

SAN ANTONIO EXPRESS.

VOL. III.

SAN ANTONIO, TEXAS, FRIDAY, FEBRUARY 19, 1869.

NO. 55.

OFFICIAL. LAW.

UNITED STATES,
Passed at the Third Session of
the Fortieth Congress.

BY THE PRESIDENT OF THE UNITED
STATES OF AMERICA:
A PROCLAMATION.

Whereas a convention between the United States of America and the republic of Mexico, providing for the adjustment of the claims of citizens of either country against the other, was concluded and signed by their respective plenipotentiaries, at the city of Washington, on the fourth day of July, in the year of our Lord one thousand and eight hundred and sixty-eight, which convention, being in the English and Spanish languages, is word for word as follows:

Whereas it is desirable to maintain and increase the friendly feelings between the United States and the Mexican republic; and so to strengthen the system and principles of republican government on the American continent; and whereas since the signature of the treaty of Guadalupe Hidalgo, of the 2d of February, 1848, claims and complaints have been made by citizens of the United States, on account of injuries to their persons and their property by authorities of that republic, and similar claims and complaints have been made on account of injuries to the persons and property of Mexican citizens by authorities of the United States, the President of the United States of America and the President of the Mexican republic have resolved to conclude a convention for the adjustment of the said claims and complaints, and have named as their plenipotentiaries—the President of the United States, William H. Seward, Secretary of State, and the President of the Mexican republic, Matias Romero, accredited as envoy extraordinary and minister plenipotentiary of the Mexican republic to the United States; who, after having communicated to each other their respective full powers, found in good and due form, have agreed to the following articles:

ARTICLE I.

All claims on the part of corporations, companies, or private individuals, citizens of the United States, upon the government of the Mexican republic arising from injuries to their persons or property by authorities of the Mexican republic, and all claims on the part of corporations, companies, or private individuals, citizens of the Mexican republic, upon the government of the United States, arising from injuries to their persons or property by authorities of the United States, which may have been presented to either government for its interposition with the other since the signature of the treaty of Guadalupe Hidalgo between the United States and the Mexican republic, of the 2d of February, 1848, and which yet remain unsettled, as well as any other such claims which may be presented within the time hereinbefore specified, shall be referred to two commissioners, one to be appointed by the President of the United States, by and with the advice and consent of the Senate, and one by the President of the Mexican republic. In case of the death, absence, or incapacity of either commissioner, or in the event of either commissioner quitting or ceasing to act as such, the President of the United States or the President of the Mexican republic, respectively, shall forthwith name another person to act as commissioner in the place of, or instead of the commissioner originally named.

The commissioners named shall meet at Washington within six months after the exchange of the ratifications of this convention, and shall forth proceed to business, make and subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of their judgment, and according to public law, justice, and equity, without fear, favor, or affection to their own country, upon all such claims above specified as shall be laid before them on the part of the governments of the United States and of the Mexican republic, respectively; and such declaration shall be entered on the record of their proceedings.

The commissioners shall then name one third person to act as an umpire in any case or cases on which they may themselves differ in opinion. If they should not be able to agree upon the name of such third person, they shall each name a person, and in each and every case in which the commissioners may differ in opinion as to the decision which they ought to give, it shall be determined by lot which of the two persons so named shall be umpire in that particular case. The person or persons so to be chosen to be umpire shall, before proceeding to act as such in any case, make and subscribe a solemn declaration in a form similar to that which shall already have been made and subscribed by the commissioners, which shall be entered on the record of their proceedings. In the event of the death, absence, or incapacity of such person or persons, or his or their quitting, or declining, or ceasing to act as such umpire, another and different person shall be named, as aforesaid, to act as such umpire, in the place of the person so originally named, as aforesaid, and shall make and subscribe such declaration, as above said.

ARTICLE II.

The commissioners shall then conjointly proceed to the investigation and decision of the claims which shall be presented to their notice, in such order and in such manner as they may conjointly think proper, but upon such evidence or information only as shall be furnished by or on behalf of their respective governments. They shall be bound to receive and peruse written documents or statements which may be presented to them by or on behalf of their respective governments in support of or in answer to any claim, and to hear, if required, one person on each side on behalf of each government, on each and every separate claim. Should they fail to agree in opinion upon any individual claim, they shall call to their assistance the umpire whom they may have agreed to name, or who may be determined by lot, as the case may be, and such umpire, after having examined the evidence adduced for and against the claim, and after having heard, if required, one person on each side

as aforesaid, and consulted with the commissioners, shall decide thereupon finally and without appeal. The decision of the commissioners and of the umpire shall be given upon each claim in writing, and shall designate whether any sum which may be allowed shall be payable in gold or in the currency of the United States, and shall be signified, also, respectively. It shall be competent for each government to name one person to attend the commissioners as agent on its behalf, to present and support claims on its behalf, and to answer claims made upon it, and to represent it generally in all matters connected with the investigation and decision thereof.

The President of the United States of America and the President of the Mexican republic hereby solemnly and sincerely engage to consider the decision of the commissioners conjointly or of the umpire, as the case may be, as absolutely final and conclusive upon each claim decided upon by them or him respectively, and to give full effect to such decisions without any objection, evasion, or delay whatsoever.

It is agreed that no claim arising out of a transaction of a date prior to the 2d of February, 1848, shall be admissible under this convention.

