



BY WM. OSMAN & CO.

OTTAWA, ILLINOIS, FRIDAY, JULY 3, 1846.

VOL. VII.—NO. 1.

THE FREE TRADER.

PUBLISHED WEEKLY BY WM. OSMAN & CO. Second story, North end of Redlick's...

Two Dollars per annum, if paid in advance; Two Dollars and fifty cents if paid in...



THE FREE TRADER.

OTTAWA, Ill., Friday, July 3, 1846.

Capt. Dickey's Company. We are indebted to Mr. R. E. Goodell for the following table, giving the names, nativity, and occupations of the officers and privates in Capt. Dickey's Company. It will be found both interesting and useful.

BUSINESS CARDS.

THEOPHILUS L. DICKEY, Attorney at Law, Ottawa, Ill's. Office on the east side of the public square...

GEORGE S. FISHER, Attorney and Counsellor at Law, and Solicitor in Chancery, Ottawa, Ill's. Collections promptly attended to in this (9th) Judicial Circuit. Aug. 15, 1845. 8-6

M. E. HOLLISTER, Attorney and Counsellor at Law, Solicitor in Chancery, and Justice of the Peace. Office No. 2 Court House, opposite the Circuit Court Clerk's Office. Dec. 19, 1845. 11-5

JOHN V. A. HOES, ABRAHAM HOES, J. V. A. & A. HOES. Attorneys and Counsellors at Law, and Solicitors in Chancery, Ottawa, Ill's. Office on the North side of the public square. June 22, 1845.

MILTON H. SWIFT, Attorney and Counsellor at Law, Ottawa, Ill's. Office on Canal street, opposite Chapman & Grilly's store. Dec. 19, 1845.

EVERETT GLOVER, B. C. COOK, GLOVER & COOK. Attorneys and Counsellors at Law, Ottawa, Ill's. Office on the east side of the public square. June 10, 1845.

HENRY G. WATSON, EDWIN S. LELAND, COTTON & LELAND. Attorneys and Counsellors at Law, and Solicitors in Chancery, Ottawa, Ill's. Office on the east side of the public square. June 7, 1845.

EDMUND S. HOLBROOK, Attorney and Counsellor at Law, Ottawa, Ill's. Office with Mr. Conroy, in the brick block, over Lear's & Haydon's store. Dec. 19, 1845. 21

JOHN M. CROTHERS, JESSE S. PITCHER, CROTHERS & PITCHER. Attorneys at Law, Oswego, Kendall County, Illinois. Will practice Law in the counties of Kendall, La Salle, Kane, De Kalb, Will and Pope...

O. D. DAY, Attorney and Counsellor at Law, Aurora. Office on the east side of the river over Allen's store.

WAGNER & PARKER, Attorneys & Counsellors at Law, Aurora. Office on the east side of the river, over Wagner's new store.

DR. P. SCHERMERHORN, Offers his Professional services to the citizens of Ottawa and vicinity. Office on Columbus street, between Canal and Clinton.

DR. JOSEPH STOUT, Offers his Professional services to the citizens of Ottawa and vicinity. Office on La Salle street, over the room occupied by the late Dr. Harbutt. Ottawa, June 17, 1845. 47 6 n

H. HOWLAND, J. PEARSON, HOWLAND & PEARSON, Physicians and Surgeons, Ottawa, Ill's. Office on the east side of the public square. Residence of Dr. Howland, on the hill, south side of the street, a few doors west of the Fox River House. Residence of Dr. Pearson at the City Hotel. April 30, 1846.

DR. J. PEARSON, Resident Dentist, Offers his Professional services to the citizens of Ottawa and vicinity.

TEETH inserted upon gold or silver plates—upon ivory, etc., so as to answer all purposes of an articulation. Decayed teeth filled with gold, silver or tin foil. Teeth cast with various existing pain, which enables him to save many teeth that would otherwise have to be extracted. All operations to prove successful, or no pay. Charges moderate. Office on La Salle street, west of the Court House. June 27, 1845. 1-5

G. L. THOMPSON, Dealer in Drugs, Medicines, Dye-Stuffs, Paints, Oils, Varnish, &c. &c. Canal street, one door east of the Mansion House, Ottawa, Ill's.

JABEZ ETECH, Justice of the Peace, Ottawa, Illinois. Office on Front street.

