

# San Antonio Express.

VOL. II.

SAN ANTONIO, TEXAS, TUESDAY, JUNE 16, 1868.

NO. 155

## A Texan in Illinois—How He Feels—What He Thinks.

ELGIN, ILL., MAY 30th, 1868.

Meane, Editors Express—DEAR SIRS: After a pleasant journey from Texas, we are here. Elgin is a place situated on Fox river, thirty-seven miles west of Chicago, and a very pleasant and flourishing place of six thousand inhabitants. It is surrounded by a beautiful and productive country. Everyone is busy here doing something. Thrift is manifest everywhere, and society excellent. To-day there is a decoration of the soldiers graves here. What a country? What a great State is Illinois, and what an exceedingly great and flourishing city is Chicago, destined to be perhaps the first city in the world. Wonderful, and almost beyond belief, is the advanced state of agriculture, arts, manufactures, and every thing that constitutes true greatness is to be found in Illinois. A new State as it is, this but shows what free institutions, enterprise, industry and intelligence will accomplish. Slavery, that curse—that bane of the South—true, it is wiped out forever, yet its blighting effects will be felt and seen for years. Far behind is the Sunny South, when she should have been in advance of her Northern sisters. She had the advantage of climate and soil, and is perhaps, equal in her water privileges and minerals. Why is it, then, that she is so far behind? Let any intelligent man ask himself the question. If it was not slavery that did it, what was it? Let anyone answer!

No wonder that Nasby got into the wrong pew when he was in pursuit of the National Convention. Everybody seems well pleased with the men who are nominated for President and Vice-President. They think that there will be no inducement to kill Grant, for in Colfax they will find no Andy. Andy is not impeached, and all Republicans seem much disappointed; yet they think Congress will control matters of State so as to make "my policy" perfectly ineffectual. It seems that the apostate Senators who voted "not guilty" have no desire that my policy should prevail; they think Andy a curse, and a clog yet for some unaccountable reason they voted not to impeach him. The people, however, have impeached him, and will attend to them.

Short, puff, goes the iron-horse. Several times a day do trains thirty cars in length, pass within thirty steps of the door where I am now located for a short time. When Texas is reconstructed and railroads are traversing in different directions through the State, as will be, and should have been to day, and would have been ere this, had she been blessed with true institutions, then will she be a credit to the great country of which she composes an important part. She will then be the fairest among the fair; possessed as she is, with the finest climate and soil in all the United States, why should she be behind them all? Is it not easy to know why she is behind? Let Texas people invite emigration, as her climate and soil does invite it. Let her people and laws invite it. It is now a lamentable fact that the political and social condition of Texas is such as not to invite emigration. Darker than Egyptian darkness must be the mind that does not invite people of intelligence, capital and enterprise, to come and settle in their midst. What a narrow-minded selfishness that wants to grasp all, and fears competition in trade. Texas must change, and it is high time to awake from her long, deep sleep.

Yours truly,

SUBSCRIBER.

THIRDS.—When the Throckmorton administration went into power, the State Penitentiary had \$81,000 over and above all indebtedness. When Peace took possession, the Penitentiary was in debt \$45,000, and the Throckmorton manager, "Dr. Dickson," turned in \$1,800. Throckmorton occupied the place in the State that Lyons occupied towards this city.

## OFFICIAL.

### LAWS OF THE UNITED STATES, Passed at the Second Session of the Fortieth Congress.

[Public No. 34.]

AN ACT to extend the charter of Washington city, also to regulate the selection of officers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act to continue, alter, and amend the charter of the city of Washington," approved May seventeen, eighteen hundred and forty-eight, and the several amendments thereto, in force, are hereby continued in force, for the term of one year from the date hereof, or until Congress shall by law determine otherwise.

SEC. 2. And be it further enacted, That it shall be the duty of the mayor of the city of Washington, District of Columbia, the board of aldermen, and the board of common council thereof, to assemble in joint convention at the city hall in said city on the first Tuesday of July, eighteen hundred and sixty-eight, and proceed to select by ballot all officers, whose appointments, upon the nomination of the mayor, are authorized by the charter, or by any law of the United States, or act or ordinance of said city, which may hereafter be authoritatively made, and who shall hold their offices respectively for one year, and until a successor is appointed; and on the same day of the month in each year thereafter the joint convention shall proceed to a new selection: Provided, That no person shall be regarded as incompetent to hold any of said offices, or be disqualified therefor, who is a qualified elector in said District.