ARTICLE III.

Every claim shall be presented to the commissioners within eight months from the day of their first meeting, unless in any case where reasons for delay shall be established to the satisfaction of the commissioners, or of the umpire in the event of the commissioners differing in opinion thereon, and then and in any such case the period of presenting the claim may be extended to any time not exceeding three months longer.

The commissioners shall be bound to examine and decide upon every claim within two years and six months from the day of their first meeting. It shall be competent for the commissioners conjointly, or for the umpire if they differ, to decide in each case whether any case has or has not been duly made, preferred, and laid before them, either wholly or to any and what extent, according to the true intent and meaning of this convention.

ARTICLE IV.

When decisions shall have been made by the commissioners and the arbiter in every case which shall have been laid before them, the total amount awarded in all the cases decided in favor of the citizens of one party shall be deducted from the total amount awarded to the citizens of the other party, and the balance, to the amount of three hundred thousand dollars, shall be paid at the city of Mexico or at the city of Washington, in gold or its equivalent, within twelve months from the close of the commission, to the government in favor of whose citizens the greater amount may have been awarded, without interest or any other deduction than that specified in article VI of this convention. The residue of the said balance shall be paid in annual installments to an amount not exceeding three hundred thousand dollars, in gold or its equivalent, in any one year until the whole shall have been paid.

ARTICLE V.

The high contracting parties agree to consider the result of the proceedings of this commission as a full, perfect, and final settlement of every claim upon either government arising out of any transaction of a date prior to the exchange of the ratifications of the present convention; and further engage that every such claim, whether or not the same may have been presented in the notice of, made, preferred, or laid before the said commission, shall, from and after the conclusion of the proceedings of the said commission, be considered and treated as finally settled, barred, and thereafter inadmissible.

ARTICLE VI.

The commissioners and the umpire shall keep an accurate record and correct minutes of their proceedings, with the dates. For that purpose they shall appoint two secretaries versed in the language of both countries to assist them in the transaction of the business of the commission. Each government shall pay to its commissioner an amount of salary not exceeding forty-five hundred dollars a year in the currency of the United States, which amount shall be the same for both governments. The amount of compensation to be paid to the umpire shall be determined by mutual consent at the close of the commission, but necessary and reasonable advances may be made by each government upon the joint recommendation of the commission. The salary of the secretaries shall not exceed the sum of twenty-five hundred dollars a year in the currency of the United States. The whole expense of the commission, including contingent expenses, shall be defrayed by autable deduction on the amount of the sums awarded by the commission, provided always that such deduction shall not exceed five per cent on the sums so awarded. The deficiency, if any, shall be defrayed in moieties by the two governments.

ARTICLE VII.

The present convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof; and by the President of the Mexican republic, with the approbation of the Congress of that republic, and the ratifications shall be exchanged at Washington within nine months from the date hereof, or sooner if possible.

ARTICLE VIII.

In witness whereof the respective plenipotentiaries have signed the same and have affixed thereto the seals of their arms.

Done at Washington, the fourth day of July, in the year of our Lord one thousand eight hundred and sixty-eight.

WILLIAM H. SEWARD, [L.S.]
M. ROMERO, [L.S.]

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same have this day been exchanged:

Now, therefore, be it known that I, Andrew Johnson, President of the United States of America, have caused the said convention to be made public to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the city of Washington, this 1st

of February, in the year of our Lord one

thousand eight hundred and sixty-nine, and of the independence of the United States of America the thirty-third.

ANDREW JOHNSON,

By the President:

WILLIAM H. SEWARD,

Secretary of State.

General Cumby's Orders for Enforcing the Law.

HEADQUARTERS, FIFTH MILITARY DISTRICT, STATE OF TEXAS, Austin, Texas, Jan. 20, 1869.

General Orders No. 5.

To insure concert of action and an efficient co-operation between the civil and military authorities in the enforcement of the law, the following regulations have been established, and are published for the information and government of all concerned:

1. If any Magistrate should, by force, or intimidation, be hindered in or prevented from the execution of any duty devolved upon him by the laws of the State, or should he be injured or threatened with injury in person or property by reason of the performance of any such duty, he will report the facts to the Post Commander, who is required to give all needful protection, and to see that the offenders are brought to justice.

2. If any Sheriff or other peace officer is obstructed or resisted in the service of any process, or in the execution of any other legal duty, or is refused the assistance which he may lawfully demand, he shall report the fact, with the names of the parties, to the Post Commander.

3. Whenever any combinations or conspiracies as defined by the law of the United States, of July 3d, 1861, "To define and punish certain conspiracies," may be organized and directed against the laws or officers of the State of Texas, the offenders shall, upon conviction by a military commission, be subject to the same penalties as are prescribed by that law, and it is made the duty of all Magistrates and peace officers, having knowledge of any such combination or conspiracy to report it to the Post Commander.

4. Whenever any prisoner shall break or escape from any penitentiary, jail or other place of penal confinement, or from the custody of any Sheriff or other officer, after having been duly arrested, the fact will be immediately reported to the Post Commander, setting forth the name of the escaped prisoner, his age, residence, and description of the crime for which he was committed, and whether under conviction or awaiting trial, and any other fact that may lead to his apprehension. A like report will be made in the case of all persons against whom warrants have been issued, who have fled or otherwise evaded arrest. In all such cases it shall be the duty of the Post Commander to issue his warrant for the arrest of the criminal wherever he may be found within the limits of his post.

