

The Daily Express

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THURSDAY, March 18, 1875.

Circular No. 1.

We devote the space of our paper in this issue to the publication of the very able circular on Division of the State issued by Messrs. DeGener, Portis and Baylor the committee appointed by the Division meeting. It is a question that interests every citizen of the West and we call upon our newspaper contemporaries in this section to give it publication in order that it may reach the eye of the people everywhere. The committee invite the people to discuss the question and by public meetings and otherwise give expression to their views, in order that a conclusion may be reached, without further comment at present, we ask our readers to read "Circular No. 1."

DIVISION OF THE STATE.

Circular No. 1.

The statesmen who drafted the "Articles of Annexation," by virtue of which the Republic of Texas became one of the States of the American Union, anticipated the eventual necessity of subdividing the Territory of Texas into several States, and manifested their views in the following section of said Articles of Annexation.

ART. II SECT. 3rd.

"New States of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution."

In this connection it seems appropriate to quote the Treaty stipulations, disposing of the public domain of the Republic of Texas, as they have a direct bearing upon the division question.

ART. II SECT. 2nd.

"Said State . . . shall also retain the vacant and unappropriated lands, lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas, and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct. . . ."

The unjust application of the public domain, is the mischief complained of. The right reserved to the State of Texas, to divide the State, is the remedy proposed by the undersigned.

It is true the proviso, by which the free disposal of the "vacant lands" was limited, was comp�ed with. Five years after the annexation an agreement was made between the United States and the State of Texas, by which the latter relinquished its claims on all the territory, now known as the State of New Mexico, the former paying to the latter the sum of Eleven and three quarter millions.

About one half of this sum was used in payment of the revolutionary debt of the former Republic of Texas and two millions remained in the treasury of the United States, the latter issuing bonds therfor, which were to constitute a permanent school fund.

The balance still remaining at the time of disposal of the State of Texas was gradually used up:

1st, for the erection of public buildings, such as Capitol, Land Office, Governor's mansion, Supreme Court, Penitentiary and other improvements:

2nd, for loans made to railroads, projected north and east of the Colorado river, to wit, \$6000 Gold per mile to the H. & T. Central, and other Corporations, the only substantial road west of said River being the Laredo R. R., which received the usual landgrant but no money.

3rd, to cover the current expenses of the State government so far as the low rate of taxation did not provide for them.

Our taxes were in those days a subject of great glorification, while in reality they were inadequate to the wants of the government, the liberality with which the United States had paid our claims on the territory of New Mexico, being the fund from which the deficiency was drawn, as long as this surplus lasted.

It is a noteworthy fact that no improvements were erected west of

the Colorado river, either during the period the United States boundary lasted nor at any later period.

It is still more worthy of notice that the United States bonds which were intended to secure a permanent fund for the scholastic population, were loaned out to railroad corporations, not one of which is located west of the Brazos River.

Thus it is manifest, that about one half of the money which the State of Texas received from the United States being applied to the common purposes of satisfying the creditors of the State, the other half was exclusively used for the benefit of the central section of the State.

Distasteful as this partiality in favor of one section to the detriment of the entire State, may have been to the Eastern and Western portions of Texas, its magnitude was not fully appreciated nor the significance it had, in showing what the future was likely to develop, in view of the immense public domain which still remained at our disposal. Its effects, however, became manifest.

In the same proportion as immigration was induced, by the greater transportation facilities, to settle in the Central Section, in the same proportion did the voting power of said Section increase until we have now reached a point where only one Representative out of six is elected by the people living West of the Colorado River.

That is, to express it in clear words, West Texas has to fight the unjust grasping propensities hitherto manifested by the State Government with a force of one man against five, a disproportion which must irresistibly increase to our detriment, until West Texas is actually repudiated to the condition of a foreign province of the more favorably situated portion of our State.

Already has our public domain been reduced to a mere nothing. It is an acknowledged fact, that if all the corporations, to whom lands were donated, were to avail themselves of the privileges granted to them, our vacant lands would not over the appropriations.

Although it is no compliment to the wisdom of our Legislators, not to assign other more objectionable causes for their action, it will be conceded, that a vast number of the enacted charters must be classified under the heading of "wild cat enterprises."

Thus sufficient public domain may perhaps remain, to enable those sections where the vacant lands are situated, to build up said sections.