SEC. 3. And be it further enacted, That at all meetings of the mayor of the city of Washington and of the boards of aldermen and common council for the purposes mentioned in the second section of this act, the mayor or the president of either of said boards shall preside, and the secretaries of said boards shall act as tellers, and keep a record of the proceedings, and the mayor, or any member of either of said boards, may nominate and, or more persons, for the offices required to be filled, and the person having the highest number of votes shall be publicly declared selected, and a certificate of his election shall within five days, be made out and signed by the presiding officer and secretaries, and transmitted to the person selected, who shall within ten days thereafter enter on the discharge of the duties of his office, which shall be immediately vacated by any person then holding the same.

SEC. 4. And be it further enacted, That all questions arising in the joint convention authorized by this act shall be determined by a majority of the votes of the members thereof present at any of its meetings, and it shall have power to adjourn from time to time until all the duties imposed upon it shall be completed, and to require of the persons selected for any office such security as may be deemed necessary. And in the event of any vacancy from inability, death, or resignation, it shall be the duty of the mayor to call a meeting of the joint convention to select a successor for the unexpired term of service.

SEC. 5. And be it further enacted, That when the mayor, the board of aldermen, and the common council shall be assembled in joint convention, as provided for in this act, they shall, by a majority vote, designate a bank in which the various moneys of the city of Washington shall be deposited, and they shall make such regulations in relation to the mode in which such moneys shall be kept and paid out, as shall be deemed advisable for the interests of the city; and within five days after such designation a certificate of the bank selected shall be made out and placed in the hands of the president or cashier thereof, and thereafter it shall not be lawful to retain or deposit the funds of the city, or any part thereof, in any other bank or place, unless by order of the board.

SEC. 6. And be it further enacted, That the first section of the act entitled "An act to regulate the elective franchise in the District of Columbia," passed January eighth, eighteen hundred and sixty-seven, be, and the same is hereby amended so as to require electors in the city of Washington to reside in the ward or election precinct in which they shall offer to vote fifteen days prior to the day of any election, instead of three months: Provided, that said section shall not be construed as conferring the elective franchise in said city on non-commissioned officers, soldiers, sailors, or marines in the regular service of the United States, stationed in the event of election shall meet in some proper place in said city between the hours of nine o'clock A. M. and seven o'clock P. M., on three days instead of two days, as now required: Provided, further, That all the original lists of voters both before and after their correction shall remain in the custody of the member of the board of judges first named in their appointment by the supreme court of the District of Columbia, and in the event of his removal or resignation, in the custody of his regularly appointed successor, except when being copied for publication and for the use of the commissioners of elections; and said original lists shall at all times be open for the use and inspection of either of said judges: Provided, further, That no property qualification shall be required for any of the officers of said city, and that three days prior to any election each board of commissioners of election shall appoint two clerks to assist them in registering the names of voters in their respective election precincts, and in making returns of the elections, who shall be sworn before the clerk of the supreme court of said District truly and faithfully to perform their duties, and for any misconduct in office be subject to the same penalties to which said commissioners are now subject: And provided further, That it shall be the duty of the judges of election to make any regulations and give any notice which may be proper or necessary to carry out any of the provisions of this section.

SCHEVLEN COLFAX,

Speaker of the House of Representatives.

B. F. WARD,

President of the Senate pro tempore.

Endorsed by the President: "Received May 16th, 1868."  
[Note by the Department of State.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

C. H. MERRITT, E. A. MERRITT,  
San Antonio, New Orleans.

## C. H. MERRITT & BRO., WHOLESALE

### AND RETAIL GROCERS,

COMMISSION MERCHANTS, And Dealers in FOREIGN AND DOMESTIC LIQUORS, WINES, &c., &c., SAN ANTONIO, TEXAS.

## New Commission House.

The undersigned have this day associated themselves for the purpose of carrying on a Commission and General Agency business under the style of Sampson & Torrey.

Refer to the following card. S. SAMPSON, G. B. TORREY, May 1, 1868.

## CARD.

S. SAMPSON, G. B. TORREY, SAMPSON & TORREY, SAN ANTONIO, TEXAS.

OFFICE—Masonic Building, Soledad Street. Commission Merchants, Commercial Brokers, and General Agents.

Will attend to the Sale and Purchase of Real Estate and Personal Property, all orders for Supplies, when accompanied by Cash or Procees, Collection of Claims and Accounts, Renting and collecting Rents, Receiving and Forwarding all kinds of Merchandise, order, Machinery and Agricultural Implements, &c., &c. Consignments of Merchandise will receive our particular attention in their sale, and prompt returns made. Buying and selling Horses, Mules, Cattle, Wool, Hides, &c. Particular attention given to the Examination of all kinds of Machinery to value and condition. Constantly on hand Steam and Water Pipe and all appliances thereto.

