



SUNDAY JUNE 14, 1868.

Nominees of the National Republican Convention at Chicago, May 21, '68.

For President, U. S. GRANT.

For Vice-President, Schuyler Colfax.

Ab Initio.

The Austin Republican, of the 11th inst., contains a long article under the above heading, explanatory of the opinions of Gov. Pease, Gen. A. J. Hamilton, Judge Bell, and others.

Mr. Morgan C. Hamilton asserts that all legislation in Texas since accession is null and void, because rebels have no legal capacity to make laws.

It is certain that the Act of Ordinance of Secession of 1861 was null and void from the beginning. It is certain that the Constitution of the United States, and the laws made in pursuance thereof, are the supreme law in all the length and breadth of the Union; and that every act or law of the legislature of Texas passed during the war or at any other time since annexation, in violation of the Constitution or laws of the United States is and was at the time of its passage absolutely null and void.

The reconstruction convention, we take it, could not, if it desired to do so, interfere with private rights which grew up during the rebellion; the laws of the United States extend over these rights, so that the weightiest argument urged by these gentlemen falls to the ground.

As far as Gov. Pease is concerned, he has done nothing more than follow the lead of the military. He issued his proclamation, some time after he came into office, declaring that all laws on our statute books, not in violation of the constitution of the United States, and not in contravention of any law of Congress, were to be respected.

In relation to Morgan, Hamilton the Republican, in the name of Gov. Pease, Gen. Hamilton, and Judge Bell,

Mr. Morgan Hamilton says we must declare every thing null and void, and then go to work and bring some of it to life again. He is not so bold, nor is any man so bold, as to declare all the legislation since accession null and void.

ness, as the Republican is pleased to term it.

The Republican asks: If any of this legislation is to be repealed, what test is to be applied to determine what shall be respected and what not? If you depart from the constitution and laws of the United States as the test, there is but one other that can be applied, and that is, was the legislation intended to aid the rebellion, and to build up rebels at the expense of loyal men?

The ab initio test is that the legislation was enacted by a body incompetent to legislate, and it is the only true test.

Finally the Republican lays down the anti-ab initio platform thus:

"The laws, not political in their character, and not made for the purpose of aiding the rebellion, or benefitting disloyal men at the expense of loyal men, must be respected by the courts of the country upon considerations of public policy, and necessity, and not, as we said before, because a rebel legislature had legal capacity to make them."

This paragraph accounts for the milk in the cocoa-nut, as it would set at rest the fears of rotten corporations, railroads, &c., deeply interested in having the rebel legislation confirmed in their cases, and it is likely such legislation does not conflict with the laws of the United States.

Having commented thus fully upon the main points presented in this pronouncement of the anti-ab initio faction, headed by Pease, Jack Hamilton and Judge Bell. We now append a transcript of a petition to General Griffin, dated July 30th, 1867. This petition was signed by Gov. Pease, Morrill, Haynes, Alexander, Longley, Morgan Hamilton and many others; Judge Bell and Gen. Hamilton were away from Austin at the time. This petition will show how all the loyal men in Austin stood one year ago:

AUSTIN, TEXAS, July 30th, 1867.

GENERAL: The undersigned are deeply impressed with the danger of an implied or tacit recognition or complicity of rebels, while such, to legislate or to do valid official acts. Hence they respectfully protest against the recognition of as law, or, as an official act, purporting to have been made or done under color of State authority in Texas, since March 1st, 1861, on the part of such provisional officers as may be appointed under the reconstruction acts of the United States Congress; and they further respectfully ask that you give such officers instructions to that effect.

If by "the people of Texas" is meant the loyal majority (white and colored) in Texas, who are entitled to be registered, and not the rebel minority, not entitled to be registered; this request is but just and right, for "the people" have neither made nor sanctioned the making of any law, nor authorized the performance of any official act since the date specified.