SETH C. EARL, Painter and Glazier, Ottawa, Ill's. Carriages, signs, houses, etc. painted to order on reasonable terms. Shop on Columbus st., near Dr. Schermerhorn's.

CITY HOTEL, BY JOEL JOHNSON, Springfield, Illinois. THE travelling community are respectfully invited to call. The accommodations cannot be surpassed. Private rooms for stage passengers.

PRICES OF FARE. One day, 25 cts. This Single meal, 25 cts. Just one-half the usual charge at stage houses. Passengers can secure seats in all the stages through the Proprietor. 25x4 2y

From Santa Fe.—The St. Louis Republican of Thursday, the 18th of June, has the following: "An extra from the office of the Lexington Express states that Mr. Houck had arrived at Independence from Santa Fe, having made the trip in 29 days. He is said to have brought intelligence that the authorities at Santa Fe were fortifying it, and besides two thousand men then under arms, the Governor had made a requisition for five thousand men from Chihuahua. Every third man in Santa Fe and its vicinity was to bear arms in its defence. The place was preparing for a siege. Mr. Houck, it is added, expresses the opinion that Colonel Kearney ought not to take less than 5,000 men on his expedition against New Mexico."

Texas.—The Texas Register contains a complete list of the members of the Legislature of that State. Senate 21; House 65. Of the whole number, 4 are classed as Whigs, 2 Local Focos, 2 Tyler men, 1 Polk man, 1 Texian, 1 Nullifier, 4 Republicans, 1 Anti-tariff man, 1 Tariff man, 14 not specified, the rest Democrats. The oldest member is 57—the youngest 22. Thirty-seven are farmers, 16 lawyers, 8 merchants, 4 physicians, 4 mechanics, 3 surveyors, 3 soldiers, 1 planter, 1 printer, 9 not specified. Seventeen members are from North Carolina, 13 from Virginia, 9 from Kentucky, 9 from Tennessee, 8 from Georgia, 6 from South Carolina, 4 from Massachusetts, 2 from Louisiana, 2 from New York, 2 from Maine, 2 from Mississippi, 2 not specified, and one each from Alabama, Connecticut, Indiana, Pennsylvania, England, Ireland, Scotland, Austria and Italy.

Texas Salt.—The Houston Telegraph says that the season of country lying west of the Neeces, bordering on the sea coast, is intersected by numerous salt lakes and bays, into which the salt water of the Gulf flows during winter. In summer, owing to intense solar evaporation, the water becomes dry, and is covered with a crust of salt three or four inches thick, equal in every respect to Turk's Island, which is the best for preserving meat and fish. The dry climate of western Texas—rain seldom falling in the summer months—makes the process of evaporation exceedingly rapid, and millions of bushels may be procured for the mere trouble of collecting it.

A Quarter-master of the Tennessee Volunteers shot one of the Lieutenants, while they were on their way to New Orleans, on the steamboat Brownsville. The remains of the Lieutenant were buried at Natchez, and the Quarter-master taken to New Orleans.

General Taylor.—The Louisville Journal says: "When General Taylor was a young man, he and his older brother William, long since dead, swam from the Kentucky shore across the Ohio river to the Indiana shore, and back again, without resting. The feat was performed in the month of March, when the river was in flood, and it greatly surpassed the famous one of swimming the Hellespont, which is about a mile across and of delightful temperature. The Taylors were not accompanied by a boat, as Byron was when he swam the Hellespont, which makes all the difference in the world. One winter, when General Taylor was stationed at Prairie du Chien, he used to walk every morning from his lodgings to the barracks, without a great coat, when the thermometer was forty degrees below zero."

A Mexican Boat.—A New Orleans paper says, that a passenger in the Louisiana, from Vera Cruz, states that on the 25th ult., when he was about embarking, he understood that letters were received from the capital, which stated that General Paredes said that he needed no volunteers to fight the Americans, as he was confident that with the whole of the Mexican forces of regular troops, he had sufficient to resist and repel all the Americans that came forward, even if the United States sent all their citizens to the battle.

"Son of '76."—This is the name of a corps raised in New York, and have offered their services to the President. Every man of them is a son or grandson of a revolutionary soldier. Wonder what the Tribune has to say to it?