## AGENCIES SOLICITED.

- REFERENCES.  
Goldfrank, Frank & Co., San Antonio.  
W. A. Bennett, Banker, " "  
F. Groce & Co., " "  
Vance & Brother, San Antonio National Bank,  
Major J. H. Kapmann, " "  
Zork & Grisenbeck, " "  
John Twigg, Esq., " "  
Sampson & Torrey, New Braunfels,  
E. A. Bette, Pres. Houston Ins. Co. Houston,  
H. J. Burke, Pres. Mutual Ins. Co. Houston,  
Hon. F. W. Gray, " Houston,  
Henry Sampson, Esq., " "  
Ball, Hutchins & Co., Galveston,  
Raymond & White, Austin,  
Sampson & Henricks, " "  
Kingsbury & Nash, Victoria,  
Geo. E. Bidde & Co., New York,  
J. Kaufman & Co., Galveston,  
San Antonio, May 7, 1868. d&wt:m

## NEW STORE!

(Corner Main Plaza and Commerce St.)

Would inform the public that they have received their full stock of Merchandise, consisting of a large stock of

## FANCY DRY GOODS, DRESS GOODS

Berages, Muslins, Linen, Mohair for suits, Alpaca, &c., &c. Which they offer at low prices. Their stock of White Goods, Linens, Embroideries, Handkerchiefs, Hosiery, &c., are complete and at satisfactory prices. Their stock of

## STAPLE GOODS,

Calicoes, Strips, Domins, Domestic, Ticks, &c., have been bought during a decline of goods and will sell them cheap.

In our Shawls, Silks, Silk Cloaks, Sarcines, &c., &c., we can give you full satisfaction in quality and price.

A good assortment of Cassimere for Men's and Boys wear.

## A Choice Stock of Clothing, Boots, Shoes, and Hats,

Ladies Gaiters, Hats and Trunks, Which they sell at small profits. Hoop Skirts of all kinds and of all styles, you will find at the New Store, on Corner of Main Plaza and Commerce St. Call and examine our Stock and judge for yourselves.

BLOOMBACH & FRANK, Corner of Main Plaza and Commerce St., San Antonio, Texas. may16dt

## Lawyers.

JACK COOKE, LAWYER. Office, west side of Military Plaza, near Courthouse. (April 7dt)

S. G. NEWTON, ATTORNEY AT LAW, 414-3rd St. SAN ANTONIO, TEXAS.

V. B. LEIGH, A. DITTMAR, LEIGH & DITTMAR, LAWYERS, SAN ANTONIO, TEXAS. OFFICE FARMER'S BUILDING, ROOM NO. 15. 147d&wt

## Doctors.

Dr. T. Templeman van der Hoeven, OPPOSITE NEW ARSENAL, FLORES STREET. may12dt

DR. WEISSELBERG, Physician and Surgeon, OFFICE, at Nett's Drug Store, On Commerce street. San Antonio, Jan. 3rd, 1868. dtwt

DR. F. HERFF, Respectfully announces to his friends that he has resumed practice in the city. Office, at Nett's Drug store, on Commerce street. (d&wt)

MADAME GARNIER BERNARD. Has the honor to announce to the citizens of San Antonio, that she has opened a school to teach the French language, also to instruct in dress making and embroidery. Persons who will favor her with their patronage, may convince themselves in advance of good results. Residence, Alamo street, opposite Veltman's. (Jan 15dt)

## Hotels.

RESTAURANT. R. McDONALD would respectfully notify the old patrons of the

Whitehead's Restaurant, that he has leased that establishment and will keep constantly on hand the choicest viands to be found in this market. Don't forget Judge Whitehead's stand on the Main Plaza. San Antonio, Jan. 25, 1868. (dt)

Kloepfer Hotel. FIRST CLASS ENTERTAINMENT! Mrs. Kloepfer calls the attention of her friends to the extra facilities for travelers with teams. Attached to her house is a spacious yard fronting on the river, where any quantity of stock can be secured. Commerce street, San Antonio.

THE TARDE HOUSE, CASTROVILLE, TEXAS. The above named well-known Hotel is open for the accommodation of the traveling or pleasure-seeking Public. The arrangements are complete throughout, and no pains are spared to make guests comfortable. To those who seek a quiet and elegant home in the country, this Hotel will suit them to a charm, and for comfort and cheapness it has no rival in the State. V. TARDE. 121st

## Bankers.

J. S. Lockwood, BANKING AND EXCHANGE OFFICE, on Commerce street, opposite Bell & Bros. Jewelry store, San Antonio. Currency and Exchange bought and sold; Collections made on all accessible points. 50 dt

Indiana, Texas & Allegetown.