5. Sheriffs of counties, and marshals of cities and towns, when the municipal is independent of the county organization, whenever any felony or other grave crime has been committed within the limits of their respective jurisdictions, will immediately report the fact to the Post Commander, giving the nature of the crime, the name of the person, against whose person or property it was committed, the time, when and the place where it was committed, and, if known, the name, residence, and description of the offender. Whenever any person, as reported, has been arrested, the Post Commander will be notified of the fact.

6. On the first day of each month, the sheriffs of counties and marshals of cities and towns, and all other peace officers, not included in the force of any Sheriff or Marshal, will make to the Post Commander a consolidated report of all crimes committed, and of all arrests made within the limits of their respective jurisdictions during the preceding month. The first report made to include the period from the 1st of January, 1869, to the date of the report. Post Commanders will forward the consolidated reports to Headquarters, retaining a copy, and will add thereto a report of crimes committed within the limits of their posts, and not included in the reports of Sheriffs and Marshals, and a report of all arrests made by military authority during the same period.

7. The Clerks of the Courts of Criminal Jurisdiction in this State will, as soon as practicable, report to these Headquarters the condition of the jails or other places of confinement under their charge, as to capacity, convenience, and security, and whether any repairs or improvements are needed to make them secure. They will also report whether adequate provision is made by the county or town for the care and subsistence of the prisoners who may be confined in them.

8. Whenever any Magistrate, Clerk, Sheriff, or other civilian, is required to perform any service not devolved upon him by the laws of the State, he will be allowed and paid from the reconstruction funds the same fees or compensation as are allowed by law for similar services. The accounts for such services will be forwarded through the Post Commander, for his approval or remarks, except when the service is required from District Headquarters, in which case they will be sent direct.

9. A list of the civil offices of the State, within the limits of each post, will be furnished the Post Commanders, and he is directed to confer freely with them, and endeavor to establish such relations as will insure concert of action and an efficient cooperation in the enforcement of the laws.

If there should be any vacancies, he will recommend or will procure the recommendations of responsible citizens of suitable and competent persons to fill them.

10. The duty of enforcing the laws and the responsibility for any failure, rest in a great measure upon the subordinate Magistrates and peace officers. The timely exercise of the powers with which they are invested will generally preserve the peace and prevent the commission of crime.

When crimes are committed, these powers must be promptly and energetically exerted.

to the arrest and punishment of the criminals. The complaint, the issue and service of warrants are not items of form, but duties to be performed. To fail in these is to surrender society to the dominion of lawlessness, and to invite disorder and violence.

11. Post Commanders, while looking to the full execution of the duties committed to them under the authority of the 3d section of the law of March, 1867, are required to see that these duties are not harshly or oppressively exercised; that arrests are not made without sufficient cause; that the manner of arrests shall, as far as practicable, be the same as is prescribed by the laws of the State; that when arrests are made, the charges shall be examined into, and the accused parties discharged, or held for trial, with as little delay as may be consistent with the ends of justice; and that prisoners awaiting trial shall be subjected to no greater restraints than are necessary for their safe keeping.

12. It is hoped that the support of the military will render any active aid to the civil authorities necessary; but if the necessity should arise, and there should be any organized or armed resistance to the authority of the United States, or to the authority of the Provisional Government of Texas, it will be the prompt and energetic application of all the means under the control of the military authority.

13. In the execution of the difficult and delicate duties devolved upon the army, the observance of the highest degree of discipline is absolutely essential, and the Commanding General expects from the troops such orderly conduct and observance of law as will command the respect of all good citizens.

By command of

Bvt. Maj.-General CANBY,

Louis V. CASIUS, A. D. C., A. A. G.

MAIL ITEMS.

Henry Ellis, of the British Museum, is dead. He was over 90 years of age.

Major Banks and the Connell of Baltimore have just returned from a "festival time" in New York.

B. C. Gadeket, conductor on a horse-car in Brooklyn, New York, had to pay \$10 on Saturday for kicking a boy from his car.

George D. Cassio, 57 years of age, liquor merchant in New York, shot himself through the head Saturday night and died instantly.

General Stoen has been to Washington and engaged his quarters during the Forty-First Congress, of which he is a member elect.

D. D. S. Brown is a candidate for the United States Marshalship of Northern New York.

Governor Hawley declines to be a candidate for Congress in the Hartford (Connecticut) district.

Rev. Dr. Huntington, of Boston, has recently been elected bishop of the Episcopal Diocese of Central New York. He accepts.

"The German Society of the city of New York" held its eighty-fifth anniversary meeting on Saturday evening.

Senator Sawyer, of South Carolina, was "booked" at the Hoffman House, New York city, on Sunday last.

Dr. Juan N. Navarro, the Mexican Consul General resident at New York, arrived in Washington recently for the purpose of exchanging the new treaty with Mexico.

The New York Tribune gives "Hon. T. B. Florence" a very respectable "obituary," considering the present health condition of T. B. P.

Assessor Webster, of New York city, is creating a consternation in Wall street by the persevering manner in which he does business. He is bound to have the national debt paid and assessed accordingly.