Be woe, Jr., on War. "My friends and fellow countrymen—awake! arise! for the Philistines are upon you! strike the tuncjo, blow the lugag, whistle the life, and chastise the drum! Your lives, your loves and your liberties are in danger. Now, while your glorious lamp of liberty is sputtering with the impotent spit of the foe, is the time for you to girdle your armor—march to the battle field—then vindicate the national honor, suck the sweets of revenge, and settle all difficulties and return home so covered with glory that common eyes would be able to behold you without the assistance of smoked glass. You are spiritualized into a war, and must go through it like a dose of castor oil—the quicker the better. "Up, then, and at them! strike, not only for your own homes, wives and babies, but for the halls of the Montezumas! In those halls, my friends, are your lenders unimagined; and in the multitudinous of mines that surround them are riches untold and untellable. Push on the war, now you are into it. These Mexican savages must be whipped into civilization; and if I were not necessarily exempt by law, I would be one to assist in the pleasurable task. They have no business to be brutes—ought to be the blessings of barbarism. They are reptiles in the path of progressive democracy—who with his big boots is bound to travel from Portland to Patagonia—and they must either crawl or be crushed."

Protection of the War with Mexico.—Further accounts from the war confirm the accounts of the occupation of Matamoros by the U. S. troops, and the probable movement upon Monterrey. It seems to be the determination of Government to proceed with vigor against the Mexicans until they are brought to proper terms, and the difficulties which have existed be satisfactorily settled. The Union speaking of this matter, says it has ascertained some interesting facts touching the state of the army, and the plans of the campaign, but does not state particularly what they are, except the belief that the executive is doing every thing in his power, doing it with every degree of energy and vigor, and by sea, in order to conduct the present campaign to its legitimate results, to bring the enemy to terms, and to conquer an honorable and permanent peace. General Taylor, says the Union, has about 8,000 troops under his eagle. Hundreds and thousands of volunteers were pouring into his camp. He will soon be in advance into the enemy's country; and we shall not be surprised to hear of his reaching Monterrey, about 130 miles from Matamoros, about the commencement of the able land, in a healthy region, at no distant day.

A Mistake.—Mr. Webster's calculation of the amount of the daily expenditure of the Government—to wit: half a million of dollars—is a mistake. The amount, so far as the former general's office may be concerned, is but one million per month. This is a difference.

THE RIO GRANDE THE WESTERN BOUNDARY OF TEXAS.

The violence with which the Whig press and the opponents generally of the Administration denounce the Mexican war, can only be attributed to a party feeling, the most relentless and vindictive. The origin of the war has been ascribed to Executive usurpation. The President has been charged with the most outrageous aggression on the rights of Mexico; with wantonly and forcibly seizing her territory and expelling its inhabitants at the point of the bayonet from their peaceful homes and firesides. He has been charged with gross violation of the Constitution in undertaking, as it is alleged, to decide the question of boundary, which the constitution vests alone in the treaty-making power. He has been charged with taking upon himself the responsibility of declaring war without the authority of Congress. And what is the evidence of such monstrous usurpation? Why, nothing more nor less than the fact that General Taylor was ordered on the 13th of January last to advance and occupy a position on the east bank of the Rio Grande, with instructions to repel the Mexicans, force by force, should they attempt to cross that river. This is the "head and front" of President Polk's "offending." According to who condemn him, he would not have ordered General Taylor to the Rio Grande, because the river is not Texas, and it is under cover of this assumed fact that they aim their pigmy straws at our Chief Magistrate. My object in this communication is to show, not only that the Rio Grande now is, but that it has ever been, from the first settlement of Texas down to the present time, the western boundary of that country. It is known to all, who are acquainted with the early history of Texas, that La Salle, a Frenchman, with a commission and authority from Louis the 11th, discovered the bay of St. Bernard, between the rivers Trinity and Colorado, and formed a settlement there in the year 1685; and the possession of the country thus taken by La Salle was claimed by France to the Rio Grande, and was generally understood to extend to that river. France deduced her claim from the application of certain principles founded not only in justice, but recognized by the general practice of European nations who held possessions in America. These principles, as laid down in the note of Messrs. Pinckney and Monroe, to Mr. Cevallos, in 1805, were: 1st. "That when any European nation takes possession of any extent of sea-coast, that possession is understood as extending into the interior country, to the sources of the rivers emptying into that coast, to all their branches, and the country they cover, and to give it a right in exclusion of all other nations to the same." 2d. "That, whenever one European nation makes a discovery, and takes possession of any portion of this continent, and another afterwards does the same at some distance from it, where the boundary is not determined by the principle above mentioned, that the middle distance becomes such of course." Now, when we apply these principles, to the undisputed facts, that the Mississippi was discovered in its whole length to the ocean, by French subjects from Canada, in 1683; that La Salle, as already stated, settled the country west of the Colorado with a commission and authority from Louis 14th, the right of France formerly to the Rio Grande is manifest: especially is it so by the application of the second principle; for the Rio Grande was the middle distance between the bay of St. Bernard and the nearest Spanish settlement, which was in the province of Sanuco.