W. WESTHOFF, L. FREUS, W. WESTHOFF & CO., INDIANOLA, TEXAS, Wholesale Grocers, Forwarding and Commission Merchants And Dealers in Hardware. Liberal advances made on consignments of Country Produce. (jy)

ALBE URPE, COMMISSION MERCHANT, EAGLE PASS, TEXAS. The highest Cash Price paid for Hides. (sept17dt)

BLOOMBACH, BALDWIN & CO., HARDWARE, 74 Canal & 95 Common Sts., march17dtf NEW ORLEANS.

WOOL! WOOL! WOOL!! THE UNDERSIGNED will pay the highest Cash Price for all grades of Wool. Office at the San Antonio National Bank. (sept17dt) R. EGAR.

NOTICE. Mrs. C. T. Jones wishes to inform her friends that she will commence giving lessons on the Piano Forte and is singing, on the 1st of February, and desires a share of their patronage. To be found at the residence of A. W. Briggs, Col. Newton's house. (Jan 30dt)

Gustav Theisen & Co., COMMISSION MERCHANTS, 62 Cedar Street, New York.

## Cards of City Merchants.

STEELE & WILLIAMS, (Late John Withers & Co.), Commission Merchants, Commerce Street, June 3d & w 3m. SAN ANTONIO, TEXAS.

F. GROOS & CO., Dealers in GROCERIES, DRY-GOODS, &c., COMMISSION MERCHANTS, COMMERCE STREET, San Antonio, Texas. april23dtm

HERTZBERG & SIMON, DEALERS IN PIPES, CIGARS, TOBACCO, GLASSWARE, FANCY GOODS, TOYS, MOULDINGS, PICTURES AND STATIONERY. NEWSPAPER AGENTS. Gas Burners for Kerosene Lamps. feb 17dtf

TH. SCHLEUNING, SAN ANTONIO, TEXAS, IMPORTER. Wholesale and Retail Dealer in GROCERIES, WINES, LIQUORS and Crockery of every description. Country produce bought, march14dtf

DRESEL & BRIAN, WHOLESALE & RETAIL DEALERS IN Dry-Goods and Groceries, HATS, SHOES, CROCKERY, NOTIONS. San Antonio, April 26, 1867. 113dt

PHILIP CONRAD, Dealer in all kinds of FURNITURE and House Furnishing Goods, Mattress Maker and Upholsterer, MAIN STREET, Opposite Zork & Grisenbeck. Keeps constantly on hand a full assortment of Mattresses; and offers his services for repairing furniture, paper hanging, curtain hanging, and carpeting. San Antonio, May 6th. 41y

WULF & SHELIG, Importers General Commercial Agents, CHICAGO, SAN ANTONIO, TEXAS, Mexico. cor. Alamo & North streets. B. OFFENHEIMER & CO. Importers and Dealers in STAPLE AND FANCY DRY GOODS, CLOTHING, BOOTS and Shoes, Hats, Hosiery, Gents' Furnishing Goods, Notions, &c. 38 & 40 Commerce Street. (Opposite the Foot Bridge.) SAN ANTONIO, TEXAS. Jan 16 dt

SCHMITT & DUERLER, Commerce Street, SAN ANTONIO, TEXAS. Wholesale Manufacturers OF ALL KINDS OF Crackers, Candies, Syrups, AND Confectioneries, WEDDING AND BALL CAKES Made to Order. ALSO A Select Assortment of Fancy Groceries, Such as Can-Fruits, Jellies, Preserves, Figs, &c. Always on Hand. San Antonio, Oct. 2, 1867. dt

GEORGE HERNER'S BAR-ROOM, Main Street, San Antonio, Texas. HAS the very best of Liquors, Wines, Cigars, &c., &c. where those who derive pleasure from the "O Be Joyful," will find comfort and consolation. dec29dt

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

For President, U. S. GRANT. For Vice-President, Schuyler Colfax.

Ab Initio and Contracts.

The anti ab initio faction declare that the assertion of the principle that the secession ordinance and all the acts and laws of the pretended Confederacy were null and void from the beginning, will destroy the legality of all the marriages and other contracts made during the rebellion, and make null all the records kept during that time.

THE CONVENTION.

NINTH DAY.

CAPITOL, AUSTIN, TEXAS, June 10, 1868.

Convention met pursuant to adjournment: roll called, quorum present; prayer by the Chaplain; Journal of yesterday read and adopted.

The President announced the following communication from the Secretary of State: Austin, June 9th, 1868.

Hon. E. J. Davis, President of the Convention: Sir, in answer to a resolution of the convention requesting the Provisional Secretary of the State to direct the State Librarian to open the State Library to the members of this convention at all reasonable hours, I beg leave to inform the members of the convention that when Gov. Pease came into office the position of State Librarian was vacant, and there being no appropriation for the payment of a Librarian, no appointment has been made.