The Columbus (Ohio) Journal pays the following compliment to the new Indiana Senator: "Garret Davis has a voice like a three weeks fall of rain, but Pratt can wash him high and dry with one squirt."

The artists of New York held a meeting and framed a bill to protect designs and artistic productions from being "pirated," and appointed a committee to present the same to Congress.

On the first day of each month, the sheriffs of counties and marshals of cities and towns, and all other peace officers, not included in the force of any Sheriff or Marshal, will make to the Post Commander a consolidated report of all crimes committed, and of all arrests made within the limits of their respective jurisdictions during the preceding month. The first report made to include the period from the 1st of January, 1869, to the date of the report. Post Commanders will forward the consolidated reports to Headquarters, retaining a copy, and will add thereto a report of crimes committed within the limits of their posts, and not included in the reports of Sheriffs and Marshals, and a report of all arrests made by military authority during the same period.

Dealers in all kinds of FRUIT.

Apples, Oranges, Malaga Grapes, Peaches and Confectionaries.

These fruits are fresh and just received, and for sale for cash.

jan. 16th dft.

PHILIP CONRAD.

Dealer in all kinds of FURNITURE and House Furnishing Goods, MAMMA and Upholsterer.

MAIN STREET.

Next to Netter's Drug Store.

Keeps constantly on hand a full assortment of Mairasses; and offers his services for repairing furniture, paper hanging, curtain hanging, and carpeting.

San Antonio

The Daily Express.

Official Journal of the Texas State
Official Journal of Bexar County and City of
San Antonio.

A. STEMERING & CO. Publishers.

W. B. MOORE, Editor.

FRIDAY, FEBRUARY 19, 1863.

Executive Committee of the Republican Party of Texas:

MORGAN C. HAMILTON, of Travis,
E. DRUGER, of Bexar.
P. W. STALLS, of Robertson.
C. W. BRYANT, of Harris.
A. BLEINOR, of Dallas.
G. W. WHITMORE, of Smith.
J. W. TALBOT, of Williamson.
R. F. WILLIAMS, of Colorado.
N. PATTEN, of McLennan.
G. T. RUBY, of Galveston.
M. H. GODDIN, of Polk county.

NOTICE.

SAN ANTONIO, TEXAS, February 1, 1863.—We mutual consent that the Publishing House heretofore existing in this city under the style and firm of A. STEMERING & CO., consisting of A. STEMERING and W. B. MOORE, is hereby dissolved. W. B. Moore withdrawing from the business.

All dues to said firm must be paid to A. STEMERING, who also assumes all liabilities of the co-partnership.

A. STEMERING,
W. B. MOORE.

The Publishing and Printing Business of A. STEMERING & CO., will be carried on henceforth, under the same style and firm.

A. STEMERING.

NEW JUDGE.—We received a call yesterday from Judge J. B. Hard of Helena, Karnes Co., who has been appointed by Gen. Canby to preside over the 14th Judicial District Vice Carpenter removed. Every loyal man will rejoice at this change.

Correspondent.—The traveling correspondent of the Indianola Bulletin says: "I arrived at the flourishing town yesterday," and "found it very dull."

We supposed flourishing towns very usually lively. We suggest to Mr. Hunt that when he commences to soft soap a place, to "light it out on that line if it uses up all the alkali in Texas."

THEY SPEAK FOR LOYALTY.—In an item in this paper, taken from the Galveston News, it will be seen that the paper informs us that Gov. Hamilton is a thorough republican. All that has been said about his being untrue to his party is without foundation in fact; now up the adoption of the constitution that was introduced through the convention. The two papers spoken of were violent enemies of Jack Hamilton. We would ask the News and the Telegraph, if both they and Hamilton have been consistent.

EDITORIAL REPPRINTS.—The Houston Times of the 14th inst. gives what purports to be an account of a deadly meeting between the Kinney of the Times and one of the Union Corps, both parties being heavily armed with six shooters and bowie knives, of course the Times man is made to appear as bold as a hungry hog.

Such demonstrations on the part of men only serves to make them despised of all their fellows, the revolver and bowie knife era is passing away, and men who resort to them must expect to be classed with savages.

A shot from Tracy's pistol wounded a boy—the son of Rev. Mr. Hennick, which will probably result in the boy's death.

There is not a more filthy population in the world than the Chinese, from the highest to the lowest, and hereditary diseases predominate. We have lived among them, and had good opportunities of observing Indianola Bulletin.

For the sake of appearances, we would suggest that Indianola get some one to publish a paper in that town, who never lived among those horrid people.

Since the close of the war a studied and persistent effort has been made to blacken the character of the great body of our people. To this end they have been charged with disloyalty to the government, and with general lawlessness and crime.

The above extract gives us a glorious intimation that the millennium approaches. Up to the election of Gen. Grant traitors gloried in their Confederate record. Now, we see a heretofore bitter confederate paper placing disloyalty among crimes. Such this is encouraging.

Mavericks.

The plains in Gillespie, Bandera, and other frontier counties of West Texas are completely alive with cat-

chieves, who are wantonly butchering the stock for their hides.

A gentleman who arrived in the city a day or two since states that in a stretch of some hundred miles on the N. L. & S. road where there are nearly eighty thousand head of cattle could be seen feeding; the pastures are now entirely abandoned. It would be difficult to find even five hundred head of stock.