That the Rio Grande was the western boundary of Louisiana when owned by France, is supported by the testimony of most writers of any note who have written on the subject. The authorities, as collected by Mr. Adams, in his note to Don Onis, in 1818, are as follows:—The historical authority of Du Pratz and Champigny, and of the Count de Vergennes; the geographical authority of De Lisle's map, and especially that of the map of Don Thos. Lopez, geographer to the King of Spain, published in 1762; a map published by Hornmann, at Nuremberg, in 1712; a geographical work published in 1717, at London, entitled "Atlas Geographicus, or a complete system of Geography, Ancient and Modern, in which the map of Louisiana marks its extent from the Rio Bravo to the Perdido; and official British map published in 1755, by Bowen, intended to point out the boundaries of the British, Spanish and French colonies in America;

the geographical work of Don Antonio de Alcedo, a Spanish geographer of the highest eminence. "This work," says Mr. Adams, "having been published after the cession of Louisiana to Spain, in 1762, affords decisive evidence of what Spain herself considered as the western boundary of Louisiana, when she had no interest in contesting it against another State." Such is the strong and incontestible evidence that the Rio Grande, or Rio Bravo as it is sometimes called, was the western boundary of Texas as part of Louisiana when owned by France. In 1803, Mr. Jefferson, by treaty with France, purchased Louisiana. Whatever rights then France previously had to Louisiana, were vested in the U. States by the treaty of 1803. That the United States strenuously claimed the Rio Grande as the western boundary of Louisiana territory, and of course as the western boundary of Texas up to the time the latter country was ceded to Spain cannot be disputed. Mr. Walker, in his Texas letter, says: "Texas, as Mr. Jefferson declared, was as clearly embraced in the purchase by us of Louisiana as New Orleans itself; and that it was a part of that region is demonstrated by the discovery by the great La Salle, of the source and mouth of the Mississippi, and his occupancy for France west of the Colorado. Our right to Texas as a part of Louisiana, was asserted and demonstrated by Presidents Jefferson, Madison, Monroe and John Q. Adams. No one of our Presidents has ever doubted our title; and Mr. Clay has ever entertained it as clear and unquestionable. Louisiana was acquired by a treaty with France in 1803 by Mr. Jefferson; and in the letter of Mr. Madison, the Secretary of State, dated March 31, 1804, he says, expressing his own views and those of Mr. Jefferson, that Louisiana extended westwardly to the Rio Bravo, otherwise called Rio del Norte.—Orders were accordingly obtained of the Spanish authorities for the delivery of all the posts on the west side of the Mississippi. And in his letter of the 31st January, 1804, Mr. Madison declares that Mr. Lausait, the French commissioner who delivered the possession of Louisiana to us, announced the Del Norte as the true boundary. Here, then, in the delivery of the possession of Louisiana by Spain to France and by France to us, Texas is included.—In the letter of Mr. Madison, of the 8th of July, 1804, he declares the opposition of Mr. Jefferson to the relinquishment of any territory whatever eastward of the Rio Bravo. In the letter of Mr. Monroe of the 8th of November, 1803, he encloses documents which were sent to the United States by the Spanish authorities, and which are the Rio Grande, in the west, and Mr. Pinckney's note with him in a similar declaration. In Mr. Monroe's letters as Secretary of State, dated January 9th, 1816, and June 10th, 1816, he says none could question 'our title to Texas,' and expresses his concurrence in opinion with Jefferson and Madison, "that our title to the Del Norte was as clear as the island of N Orleans." In his letter as Secretary of State to Don Onis of the 12th of March, 1818; John Quincy Adams says "the claim of France always did extend westward to the Rio Bravo," and in his letter of the 31st of October, 1818, he says our title to Texas with the Rio Bravo as the western boundary, "is established beyond the power of further controversy."