No copies of Paschal's Digest of the Laws of Texas have been purchased by the State, and the Secretary of State has none under his control. There is no appropriation for the purchase of books.

Respectfully submitted, W. C. PHILLIPS, Secretary of State.

Memorandum from the committee on engrossed provisions, to whom was referred a declaration making an appropriation for the per diem pay and mileage of the members, and the per diem pay of the officers of the convention having examined the same, beg leave to report it as correctly engrossed.

Chairman of committee on engrossed provisions, Evans of McLennan, from the committee on federal relations, made the following majority report:

HALL OF REPRESENTATIVES.

June 9th, 1868.

To the Hon. E. J. Davis, President of the Convention: Sir—Your committee on Federal relations beg leave to report that they have had under patient consideration the proposition submitted to them in reference to proposed ordinances, laws, etc., and beg leave to submit:

That the committee are unanimously in favor of the first and second propositions submitted to them, and recommend their adoption after striking out the words "and" and "and/or" in the second proposition which does not change the same.

But your committee regret to say that upon the third proposition we are not unanimous; but a majority of your committee report that they endorse said third proposition and ask that it does pass this convention.

Respectfully, A. J. EVANS, Chairman of Committee on Federal relations.

Summer made the following minority report:

We, the minority committee, would respectfully recommend that the following be added to the above declaration:

That this declaration shall confine itself to all laws and acts passed in aid of the rebellion, and all laws conflicting with the constitution of the United States, and we would further recommend that the whole be respectfully referred to the committee on the judiciary.

Respectfully submitted, F. W. SUMNER, C. E. COLLEMAN, J. R. SMITH, A. L. KIRK.

Gray, chairman of the committee on State affairs, made the following report: To the Hon. E. J. Davis, President of the Convention: The undersigned committee on State affairs, to whom was referred a resolution to

grant the relief sought for; as in the opinion of the majority of the committee, the assumption of such power by the military and provisional government would be a violation of the Constitution of the United States.

All of which is respectfully submitted. L. LINDSEY, J. R. BURNET, W. H. MULLINS, W. R. FAYLE, A. J. EVANS.

Hamilton of Travis, chairman of the judiciary committee, offered the following report and resolution:

COMMITTEE ROOM, June 9, 1868.

Hon. E. J. Davis, President of the Convention:

Sir—A minority of the committee on the judiciary, to whom was referred the ordinance introduced by J. W. Flainger, in reference to the suspension of forest sales are not able to agree with the recommendations made in the majority report. We fully concur as to the legal principles upon which the majority report rests, and agree that this convention has no power to grant the relief sought.

Hence it follows, as a self-evident proposition, that this convention is assembled here to-day in obedience to, and by the authority of the government of the United States, as manifested through its officers and agents.

The second proposition contained in the proposed resolution is as to the powers of this convention.

By the 4th section of the first supplementary act, touching the reconstruction of the States lately in rebellion, among other things it is declared that the commanding General, within sixty days from the date of election, shall notify the delegates to assemble in convention, and the convention, when organized, shall proceed to frame a constitution and civil government, according to the provisions of the act to which it is supplementary.

The language quoted from the act of Congress is in the nature of a command directed to the convention when engaged in the work of forming a constitution and organizing civil government, and it is only a constitution thus framed which this convention is authorized to submit to the registered voters for ratification.

There is but one limit on the powers of this convention in framing a constitution, that is, that it be republican in form; and the right to determine this question belongs exclusively to Congress. It was in aid of that provision of the constitution of the United States which makes it the duty of the government of the United States to guarantee to every State of the Union a republican form of government that the several reconstruction acts were passed.

It is the opinion of your committee that Congress has conferred all necessary power on the convention to frame a State constitution and civil government for Texas.

It is believed that the acts of Congress do not limit the powers of this convention.

It is apparent that this convention may, or ought to exercise just such power, and none others as will result in the organization of a State government.

Hence your committee respectfully submit and recommend the adoption of the accompanying resolution as a substitute for the original one under discussion. All of which a majority of the committee instruct me to report.

B. W. GRAY, Chairman of committee on State Affairs.

Gray, chairman of committee on State Affairs, offered the following resolution:

Resolved, 1st. That this convention is a solemnity by the authority of, and in obedience to the laws of the United States.

2d. That the convention possesses the power to frame a constitution and civil government for Texas, and that it is a question alone for this convention to determine what ordinances, declarations and resolutions are necessary and proper to carry out the expressed will of Congress.

Gray, chairman of the committee on State affairs, made the following additional report:

COMMITTEE ROOM, AUSTIN, June 8th, 1868.