Yours truly,

U. S. SHAW.

and committed to jail at Clinton, but managed in some way to escape, and it is said returned here on foot; they are still at large; the horses have been returned to their owners.

We are all quiet this way, except that the mail drivers are exercised with regard to the removal of the county seat; but as they are well assured that this matter will soon be amended, they are content to bide their time.

Yours truly,

U. S. SHAW.

States Owned by Railways.

The people of Texas can scarcely realize the dangers they have escaped by the defeat of the Texas Central Railway to control a majority of the late Constitutional Convention.

The following testimony of Jay Gould, President of the Erie Central Railway, before the Senate Railway Committee of New York State, shows that even the Great Pennsylvania is not free from her railroad masters:

The examination was not confined to the subject of the over-issue. The Committee asked him innumerable questions about Railroad and Canal management generally, his ideas about monopoly, and the dangers arising therefrom. The only safety of the Erie Road was, in his opinion, the general railroad law which allowed the conversion of convertible bonds into stock. If it had not been for this provision, there was no power in the land which could have prevented Vanderbilt from obtaining possession of the Erie Road; and if he had, he would have had the greatest monopoly this country has ever seen.

In fact, it would have been in his power to say every day whether flour should be one or five dollars a barrel in New York. The Pennsylvania and New York Central have made common cause against the Erie Road. The Pennsylvania-Central Railroad owns the legislature of that State; and that body does as it dictates. The avowed object of the Central Road is to build up Philadelphia, and try and injure the trade of the New York; but so long as they have in the Erie a live competitor, they could not do that.

As an instance of the power of the Central over the Pennsylvania Legislature, he mentioned the fact that the Central had found out that he (Gould) and others had obtained enough stock of the Pittsburgh, Fort Wayne and Chicago Road to control the next election for the Board of Directors, which would take place in six days. The new Board would have entered into a contract with the Erie Road, by which the latter would have had a connection with Chicago. The Central could not stop this scheme except by a bill prohibiting the election of a new Board of Directors for several years. The Legislature was asked to pass such a bill, which they did, and Governor Geary as promptly signed it. At present, the Erie Road has no direct intercourse with Chicago.

Be it known to your readers, that

some time since the officers of this

county, for themselves and in behalf

of the loyal citizens, petitioned the

Convention to remove the county

seat to Lamar, the head of navigation

on the Colorado River—setting forth

that Lamar was a central point, with

plenty of wood, water, &c., and

where county buildings could be

cheaply erected, &c. This petition

was set aside, and the one from St.

Mary's adopted. Now, we do not

scruple to say that this was done

through the misrepresentations of

one employed and paid by rebels

one who has heretofore passed as a

Union man—one who was instru-

mental in getting up the Lamar peti-

tion, and whose name will be found

signed to said petition. Your cor-

respondent cannot say how much

money the rebels of St. Mary's paid

for the job; but certain it is that the

loyal, registered citizens of St.

Mary's knew nothing of this hired

delegate or his business to Austin

till his return.

The Times in its statement of Judge

Caldwell's conduct has not exaggerated in the least. Judge Caldwell did go to the

house of one of our most respectable

citizens, about 10 o'clock p. m., where a social

party of ladies and gentlemen were gathered,

and knock at the front door, and when

admitted by the lady of the house,—not a

gentleman present, as published in the

Times—asked where the girls were, saying

he wanted the girls and a bed.

After leaving this house Judge C. went

down to the Stonewall Exchange, bar-

room, and insulted several men most grossly,

until finally he was knocked down and beaten severely, and the wonder is that he

was not killed, as he accused men that he

had never seen before, of being thieves, as

sassins, &c.

The weather here has been very disagreeable for several weeks. The roads, in

and out of the city, are as bad as the "old

inhabitants" ever saw them. Conse-

quently trade is very dull, and not much

prospect of improvement, as the planters

will be too busy preparing their ground to

visit Houston or any other town by the

time the roads are sufficiently dried up to

admit of wagon travel.

HOUSTON.

More Editorial Extractions.

A cowhiding and shooting affair came off at Galveston on Tuesday afternoon between Mr. Shaw, publisher of the Star and, Maj. Crank of the firm of Reardon & Crank. We copy the following details of the affair from one of our contemporaries:

It appears that Mr. Shaw, one of the proprietors of The Star, had spoken rather severely in that paper of Mr. Crank, and upon that gentle man calling at the office of The Star and asking a discontinuance of such remarks and an apology for what had already been said; he was given to understand that the amende would

be made in the next issue.

In the next number of the Weekly

Star, issued on Monday, no retraction

appeared. Maj. Crank, yesterday afternoon, in company with his party, went to Mr. Shaw's office and called him down stairs and referred again to the promised retraction.

Mr. Shaw replied that no injustice had been done and he had no retraction to make. Maj. Crank then drew sword and struck Mr. Shaw with it. Mr. Shaw instantly drew a revolver and fired. The first cap exploded ineffectually. Mr. Crank retreated into Maj. Cave's seed store, and Mr. Shaw followed up and discharged his revolver twice without effect. Maj. Cave then called to Mr. Shaw to desist shooting. Mr. Shaw then returned up stairs to his office.

Subsequently the parties were arrested and placed under bonds for their appearance.

TELEGRAPHIC

SPECIAL DESPATCHES TO THE EXPRESS.

WASHINGTON, Feb. 17.—The House passed a tax bill last night.