If any so-called "law" enacted, or any pretended official act done in Texas under color of State authority, be found not to have been levied directly against the United States government or loyal citizens thereof, nor to have been cunningly devised so as indirectly to work wrong and injustice to the same, and to be right and proper in itself, it may, after a thorough investigation, be legalized, as the convention to be organized pursuant to the reconstruction act by the registered voters of Texas, may, in its wisdom, provide.

In the meantime, the undersigned would prefer that the place of the void legislation of the rebellion should be supplied to such extent and for such time as may be found necessary, (that is to say until the work of reconstruction is complete) by military orders from yourself.

Very respectfully, Your obedient servants, To Brevet Major General CHARLES GRIFFIN, U. S. A., Com'd Sub. Dist. of Texas.

And this petition was signed by every prominent loyal man at the Capital, besides by prominent loyalists at San Antonio. Gen. Hamilton and Bell were away, but Hamilton had made his record before this petition when he entered upon his duties as Provisional Governor of the State. Now, we leave these gentlemen to flounder about in their inconsistency, and ask them how they can have the face to charge Mr. Morgan Hamilton, and those who believe with him, with entertaining false doctrine.

THREE DAYS IN THE CIRCUS.—Most wonderful feat of the age. The ostensible editor of the Austin Republican says he is now exhibiting four tents of a size at once, while the real man, takes a pull at the Texas Central Railroad, and the people behold money.

TELEGRAPHIC

[ASSOCIATED PRESS DESPATCHES.]

WASHINGTON, June 13.—Municipal affairs in this city remain in statu quo. To day, General Buchanan has received a dispatch of Gen. Grant to Packard, Chairman of committee on boards of registration, stating that the subject of inaugurating civil government for Louisiana is now pending before Congress; and advising him to issue no more proclamations conflicting with those issued by military authorities, as such acts will be violating the reconstruction law.

WASHINGTON, June 12.—McCullough returned the resignation letter of Internal Commissioner, Rollins, as partial and incorrect in its statements and unjust, and disrespectful to the President.

President Johnson nominated Reverdy Johnson to the Court of St. James, and he was afterwards unanimously confirmed.

The omnibus admission bill, though some of its provisions were carried by bare majorities, was finally passed by both Houses.

Gen. McDowell formally assumed command of the 4th Military District comprising Mississippi and Arkansas. Hurlbert denounced opposition to including Florida in the Omnibus Bill as arising from the fact that a citizen of Illinois had been defeated.

Gen. Butler said if left to his own idea he should not adopt that policy of admitting the Southern States. But he yielded to his party.

The Committee on Foreign Relations reported joint resolution requesting the President to use good offices in securing the release of McMahon, imprisoned in Canada for Fenianism. Sherman's financial bill resumed. Its discussion brings up the old arguments again. Went into discussion quite sharp on the main point discharging \$20,000,000 national banking capital, now used west and south, without a vote. Went into Executive Session, and passed a large number of private bills.

LONDON, noon, June 13.—Consols 96; Bonds 72 1/2.

LIVERPOOL, June 13.—Cotton heavy; uplands short 10 1/2; afloat 10 1/2; Orleans 11; York 13.

GOLD 89 1/2; Money 3 & 4; Sterling 10 1/2.

RECONSTRUCTION.—The Austin Republican in attempting to disconnect itself from the rule of General Hancock, makes a violent attack upon the Express.

Circular No. 2 of current series issued from Headquarters of General Hancock, ignored the San Antonio Express and gave the Austin Republican several thousand dollars of printing belonging to the Express by the laws of Congress. We have the files of the Republican showing the registration lists from every Western County, passed over our heads by this Circular.