To the Hon. E. J. Davis, President of the Convention: The undersigned committee on State affairs, to whom the petition of W. R. Story has been referred, asking to be deluged of the disability of minority, have carefully examined the same, and submit the following report:

Your committee are of opinion that the relief sought does not properly come within the range of the duties of this convention, being of a purely legislative character, it should be addressed to the legislature; it would be wholly impracticable for the convention to undertake the work of legislation, except of such general character as might be necessary and proper to organize civil government. Your committee, therefore, asks that the petition be laid on the table.

Respectfully submitted, B. W. GRAY, Chairman.

Lindsay, from the committee on the judiciary, made the following minority report:

To the President of the Convention of the State of Texas: Mr. President—The committee to whom was referred the declaration offered by the delegate from Bexar, providing that all sales of property by Sheriffs in the State be, and the same are hereby suspended until further action can be had thereon, have had the subject under consideration, and the majority of the committee beg leave to submit the following report:

That, regarding the powers and duties of the convention as special and specific, and from the nature of the trust committed to its hands by the great body of its constituency confined and restricted solely and exclusively to the formation of a written constitution for their adoption or rejection, they are unable to discover in the delegated authority to the convention any power which would warrant the passage of the declaration proposed.

This body represents the whole political element of the State for a certain and definite object only, and it cannot respond to a mere fragment of it by any legislative action. It has no authority to afford relief, if relief it is in any such way; it can neither legislate for the debtor nor for the creditor portion of the community; nor are the committee, or the majority of it prepared to concede the soundness of such legislation; if the convention were invested with the power, such interference between debtor and creditor would be the commission of a species of injustice which no civil government should indulge or tolerate; and the founders of our national government, sagaciously foreseeing the tendency of local municipal governments thus to pervert the principles of natural justice, wisely imposed a check upon all the States against passing any law; organic or legislative, impairing the obligation of contracts, to be borne in mind by the convention, that we are now living under a provisional government, in which all the powers of State are invested—subject to the supervision and control of the military authority, established over it by the acts of Congress, until such time as this convention shall have completed its special labors, and they shall have received the ratification of the people of the State and the guarantee of the national government. If then, any relief could be afforded, as contemplated by the declaration the appeal would have to be necessarily to the provisional government, and not to this convention. In our judgment, the convention equally departs from the sphere of its duty to memorialize the provisional government to

grant the relief sought for; as in the opinion of the majority of the committee, the assumption of such power by the military and provisional government would be a violation of the Constitution of the United States.

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Respectfully submitted, B. W. GRAY, Chairman.

Lindsay, from the committee on the judiciary, made the following minority report:

To the President of the Convention of the State of Texas: Mr. President—The committee to whom was referred the declaration offered by the delegate from Bexar, providing that all sales of property by Sheriffs in the State be, and the same are hereby suspended until further action can be had thereon, have had the subject under consideration, and the majority of the committee beg leave to submit the following report:

That, regarding the powers and duties of the convention as special and specific, and from the nature of the trust committed to its hands by the great body of its constituency confined and restricted solely and exclusively to the formation of a written constitution for their adoption or rejection, they are unable to discover in the delegated authority to the convention any power which would warrant the passage of the declaration proposed.

This body represents the whole political element of the State for a certain and definite object only, and it cannot respond to a mere fragment of it by any legislative action. It has no authority to afford relief, if relief it is in any such way; it can neither legislate for the debtor nor for the creditor portion of the community; nor are the committee, or the majority of it prepared to concede the soundness of such legislation; if the convention were invested with the power, such interference between debtor and creditor would be the commission of a species of injustice which no civil government should indulge or tolerate; and the founders of our national government, sagaciously foreseeing the tendency of local municipal governments thus to pervert the principles of natural justice, wisely imposed a check upon all the States against passing any law; organic or legislative, impairing the obligation of contracts, to be borne in mind by the convention, that we are now living under a provisional government, in which all the powers of State are invested—subject to the supervision and control of the military authority, established over it by the acts of Congress, until such time as this convention shall have completed its special labors, and they shall have received the ratification of the people of the State and the guarantee of the national government. If then, any relief could be afforded, as contemplated by the declaration the appeal would have to be necessarily to the provisional government, and not to this convention. In our judgment, the convention equally departs from the sphere of its duty to memorialize the provisional government to

The question recurring upon the engrossment of the resolution.

Degener demanded the yeas and nays, which resulted as follows: Yeas—Armstrong of Lamar, Bellinger, Board, Buffington, Burnett, Caldwell, Carter, Cole, Coleman, Constant, Downing, Evans of McLennan, Faye, Flainger, Fleming, Foster, Goddin, Gray, Grigsby, Hamilton of Travis, Harris, Horn, Johnson of Calhoun, Kealy, Lindsay, Mackey, McCormick, Mills, Mundine, Pedigo, Phillips of San Augustine, Phillips of Wharton, Posey, Rodgers, Scott, Smith of Marion, Sumner, Sumner, Varnell, Vaughan, Wilson of Milam, Wright, Yarborough—43.