The friends have perfected arrangements for a grand inauguration ball.

NEW ORLEANS, Feb. 17.

SENATE.—Last night a bill was passed removing certain political disabilities.

The House continued in session until nearly midnight on the school bill, which was adopted. It is similar to that of last year, except that it does not contain any compulsory educational clause. It provides that the entire supervision and control of public education be vested in six commissioners appointed by the Governor.

The House passed a bill to-day loaning State bonds to the amount of six hundred thousand dollars to the Mexican Gulf naval, taking first mortgage.

The friends of Gen. Sherman are raising \$10,000 for him.

The Senate judiciary committee are about reporting the Virginia bill by which the people can vote for or against the franchising clauses while voting for the constitution itself.

Twelve hundred thousand bonds have been issued to the Union Pacific Railroad. This completes the thousandth mile west of Omaha.

SENATE.—The judiciary committee after a careful examination of the subject, they have no doubt concerning the conclusion that the President's proclamation of December, was wholly beyond the constitutional power of the President, and that it can have no efficiency to the end sought to be reached by the constitution, and permits him to grant reprieves and paroles, but no pardon and amnesty. They argue to show that amnesty is a larger power than pardons—operating upon the crime instead

of the criminal, and effecting restoration and restitution ob initio, instead of remitting unexecuted punishment, and proceeding like what is called a general pardon, not from the executive, he is king or President, but from the government—the sovereign power—which in England was the King, and with his Parliament, as in the United States it is the Congress acting with the approval of the President, or by a two-thirds vote without it.

The Attorney General was called on for the names of persons convicted of revenue frauds, and was sanctioned by the President.

The following is the resolution offered by the judiciary committee:

"That in the opinion of the Senate the proclamation of the President of the United States, of Dec. 25, 1862, purporting pardon and amnesty to all persons guilty of treason and acts of hostility to the United States during the late rebellion, with restoration of rights, &c., was not authorized by the constitution or laws."

The committee on public lands reported a bill authorizing the construction of the railroad called the Memphis, El Paso and Pacific railroad. The bill simply gives the right of way and no land.

Stewart moved to rescind from the Senate's amendment to suffice in the constitutional amendment, and to adopt the bill as it came from the House. A long discussion ensued, which is still progressing.

HOUSE.—Louisiana election report was ordered printed, and laid on the table.

ST. LOUIS, Feb. 17.—Official advices from Wichita Mountains state that Indians are coming in rapidly, and will be immediately placed on reservation.

The Kansas Senate defeated the motion to strike "white" from the constitution of the State—14 to 17. Two senators voted nay, because they also want the word males erased.

HORACE WATERS.

Testimonials.

The Waters' Pianos are known as among

the very best.—N. Y. Evangelist.

We can speak of the merits of the Waters' Pianos from personal knowledge as being of the very best quality.—Christian Intelligencer.

The Waters' Pianos are built of the best and most thoroughly seasoned material.

Advocate and Journal.

Our friends will find at Mr. Waters' store the very best assortment of Pianos, Melodeons and Organs.

Melodeons and Organs will be found to

be in Monthly Instalments.

Illustrated Catalogue mailed.

Warehouses,

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(Feb 16th)

Local Intelligence.

GREAT BARGAINS.—If you perceive under the head of New Advertisements, in today's paper, you will see what the firm of Hartman, Eagar & Co., have to say in regard to great bargains.

CUTTING HIS WAY OUT.—A prisoner confined in the jail attempted to cut his way out with a pocket knife, and in doing so, broke the blades of his knife, which stopped his progress in that line.

SOLDIERS ARRESTED.—A couple of soldiers on a border, insulted a citizen yesterday on the street, and for so doing they were arrested by the Police and turned over to the military authorities.

PIANOS.—Another advertisement from the village of New York, Horace Waters, of New York, sends us an advertisement calling attention to the celebrated Waters new scale Pianos. The Waters Pianos are known as among the best. Look at the notice in our issue of to-day.

PERONAL.—We were pleased to meet Mr. Hunt, of the Indiana-Bulletin, in our sanctum yesterday; Mr. Hunt speaks encouragingly of commercial prospects in his city, and predicts the completion of the Indianapolis railroad to the junction of the Mexican Gulf and San Antonio road, long before July.

Send Fifty Cents U. S. Currency, and receive per mail, post paid,

Twelve pages of Popular Sheet Music, arranged for the Piano, embracing song and instrumental pieces.

Address:
W. N. BRYANT, Houston,
Texas.

The County Clerk requests us to publish the following order, and says he will take pleasure in showing parties interested, the law referred to, when called upon in his office:

HEADQUARTERS POST OF SAN ANTONIO,
San Antonio, Texas, Feb. 15, 1869.

General Order No. 4.

The laws of the State in relation to the purchase of cattle by butchers, will be extended to the purchase of hides in the counties of Gillespie, Kerr, Blanco, Bandera, Comal, Bexar, Kendall, Medina, Frio, and Atascosa.

In counties where there is no efficient civil organization, Military Tribunals will be organized for the trial of cattle thieves and dealers in stolen cattle or hides.

JOHN S. MASON,

Major 36th Inf. Bvt. Brig. Gen. U. S. A.,
Commanding Post.