We have made a square open fight for a portion of the public printing from the Convention. We want the support, but we have never stepped over party lines to procure National, State, County or City patronage. We try to advance the principle nearest the hearts of the people. We are liable to mistakes just as other mortals, but our endeavor is to do right, and our reward is, that our friends are not confined to the town, we live in; our supporters in Navarro and the North East are as numerous, as our friends in Nueces and the South West, our friends in Galveston are as earnest as our friends in El Paso. The Express is not a man worshiper. We adhere to principle, we appeal to conductors of the Republican, to bear witness, that the sentiment in to days paper and our sentiments of three years ago, are one and the same. An attempt to crush the Express is an attempt to crush the republican party. The birth of the party in Texas dates with the birth of the Express, the party stands to-day where it did then. The Express is with the party and cannot be separated therefrom.

HON. JAMES P. NEWCOMB.

Under this head the Austin Republican of the 10th inst., contains a personal attack upon Mr. Newcomb. This attack grew out of the question pending before the convention upon the taking of newspapers and printing of the proceedings of the convention. The Republican states that "Mr. Newcomb, without the knowledge or consent of Gen. Reynolds, approached these soldier-printers, with a proposition to do the Convention printing for him at a stipulated price per month. The soldiers consented to strike off the journal for him every night on Gen. Reynolds's press, head in 'Supplement of the San Antonio Express,' and deliver it on the desks of members every morning. Hence the first authority report of the committee on Printing pro-

posed to furnish these journals cheaper than we can do. But this nice little plan soon came to grief. As soon as Gen. Reynolds found out what was going on, he politely informed the gentleman from Bexar, that he had reckoned without his host, and that his army printing office could not be used for any such purpose."

The facts are, that Mr. Newcomb, learning that the printers in General Reynolds's printing establishment were allowed to do work for outside parties, went to them and inquired if they could do the printing of the journals, and other work for him, if he succeeded in getting it from the convention. The parties asked time to get permission from the General. Mr. N. returned and was informed that they could do his work. Mr. N. accordingly bid for the publication of the proceedings of the convention, at a figure \$2,000 less per month than proposed by the Republican.

Mr. N. made no secret of his arrangement and Mr. Longley, hearing of it, went to General Reynolds and made the complaint that his printers were bidding against him (Longley) for convention work, and General Reynolds upon this representation ordered his printers not to do work for the convention. Mr. N. being made aware of this fact, withdrew his bid. Now, we submit this action of Mr. Longley to our brother republicans the State over, and we doubt if there could be found a newspaper proprietor, the land over, who would attempt to interfere in this way with the private arrangements of a rival publisher. We submit it to the country that it was perfectly legitimate for Mr. Newcomb to bid for the work of the convention, and to offer to do the printing, at a reasonable rate, and at a great saving to the State.

Now for the last assertion: "Yesterday he approached the proprietors of the State Gazette, offered to form a coalition with them for the purpose of doing the printing of the Convention. If this statement is questioned the proof is at hand. Brethren of the Republican press, what think you of this? Republicans of Texas, what think you of this conduct? Mr. Newcomb violently opposed patronizing the Republican, because, as he said, its prices are too high."

The facts as to this assertion are: Mr. Newcomb did go to Jo. Walker, supposed to be the proprietor of the State Gazette office, and asked him for estimates for printing the journal of proceedings and the debates of the convention. The Gazette has always done this work, and is well prepared to do it. Mr. N. made no proposal to Mr. Walker, but simply asked Mr. W. to make an estimate per 1000 ms. and per 1000 copies, and stated in a private note that he wanted Mr. Walker to make his estimate not to speculate off of him, (Newcomb) as he Newcomb proposed to take the risk and make the profit. So the assertion above is false in every particular. It will hardly be contended by any business man or politician, that Mr. N. committed any offense in asking for estimates from Jo. Walker, or even if he had contracted (which he did not do) with Walker to do his work for him. We learn that Mr. Langley has not a loyal man in his employ, yet no one has questioned his loyalty or the loyalty of the Republican because of this fact.