Nays—Messrs. President Adams, Armstrong of Jasper, Bell Bledsoe, Boyd Brown, Bryant of Grayson, Bryant of Harris, Butler, Curtis, Degener, Flainger, Webb, Gaston, Glenn, Hamilton of Lippard, Hunt, Johnson of Harrison, Jordan, Keigwin, Kendall, Keuchler, Kirk, Leib, Lippard, Long, McWashington, Morse, Mullins, Munroe, Newcomb Oakes, Patten, Ruby, Schutze, Slaughter, Stockbridge, Talbot, Thomas, Watrous, Williams, Wilson of Brazoria—43.

Being a tie vote the President decided that the convention refuse to engross the resolution. The question then recurred.

Newcomb offered the following resolution: Resolved; that the committee on printing is hereby instructed to contract for the publication of the journal of the proceedings of this convention; 1000 copies of each day's journal to be furnished upon the desks of members before the opening of the morning session.

Resolved out of order.

President announced that the next order of business was upon the declaration reported by the committee on Contingent Expenses, fixing the per diem of delegates and officers of this convention.

Evans of McLennan moved the adoption of the declaration.

It was read a third time and passed.

The President announced that the next business in order was the resolution offered by Talbot on the 8th inst. and laid over under the rules.

Burnet moved the adoption of the resolution. Adopted.

Davis offered the following resolution and asked that the rules be suspended that the resolution may be put upon its passage.

Resolved, that the secretary of the convention order 2000 copies of the Daily Austin Republican, at 5 cents per copy; 500 copies of the Tri-Weekly Free Press; and 400 copies of the San Antonio Daily Express; for the use of this convention; provided; that these papers shall publish the journal of the convention; and that the price of the two last shall not exceed eight cents per copy.

Caldwell offered the following amendment: Amended by striking out 400 copies San Antonio Express.

Hamilton of Bastrop moved to lay the matter upon the table.

Motion withdrawn.

Evans of McLennan moved a division of the question. Carried.

The question recurring on laying the amendment offered by Caldwell on the table, upon which the yeas and nays were demanded and resulted as follows:

Yeas—Messrs. President, Armstrong of Lamar, Bell Bledsoe, Board, Brown, Bryant of Grayson, Bryant of Harris, Butler, Curtis, Degener, Downing, Evans of McLennan, Faye, Flainger, Flainger, Webster, Foster, Goddin, Gray, Hamilton of Bastrop, Harris, Hunt, Johnson of Harrison, Keigwin, Kendall, Leib, Lippard, Long, McWashington, Morse, Oakes, Patten, Phillips of San Augustine, Ruby, Schutze, Slaughter, Smith of Galveston, Talbot, Whitmore, Williams, Wilson of Milam, Yarborough—44.

Nays—Messrs. Adams, Armstrong of Jasper, Bellinger, Boyd, Buffington, Burnett, Caldwell, Carter, Cole, Coleman, Constant, Fleming, Gaston, Glenn, Grigsby, Hamilton of Travis, Horn, Johnson of Calhoun, Jordan, Kealy, Kirk, Lindsay, Mackey, McCormick, Mills, Mullins, Mundine, Munroe, Phillips of Wharton, Posey, Rodgers, Smith of Marion, Sumner, Stockbridge, Sumner, Varnell, Vaughan, Watrous, Wilson of Brazoria, Wright—40.

So the motion to lay on the table prevailed.

The question recurring upon laying on the table the original resolution offered by the delegate from Nueces, which was lost.

Sumner offered the following amendment: Amend by making the number of the Austin Republican 2,000 copies at five cents per copy.

Degener offered the following substitute: Resolved, that the committee on printing be instructed to furnish each member with ten copies of the journal of the convention, and to contract therefor with the lowest responsible bidder; provided, that henceforth the journal be furnished one day after the respective sessions took place.

Hamilton of Travis moved to lay the substitute on the table. Carried.

Armstrong moved to adjourn until tomorrow morning at 9 o'clock. Lost.

The question recurring upon the amendment offered by Sumner, was adopted.

The question recurring upon the adoption of the resolution as amended offered by Davis of Nueces.