DULL.—We mean by using the word dull that there is a stagnation in every department of trade, profession, calling, &c., in this city of narrow side walks and streets.

The merchants are doing nothing; the professional gentlemen are listless and idle, no one to try, and no offenders against the city laws to be tried before the Hon.

Mayor; and lastly, no local items to be had of an interesting nature, and our brain is puzzled for something to write upon. Nobody won't get married, and nobody won't run away with Papa's darling, not even to create a sensation, for a little gossip. What shall we do? and what shall we say for a local item. We have something at last.

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National Colored Men's Correspondence Association Since 1863.

Address to the Colored Citizens of the United States.

FELLOW CITIZENS: We your representatives assembled in national convention, having attended to the business which you, in fraternal trust, confided to us, respectfully beg leave, at the conclusion of our labors, to address you briefly, yet earnestly in reference to the condition which we now occupy here in the land of our nativity, and to the duties and responsibilities which are in consequence devolved upon us, in order that we may attain to that equal status in the eye of the law with our other fellow citizens, which we of right aspire to, and which we of right ought to enjoy.

At the outset of our address we would devoutly call upon you to join with us in thanks to Him in whose hands are the destinies of all his creatures, that, through the ordinances of His Providence, we speak to you under far different circumstances from those in which you have been addressed by your assembled representatives at other periods of our history.

Once you were called from to labor for the overthrow of a gigantic system of oppression, which held in its grasp more than three millions of our kindred, and for the recognition of our own claims to citizenship in these United States of America. Now we can interchange our gratulations with you, throughout the broad domain of our beloved country, from the St. John's river upon the north to the Rio Grande, and from the Atlantic border to the Pacific coast, the grand author of liberty is intoned with a harmony unbroken by the discord which would be caused by the wailing of every unhappy slave. We grieve so, too, with a consciousness that we are not looked upon now, as we were then, in the light of quasi allies for the American people have spoken through their representatives in Congress, and enacted that "all persons born in the United States, and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States." Thus, fellow-citizens, we have reason to rejoice in the fact that the past has had its triumphs for us; but our condition in the present, together with the duties and responsibilities which it enforces upon us, demands our attention, and of that condition, of those duties and responsibilities, we would now speak.

As to our condition, we need not dwell long upon that, for you understand fully the necessity which prompted you to send us to meet together in convention. You know that our citizenship, recognized as it has been by statutory provisions, has not secured for us throughout the different States of this Union those franchises and immunities which are the pride and boast of our white fellow-citizens. Each one of you, in his own individual locality, is painfully alive to the grievances (as various in their character as the localities themselves) which he is called upon to endure. But let us not be disengaged, in view of such grievousness. Let us remember that

"Muri,
The camel labors, 'neath the heavy load,
And the wolf dies in silence.' But behold
In vain let such examples be. If they,
Things of ignoble, or of savage mood,
Endure and shirk not; we of nobler clay
Should temper it to bear. It is but for a
day."

Let us gird ourselves up manfully, and contend for the removal of those grievances, in the firm and confident trust that the same God who has conferred blessings upon us in the past will be equally propitious to us in the future; and that, as He raised us for us then hosts of sympathizing friends, to follow the leadership of a Garrison, a Gerrit Smith, and an Abraham Lincoln, so He still records to us such friends, so largely increased in number, and bearing to many ill-trous names that to single out any two or three from that sparkling galaxy would seem invisions. Suffice it that the mere mention of those honored names serves to recall, as now to the very core, that they shall be cherished enduringly in our hearts, to be handed down to the grateful remembrance of our latest posterity. God grant that each one of the possessors of those names may long be spared to us, and that the day may be far, far distant, when we shall be called upon to lay him away, with tender hands, and with tearful eyes, by the side of his last stricken compeer—the ever to be beloved Thaddeus Stevens!

But, fellow-citizens, let us not forget, in our general recognition of these effective services for our benefit and blessing, that the all-loving Father allows them to us only upon the condition that we labor earnestly and untiringly in our own behalf. He may, indeed, send His Messiah, as "the way, the truth, and the life;" but every day He requires us "to work out our own salvation with fear and trembling." Still, His promise, that consolite, abide; and assured beyond a doubt, that question of success which awaits us, if we only toil faithfully unto the end. Then let us not be found wanting in this crisis of our fate; but let us firmly and undivisibly address ourselves to the duties of the hour.

In our present condition we are an unjustly degraded people; for we are stripped, more or less, in every State in the Union, of privileges and franchises which are fully enjoyed by every class of our white fellow-citizens. This ostracism of us, without any compensation, perchance unmerited, does not, for this reason, afford us a sufficient immunity against any future encroachment upon our interests, the current of all political experience points to but one measure; and that is, to render the right of suffrage and of eligibility to office as universal as citizenship itself. We all understand fully the importance of this right of suffrage; we know that it is the dearest treasure in the gift of any government—the strongest weapon in the possession of the subject; reselling the approach of despotism and guaranteeing the possession of all other franchises—a weapon that, in the expressive language of Whittier—

"Creates a freeman's will."

As lighting doth the will of God."