It will not be denied, that whatever vacant lands may still exist, which are worth locating, are in the Western portion of the State, and thus the question naturally arises:

"Is it not worth while for West Texas to use all legitimate means within her power, to erect a barrier against a majority which uses our resources for their own exclusive benefit? thus to enable us to use our taxes for the benefit of our own sections to claim our part of the patronage of the Federal Government, all of which is being absorbed by the harbor of Galveston, the gateway through which the Central Railroad trade seeks its communication with the commercial world, thus making our Western resources tributary to Central interests?"

The framers of the articles of annexation had not learned the lessons of history in vain. They knew that the first cause of complaint of the early citizens of Texas was the unnatural connection of Texas with Coahuila as one State in the Republic of Mexico; Coahuila having three fourths of the representation in the State Legislature and abusing this power and causing Texas to suffer ill, while with State organization of her own, she might have remedied. *

Among the arbitrary acts of the combined State Legislature of the majority power one stands pre-eminent.

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their payment in land, the Mexican Congress on April 19, 1834, passed a decree setting apart four hundred leagues for this purpose.

This important public document was falsified, so as to deprive the rangers of their dues, and vesting the Governor of Coahuila with power to sell the lands, a power which was promptly used and the settlers on the frontier left to battle with the Indians as they had done before. *

With these lights before us we can hardly doubt, that the provision made in the articles of annexation for a division of the State, had in some measure its origin in the apprehension, that the great extent of our territory and consequently the probable great disparity between the progress of one section and of another, would cause similar unequal actions on the part of legislative majorities, as those committed at Monclova, the dissatisfaction which culminated in the declaration of independence by the people of Texas on March 2, 1836.

To dispel the last doubt that our public domain was already at that time recognized as a source of prosperity only if properly applied, but on the other hand as a source of corruption, which could logically find its remedy only in a division of the State, we quote from a letter of President Andrew Jackson to Gen. Houston:

"You have first, by proper legislation, to guard and protect the morals of your people. Keep us from temptation!" — this is the text. To end you must shut the door against all foreign grants for land, guarding all grants issued by the constituted authorities of Texas; all others to be barred by positive law. You must with care husband your vacant land to meet your national debt; and after that is paid, provide for the prosperity of your State by funds for education and the improvement of the country. By guarding your unappropriated lands

from all fraud. . . ."

These words of wisdom foreshadow all the evils which have befallen us. Have our Legislatures resisted temptation? Far be it from us to join in the universal hue and cry of corruption and venality, raised against our Legislatures. This much, however, can not be denied, that they have successively acted after the principle that

"Minorities have no rights, which majorities need respect."

Figures are stubborn arguments, we quote on that account from a report of the Land Office, that if fifteen millions of acres are already located on railroad certificates, thirteen millions of which are located west of the Colorado, and only two millions east of said river.

As a specimen of the overbearing tendencies of majorities we quote the action of the 14th Legislature in reference to the university lands. Said lands were reserved at an early day to found an institution of learning in which all sections would be equally interested, and selected from the most valuable lands then still unlocated in Northern Texas along the lines of the Texas Pacific and Transcontinental Railroads. These lands have advanced in price, and already in 1870 were valued at an average of \$5 to \$6 per acre. Later estimates give the entire value of the University lands at many millions of dollars.

At the first session of the 14th Legislature an act was passed disposing of these lands at the nominal price of \$1 per acre, and the State paying the expense of surveying out of proceeds, virtually giving away the lands, and robbing the rest of the State of their real value.

This is in full keeping with the last act of the 14th Legislature in reference to the International Railroad.

With the full knowledge, that the land grant substituted for the bond donation will absorb the last vestige of valuable vacant lands, long before said railroad has reached the western section of the State, thus rendering a continuation of the road a bare impossibility without a subsequent bond donation, the majority of our legislature has decreed, "that the West shall furnish the land for the construction of an Eastern railroad; thus increasing the resources of the East, and depriving the West of the substance with which hereafter to enter into competition" with the more favored sections of our State, and at the same time depriving those counties where the International Railroad may locate of the certificates, or the possibility of taxing said lands during a quarter of a century. *

Many complaints had been made of the depredations committed by the Indians on the Texas frontier. A proposition having been made to provide for a body of rangers, and

to furnish them with a small amount of arms and ammunition, the Mayor and Board of Aldermen, are extended, and Prof. Walker has reason to believe that a response on the part of our citizens corresponding with this, manifested itself. He has, however, with his own landholders endeavored to establish a good and permanent taxation; and he is of much service to the aspiring youth of Western Texas.