We will take it then, as admitted, what was beyond "the power of controversy," that Texas belonged to the United States by the Louisiana purchase, and that the Rio Grande was the western boundary. By the treaty of 1819, Texas was surrendered to Spain; but no sooner did the brave and gallant Texans hear of the violation of faith and treaty obligations by the United States towards them, and that they were abandoned to an odious tyranny, than they assembled in convention, framed a plan of government, and like our own patriot fathers of '76, declared themselves free and independent. In the 17th vol. Nile's Register, page 31, the whole Declaration can be found. I make here, only a small extract, to show the spirit that animated them—how "freedom fired their souls and kindled in their eyes." "The citizens of Texas would have proved themselves unworthy of the age in which they live—unworthy of their ancestry—of the kindred Republics of the American continent—could they have hesitated in this emergency what course to pursue. Spurning the fetters of colonial vassalage, disdaining to submit to the most atrocious despotism that ever disgraced the annals of Europe

—they have resolved, under the blessing of God, to be free!" As soon as the treaty was ratified, Spain undertook to coerce the free-born citizens of Texas to submit to "the fetters of colonial vassalage." Hostile operations were begun. Already had the momentous drama commenced. But an over-ruling Providence rescued Republican Texas from the dangers that threatened her. The fire of liberty which had burst forth in Texas, had swept over the vast plains of Mexico, to the very "palaces of the Montezumas." Goaded on by repeated wrongs and injuries, Mexico had again taken up arms in defence of her inalienable rights. The forces which were intended to subjugate Texas, were diverted from their purpose to subdue Mexico. The contest was a protracted and sanguinary one; but it at last resulted in triumph to the arms of Mexico, and old Spain was driven from the last of her possessions in North America. No subsequent effort was ever made by Spain to subjugate Texas, and she became consequently, an independent nation. The United States had abandoned her to Spain; Texas had declared herself independent of Spain; and Spain having failed to subdue her, she owed allegiance to no other nation under heaven. Now let us pause for a moment, and ask where was the western boundary of this Independent Texas? Most unquestionably the Rio Grande. When Texas belonged to France, the Rio Grande was the boundary; and in absence of all proof to the contrary, is not the conclusion irresistible, that when Texas belonged to herself, the same river was the boundary?

Such was Texas, free and independent, with the Rio Grande as her western boundary, at the formation of the Federal Government of the United States of Mexico, in 1824. A Constitution was formed, resembling in most respects our Federal Constitution, to which Texas voluntarily became a party. And this is the only political connection that Texas has ever had with Mexico—a connection that owed its existence to, and was only co-existent with, the constitution of 1824. When, then, Santa Anna, in open violation of that constitution, by faith in the observance of which Texas had alone consented to become a member of the Mexican Union, boldly declared herself sovereign and independent, as she was before she adopted the Constitution of 1824. But Santa Anna was determined to abolish the State government of Texas, and to compel her to recognize no other government but his grand Central Despotism at Mexico. For this purpose, the usurper invaded Texas. The result is well known. Santa Anna was taken prisoner, and Texas demonstrated, by the "fire and blood" of the battle-field, the proposition she had undertaken to prove, namely—that she was free and independent. Here the struggle ended. No other attempt was made to subjugate Texas. Her independence was achieved. And are we not to conclude that the old and acknowledged boundary of Texas on the west, the Rio Grande, remained? Let us take an analogous case here at home. When Virginia adopted our Federal Constitution, the Ohio river was her western boundary, and is now. Suppose that some bold and ambitious military chieftain should succeed (which heaven avert!) in abolishing our Federal Constitution, and should attempt to establish in its place a military despotism: Virginia would, of course, owe no allegiance whatever to such abominable usurpation. She puts forth her Declaration of Independence—this Military Dictator attempts, but fails to subdue her—she achieves her independence, and it is acknowledged by other nations. I now triumphantly ask, even though there should be no inhabitant west of the Alleghany mountains, would not the Ohio river be the western boundary of Virginia? But the case of Texas is stronger even than the one here supposed. We are not left to conjecture as to the western boundary of Texas, for Santa Anna negotiated a treaty of peace with Texas, in which he not only acknowledged her Independence, but recognized the Rio Grande as the western boundary. But it was objected that Santa Anna was in duress at the time the treaty was signed, and that Santa Anna was not the only person who signed it on the part of Mexico; it was signed by five other Mexican Generals. Should the fact, then, that Santa Anna was a prisoner, make the treaty void ab initio, although it was signed by five other Mexican Generals who were not prisoner? I think not. It is far more than enough to establish the truth of the most atrocious despotism that ever disgraced the annals of Europe