Now, to deny such a right to one class of citizens while it is accorded to another, without a good reason for such a discrimination, is manifestly unjust and anti-republican.—Let us, then, in the premises, appeal to Congress, requiring it that the Federal Constitution, in article four, section four, provides that "the United States shall guarantee to every State in this Union a republican form of government." Let us urge upon that body and upon the great mass of the American people whom it represents that, in settling the definition of this epithet, "republican," we are not stopped, either by ancient or modern assumption of it for the purpose of describing monarchies existing from the days of the Roman Empire—nor, in the light derived from the Declaration of Independence—that Magna Charta of our liberties—that, setting aside Greek and Roman precedents, as well as those of medieval Europe and of the fathers of our own government, blinded, as the latter were, by a spirit of compromise, or hampered

to be hampered, we should determine and insist upon it that a "republican form of government" is one deriving its chief power from the consent of the governed, and which insures the just representation of the people to be represented therein. Let us appeal to them to consider that most of our State governments are mere aristocracies, the most intolerable, because we allow the majorities of (especially) agricultural societies to confer upon the many while they are withheld from the few. And, in making this appeal, let us assert, as we ought to do, upon our citizenship and upon the proofs of determined manhood and loyalty manifested by colored men at different periods of our national history, and especially during the late unhappy rebellion. If the black soldiers' prowess at Red Bank, of revolutionary fame, and at New Orleans during the war of 1812, is forgotten, surely his gallant bearing at Fort Pillow and before Petersburg still dwells in the memory of the country, for we give the highest manifestations of his love, and which he hopes, will yet prove grateful, for his devotion and sacrifice.

We had purposed, fellow-citizens, to have invited your attention to the importance of education, and of establishing and supporting schools and colleges among us, and also to have pressed upon you the consideration the necessity of cultivating habits of industry, and frugality of engaging in agricultural, manufacturing, and mechanical pursuits, and economizing and saving our earnings, and increasing properties of the land. But these topics have been adequately treated by the Rev. Bishop Daniel A. Payne, in his letter to this convention, that we reluctantly refrain from saying anything further thereon, and content ourselves by referring you to that able production, as published in the minutes of this convention.

And we shall now conclude by returning with a Gato-like persistence to the all-important subject of universal suffrage, and reiterating our entreaties that each and every one of you, fellow-citizens, make that masterpiece of personal moment, and never cease in his endeavors, by petitions and memorials to Congress, to secure his triumph until that triumph is an accomplished fact. Then, indeed, shall we confidently trust in the prospect of a bright and glorious future for our country. Then will she, proud of the fealty and devotion alike of her white and of her black children, sit honored among the nations. Then will her renown, acquired by territorial extent, by prosperous industrial enterprises, by the brilliant achievements of her armies and navies, by her successful and laurelled competition in every department of literature, science, and art, be recognized by her greater glory, vaunting that though all her widely extended realms the signs of life, liberty, and the pursuit of happiness are secured to each and all of her citizens of whatever condition or hue.

ELMENDORF & CO.,
Hardware Merchants,
MAIN PLAZA.

HAVE on hand, and offer for sale,
English and American Cutlery,
Iron and Steel of all sizes,
Carpenter Tools,
Mill and Cross cut Saws of all sizes,
Joiner Machines,
Nails of all sizes,
Butts, Hinges, Scissors, etc.
Door, Cabinet and Trunk Locks of all kinds,
Sheaf Makers and Saddler's Tools and Tunnings
Buckles, Rings &c.,
Bridle Bits and Webbing,
Oil Cloth, Hammocks, Collars, &c.,
Tin Rivets and Kettles, &c., &c.
Steel Hoses and Agricultural Implements
And a general assortment of

HARDWARE.
Also: Paints, Oils,
Turpentine and Glass,
Paint, Shoe and Clothes Brushes,
Petroleum and Lamps,
Colt's Army and Navy Side Pistols,
Powder, Shot and Caps, and all other articles in their line of business at low prices.
Lauder's Garden Seeds
always on hand.
Sole Agents for Herrings' Safe's; also, for
Planer and Kayser's Sewing Machines.
April 1st 1863.

P. C. TAYLOR,
MANUFACTURER OF
LIME AND SOAP,
and dealer in
GENERAL MERCHANDISE.
Posts old stand, next door to Klapper
Hotel, San Antonio.
The highest price paid for tallow,
dec. 1st 1863.

FRUITS: FRUITS!!
New Dried Apples and Peaches, Raisins,
Currants, Citrus and Peaches,
Oranges and Lemons.
Just received and for sale by
no 27dsm H. GREENET.

STEELE & WILLIAMS,
(Late John Winters & Co.)
Commission Merchants,
Commerce Street,
Dec 23rd, SAN ANTONIO, TEXAS.

Dissolution of Partnership.
The partnership heretofore existing between the undersigned, under the firm of Zork & Griessenbeck, is hereby dissolved by mutual consent. Mr. Griessenbeck retiring from the firm.

The business will be continued by Mr. Louis Zork, who assumes all the liabilities of the concern, and to whom all payments of indebtedness must be made.

L. ZORK,
C. GRIESENBECK
San Antonio, Jan. 1st, 1863. d&w

For Rent.

The two story Stone Building formerly occupied by Messrs. F. Green & Co., opposite Messrs. Zork & Griessenbeck; also,

One Store on the Alamo Plaza, joining Messrs. Vance's store, formerly occupied by Mr. C. H. Hubbell. For particulars inquire at J. H. Kampmann.

J. H. Kampmann. (dec. 1st)

F. GREENET. C. ZORK. G. VANCE.

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