuds, than to lie beneath the dome of St. Peters, and rest where the soft south wind would wake the fragrance of blossoms which affectionate hands had planted, than to moulder in the undiscovered chambers of the eternal pyramid.