all the benefits of the treaty? Did she not receive, in compliance with the treaty, the life and liberty of her President, the restoration of many officers and prisoners, and the whole army of Filisola? Filisola, in his despatch of May 31st, 1836, speaking of the necessity of this treaty, says: "I do not mention other reasons perhaps more convincing; in fine, I think I have saved the whole army from disaster, and the national decorum from a positive disgrace." Although Mexico, then, did not formally ratify the treaty, yet as she received all the benefits of it, it was equivalent to a ratification, according to every rule of law, and every principle of justice. Whether Santa Anna had the authority or not to negotiate the treaty, Mexico is estopped from denying its validity. Mr. Wallace, in his Texas speech, ably enforces these views; he says, "It is a rule of morals, founded in honor and conscience, and a principle of municipal as well as international law, applying as well to the compacts of States as individuals; that if an agent without authority, makes a contract, and the principal receives and retains the benefit provided by it, it is an affirmation of the compact, however loudly he may protest against it. Thus it is a conceded principle of law, that if A, without authority, sells the property of B, to C, the contract is invalid, yet if B. receives and retains the purchase money, it is as complete an affirmation of the contract as if it were subscribed by the principal himself. So, also under what is called the statute of frauds, a verbal sale of a tract of land the law declares to be null and void; yet, if it is partly executed by the reception of the benefit on one part, it affirms and ratifies the transfer. These are nothing more than the eternal principles of honor, truth and justice, recognized by every writer on the law of nations, and universally applicable and binding as well upon nations as individuals."

It is clear, then, that Mexico has acknowledged the right of Texas to the Rio Grande. But if any doubt can possibly rest upon the mind of any one, it must be removed when he is informed that as late as 1843, Mexico recognized the Rio Grande as the western boundary of Texas in an armistice that was entered into between Texas and Mexico for the cessation of hostilities; and the President of Mexico, in announcing it, ordered the Mexican forces to retire to the west bank of the Rio del Norte. But Texas has not merely an abstract right to the country west of the Neeces. She has actual possession, and exercises legal jurisdiction over a considerable portion of that country. It was represented in the Convention that adopted the constitution of the Republic in 1836; and has also been represented in the Texan Congress. Counties have been organized there, courts established and Texan laws enforced.

I have thus, I think, conclusively demonstrated, that the Rio Grande always was the western boundary of Texas. Texas is now one of the U. States. The soil of Texas is, therefore, the soil of the United States. Texas declares in her Constitution, that the Rio Grande is her western boundary, and Mexico has acknowledged it. The soil of the United States, therefore, extends to the Rio Grande, and it is just as much the duty of the United States to defend every inch of that soil as that of the District of Columbia.

GILES OF AMELIA.

Babies in Church.—The editor of the Pittsburgh Chronicle—for ought we know, a bachelor—thus philosophically discourses on the impropriety of taking babies to church: "Babies are fine things, in their places. We like them at home in their nurseries, the only proper place for that class of juveniles coming under the denomination of babies. But in church babies are nuisances. Now crowing, now crying, constantly keeping up some fuss or other, they distract the attention of the speaker. Gings times keep them still store. Ten. Babies need coffee, sugar, not they, they, spice, nutmegs, as weaselegated and common. Some fo'bacco, pepper sauce, to the grilla meal, sperm and showin'grates, codfish, mackerel, &c. W. M. PAUL & CO. Nob66. parents, ever seen babies at church. A baby yet, however smart, that did credit to itself in a p... assembly. It would be sure to do something to make every body hate it, before meeting was half over. Mothers, hereafter, who would preserve the characters of their babies, for being well behaved and quiet babies, should never take them to church, or into a stage-coach."