* Chambers pamphlet, 1833.

Although we can not accept the International Railroad question as "the" reason for the division of the State, we fully recognize it as a conclusive evidence, that the time has arrived when a division of the State remains the only remedy against the utter ruin of Western Texas.

In view of these facts, the citizens of San Antonio in mass meeting assembled; without distinction of party, in such numbers as hardly ever at previous meetings, have with singular unanimity resolved as follows:

"Resolved, That we view with regret and pain the unfriendly legislation and administration of the General assembly and Governor of the State of Texas toward Western Texas, in the matter of railroad facilities, while the Centre, the East and the North are amply provided for.

"Resolved, That the opposition of the Governor, and of his supporters in the Legislature, to any arrangement by which the International Railroad can be speedily completed to San Antonio, is in violation of justice to Western Texas, and to what we understand to have been the pledge of the Governor before he was elected.

"Resolved, That in view of the long continued injustice to the West, and in view of her splendid but neglected resources, we favor immediate steps for the erection of the State of West Texas, in accordance with the articles of annexation.

"Resolved, That an executive and corresponding committee be appointed to promote the object expressed in the last read resolution.

"The following gentlemen were elected members of the executive and corresponding committee;

Messrs. John R. Baylor, Edward DeGener, W. H. Young, and C. C. Gillespie.

On motion, Gen. Portis was added to the committee. The meeting then adjourned.

D. Y. PORTIS,
B. MAUERMANN,
Secretary.

It would be preposterous to assume, that a majority amounting to almost an unanimity of Bexar County in favor of division, could carry their point, without the hearty co-operation of an overwhelming majority of the Western people, and we suggest, on that account, that an executive committee be formed in each county subject to the ratification of mass meeting of the citizens, to ascertain the sentiment of the citizens residing in their district, and communicate the result of their inquiries to the central committee at San Antonio.

We reiterate in this connection, that party questions have nothing to do with the matter, as the division of the State is a question of welfare alone of all citizens, independent of party.

The point in view can not be accomplished without the cooperation of all the citizens; it is useless to proceed without knowing, that such co-operation can be relied upon. Thus we ask a clear and candid statement of the views of the citizens, residing in the Western portion of the State of Texas.

If Western Texas responds as is hoped and expected by the citizens of Bexar county, the undersigned committee will publish such documents as may be deemed necessary for the purpose of forwarding the interest in favor of division. If the response should be adverse to the expectations of the citizens of Bexar county, the undersigned committee will consider itself relieved from the duties imposed upon them by the mass meeting on March 8th 1875 in the city of San Antonio.

Jno. R. BAYLOR.
D. Y. PORTIS.
B. DEGENNER.
San Antonio, March 17, 1875.

NEW ADVERTISEMENTS.

EDUCATIONAL.

Prof. Walker,

Grateful for the past confidence and patronage, will open a Grade School in the Upper Room of the Flores Street School Building on

MONDAY, MARCH 22,

Ancient and Modern Languages, all Branches of Physics and Mathematics.

Beginning with Practical Arithmetic, French Reader, and corresponding studies, he would argue the branches of learning requisite to high mental culture, or to fit the student for college or university, or for the practice of law, medicine, or any other profession.

He is prepared also to establish a Normal Class.

Terms for Scholarly Month, in Cope:

Preparatory class.....\$2.00

Primary class.....4.00

Second Academic class.....4.00

Third Academic class, or 1st in college.....5.00

Fourth Academic class, or 2d in college.....7.00

The kindness and courtesy of His Honor,

the Mayor and Board of Aldermen, are ex-

tended, and Prof. Walker has reason to be-

lieve that a response on the part of our

citizens corresponding with this, mani-

fests itself. He has, however, with his

own landholders endeavored to es-

tablish a good and permanent tax-

ation, and he is of much service to the

aspiring youth of Western Texas.

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STATIONERY!

THE LARGEST & MOST COMPLETE ASSORTMENT IN LETTER.

NOTE.

FOOL'S CAP.

LEGAL CAP PAPER.

BLANK BOOKS,

NOTE BOOKS

COPY BOOKS

MEMORANDUM BOOKS,

SLATE PENCILS,

MARBELS,

INDIA RUBBER BALLS,

ETC., ETC.

Just arrived and for sale cheap.

Entenrieder & Co.

NEEDLES

All sorts, 50 cts.

doz., 5cts each,

warranted as good as the best.

New improved

Grover & Baker Shuttle Machines without

box cover, complete, only \$10. Oil,

LOCAL AFFAIRS.