On the morning that this article appeared in the Republican, the question of taking republican newspapers came up before the convention. Mr. N. rose and made an explanation. Finally on a motion to take certain copies of the Express, Frie Priese and Republican, Judge Caldwell, the champion of the Republican, moved to strike out Express, because Mr. Newcomb had made overtures to the Gazette to do printing. Judge Caldwell got a good basting, and his motion was tabled. It is evident that the article of the Republican and the attack of Judge Caldwell, were both intended to break down the Express and to hog everything for the Republican. These attacks will rebound from the unapproachable character of Mr. Newcomb as a man and republican, back upon those who made them.

OUR AUSTIN LETTER.

AUSTIN, June 10th, 1868.

FIRE.

On Monday night last the Capital was visited by a severe affliction in the way of a destructive conflagration; several business houses were destroyed, the loss estimated at \$100,000. This is a harder blow upon Austin than the hail tornado was upon the city of San Antonio. As an instance of the enterprise of the place, I will state that there is no such institution as a Fire Engine here, and the Hook and Ladder company recently or-

ganized, is unprepared to do anything to save property. The whole city could burn down and no aid be rendered to stay the flames. We would suggest that since San Antonio has her new Steam Engine, the corporate authorities offer Austin one of our Engines at a reasonable figure.

MUSIC.

The Military band which is so much missed by San Antonians, performs every evening in front of the Capitol. The people turn out to enjoy the treat; the sloping lawns which flank the capitol form a convenient amphitheatre, and groups of ladies, gentlemen and children dot these grassy slopes, making a most lively and interesting picture. Life at the capital is quiet, easy and not unpleasant when one gets used to it.

Temper of the Convention.

From every evidence it is certain that the convention will remain true to principle, although there is quite a party, headed by Judge Caldwell, who are unsettled in their notions of Radicalism. The skirmishing, so far, has pretty well defined the temper of the convention, and the people of Texas may confidently expect a constitution free from any taint of the Southern Confederacy. A more sober, temperate body of men I believe never convened before in the State; and I further believe the large majority desire to do right as near as they can see the right.

A NEWSPAPER QUESTION.

The newspaper question which agitated the Convention for several days, was finally decided by the adoption of the resolution of General Davis, as amended by Mr. Sumner. The resolution of Gen. Davis was for the Convention to subscribe for 900 daily Republicans, 400 daily Express and 500 Frie Press, said journals publishing the proceedings, at a cost of not more than eight cents per copy. Sumner's amendment was to take 2000 Republicans at five cents per copy, instead of 900 at eight cents per copy. The convention was tired out with the discussion, and the amendment, although distasteful to a majority of the convention, was sustained. Had the convention contracted for the printing of the journal of proceedings simply, and ten subscribed for ten Republican newspapers, leaving it to the choice of members to take any of the republican papers in the State, there would have been a saving of about \$2,000 to the State per month. We are perfectly satisfied with the action of the convention. So far as our material interest is concerned, but we do think that the whole matter was managed without regard to proper economy, and it is evident, though not intended favoritism of the Austin Republican. The Republican enjoys a most favorable advantage over the balance of the republican press of the State by reason of its being published at the State capital, but we think that establishment and its friends should show a less selfish spirit in their efforts to obtain the entire printing of the convention. We are glad it is settled, and although we are out down in our number of copies to one-fifth of the number of the Republican, we will furnish, as we can afford to do so, double the copies for which we are paid.

New Advertisements.

WAGNER & RUMMEL, Wholesale and Retail Grocers and Commission Merchants.

Lumber Yard. A large assortment of lumber at Reduced Prices.

DENTISTRY.

J. H. HERNDON, RESIDENT SURGEON DENTIST, Office at Dr. Kingsbury's old stand, near north east corner of Main Plaza, on Quince Street. San Antonio, Texas. All work Warranted. Teeth extracted and all operations in the Profession performed without pain, by the use of KYLE'S AND HAMILTON'S remedies or anæsthetics such as Nitrous Oxide Gas, Chloroform, Læthan, &c.