Smith of Galveston moved the previous question, "shall the main question now be put" the yeas and nays were ordered, which resulted as follows:

Yeas—Messrs. President, Armstrong of Lamar, Bellinger, Bledsoe, Board, Brown, Bryant of Grayson, Bryant of Harris, Buffington, Butler, Caldwell, Carter, Cole, Coleman, Constant, Curtis, Degener, Downing, Evans of McLennan, Faye, Flainger, Flainger, Webster, Foster, Goddin, Gray, Grigsby, Hamilton of Travis, Harris, Horn, Johnson of Calhoun, Jordan, Kealy, Kendall, Keuchler, Kirk, Leib, Lippard, Long, Mackey, McCormick, McWashington, Mills, Morse, Mundine, Munroe, Oakes, Patten, Pedigo, Phillips of San Augustine, Phillips of Wharton, Rodgers, Ruby, Schutze, Scott, Slaughter, Smith of Galveston, Smith of Marion, Stockbridge, Sumner, Talbot, Vaughan, Watrous, Whitmore, Williams, Wilson of Brazoria, Wilson of Milam, Wright, Yarborough—72.

Nays—Adams, Armstrong of Jasper, Boyd, Burnett, Gaston, Glenn, Hamilton of Bastrop, Keigwin, Kirk, Mullins, Posey, Sorrell, Thomas, Varnell—14.

So the main question was ordered.

The question was then upon the engrossment of the resolution.

It was then ordered to be engrossed.

On motion the rule was suspended and resolution put on its third reading.

Flainger offered the following amendment: Provided the Austin Republican shall publish a synopsis of the debates. Amendment was withdrawn.

The question was then upon the passage of the resolution, and resolution adopted.

Hamilton of Travis offered the following resolution: Resolved, that the President of this convention appoint a special committee of five to investigate the administration of the financial affairs of the State Penitentiary since August, 1866, and that they report the same;

showing the difference, if any; between the assets at the date referred to and the present time; and that said committee have power to take testimony and to send for persons; records and papers.

Burnet moved a suspension of rules, to put the resolution on its passage.

Rules were then suspended and resolution adopted.

Burnet moved a further suspension of the rules; and that the resolution be engrossed. It was ordered to be engrossed.

Butler moved a further suspension of the rules; to put the resolution upon its third reading.

Rules were suspended, resolution read a third time and passed.

Smith of Galveston offered the following resolution:

Whereas, No provision having been made to publish the debates of the convention,

Therefore resolved, That the services of the gentleman employed at fifteen dollars per day to report the debates be, and are hereby dispensed with.

Went over under the rules.

On motion, convention adjourned until 10 o'clock, a. m., to-morrow.

TELEGRAPHIC

[ASSOCIATED PRESS DESPATCHES.]

WASHINGTON, June 13th.—Gen. Buchanan, commanding the Fifth Military District, has received orders from the President approving the suspension inaugurating the new State Government until authorized by Congress, which authorization the orders say, will become laws. Paraguayan advices via Valparaiso, report that the Paraguayans in the recent battles captured 800 allies and sank two iron-clads.

COAHUILA, MEXICO.—General Victoriano Cepeda, the present Governor of the State of Coahuila, de Zaragoza, is expected to set out on a tour of inspection throughout that state, as soon as he can see and converse with the members of the National Congress from Coahuila who were to be home by the 12th inst, or a little later. Governor Cepeda will probably spend a few days in Piedras Negras in the course of his tour, which we are informed is chiefly one of inspection. As he has earned a reputation of being a gallant soldier, a patriot and a man of sterling integrity; We trust the public authorities on this side of the Rio Grande will show him every attention in their power. It is a blessing to any country to have its public offices filled by men of his stamp.

As the city of San Antonio and the State of Coahuila are very intimately associated in Commerce as well as liberty, our city would gain, if the authorities would offer the Governor the hospitality of the city. A fraternal interchange of courtesies would soon return the immense trade once ours; which the late war turned towards Laredo and other southern points. While visiting San Antonio, the State authorities would unquestionable invite the Governor to Austin.

MEXICAN FRONTIER.—The National Government of Mexico has made provisions for the organization of a frontier battalion of cavalry, to operate against the Indians. We understand it will be commanded by Col. Hdefonso, de la Fuente, who was Lt. Col. of the Regiment commanded during the war against the French by Col. Victoriano Cepeda, the present Gov. of Coahuila.

Wagner & Rummel, Wholesale and Retail Grocers and Commission Merchants. Lumber Yard. Dentistry. J. H. Herndon, Resident Surgeon Dentist. For Rent.



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Table with columns for ARRIVE and DEPART, listing mail routes to VICTORIA, WACO, EL PASO, EAGLE PASS, and CORPUS CHRISTI.

NOTICE. Mrs. Dignowity respectfully informs her friends and patrons...

PUBLIC NOTICE. Mayor's Office, City of San Antonio, June 9th, 1888.

NOTICIA PUBLICA. OFICINA DEL MAYOR, San Antonio Junio 9, 1888.

C. MONOD, Corner of Flores & Nueva Streets.

FOR SALE CHEAP. About 40 City Lots in different parts of the city...

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