HOURS OF SERVICE at St. Mark's Episcopal Church : 11 A. M. and 5 P. M. on Sundays. During Lent Wednesday and Friday at 7 A. M., and every afternoon except Saturday, at 5 P. M. Sunday school 9 A. M. Sundays.

FLANNELS and MUSLIN, Under Wear; and a good stock of first class furnishing goods at PANCOAST & SON.

CASES TRIED IN RECORDER'S COURT.—City vs Patricio Bermes deadly weapon fine \$25.00.

—City vs Patricio Bermes Resisting officer fine \$10.00.

City vs Francisco Padron Drunk and disorderly fine \$20.00.

City vs Francisco Padron and disorderly fine \$10.00.

City vs Francisco Padron Drunk and disorderly fine \$20.00.

PANCOAST & SON keep up with all the latest styles for their CUSTOM TRADE. Keep first class goods and do first class work. Give them a call.

PROF. WALKER has been engaged in our schools for some two years, and now proposes to systematize our means of educating so that all children may enjoy the advantages of a good school during the full scholastic year. His idea is that as far as the free school buildings are concerned, terms of tuition may be made so reasonable that parents can afford to save to a private school during six months, then be relieved by the State from pay, the children may continue under the same unbroken system the balance of the year.

The Professor enjoys the confidence and kindness wishes of many of our citizens, and holds an abundance of testimonials regarding the attainments, ability and success as an educator in the State of New York. See advertisement.

STOP that cough by using CLAVIN'S WILD CHERRY AND SQUILL. For sale by J. CLAVIN and A. DREISS.

ST. PATRICK'S DAY.—The Irish American Association observed St. Patrick's Day by a meeting at their Hall over Clavin's Drug Store. In the evening, at which addresses were delivered by T. A. Dwyer Esq., Rev. Father Johnson, H. MacCormack, Capt. Houston, and others. It was a literary feast, replete with historical incidents. Father Johnson is a historian, and Mr. Dwyer a lecturer who light we suspect is hidden under a bushel.

We will remark that our Irish-American citizens form one of the best elements of our population; they are good citizens; honest, industrious, intelligent and patriotic. We feel the sting of warm Celtic blood in our veins, and our heart is warm toward those who have left the old sod and made their homes among us. When St. Patrick lived we worshipped at the same cross.

UX CLAVIN'S Wild Cherry and Squills for all diseases of the throat and lungs. For sale by J. CLAVIN and A. DREISS.

PERSONAL.—We have been much gratified at making the acquaintance of Rev. John G. Fee of Berea, Ky., who visits our city with his son in search of health. Mr. Fee is a native of Kentucky, and although his family were slave owners, he espoused the cause of freedom, became a co-worker of that gallant man Cassius M. Clay, and during the days when John Brown excited the terrors of Southern slave owners, Mr. Fee, who was then a Presbyterian preacher, espoused persecution and mob violence, but never wavered in his devotion to the cause of freedom. He founded Berea college, an imitation after the character of Oberlin College; it is one of the most flourishing institutions of learning in Kentucky. In 1873 the attendance averaged 250, two-fifths white and three-fifths colored. Berea is a small village, delightfully located among the foothills of the Cumberland mountains and just upon the border of the famous "bluegrass" region of Central Kentucky, eight miles from a railroad depot, thirteen miles from Richmond, forty miles south-east from Lexington. The college buildings are very handsome structures. The faculty is complete, and the cost of tuition and living to students marvelously low.

We welcome Mr. Fee to Texas and hope his son may find new life in breathing our air, notwithstanding he may feel secure now and travel when he pleases without fear of molestation. West Texas, particularly San Antonio was always inclined to the side of freedom. Horace Greeley had admirers and readers here, and John Brown had disciples among us, and Abe Lincoln actually got a few votes for President in Medina county. However, whether related to the inception of these disorders of the stomach, bowels or liver, which give birth to the majority of diseases and disabilities, or taken when they have ripened into formidable maturity, are alike powerful to cure. The process of recovery is, of course, longer than the malady has gained headway, but it is not the less certain. Disease, notwithstanding, kills more suddenly than it does, and its suddenness is usually due to the operation of the grosser alternatives and irritants.

INNKEEPERS NOTIFIED.—Do not despair because your physician takes his dead. Deathbed opinions are not infallible, and there are many cases of the mark that when they are removed from the body, the patient recovers. Many physicians practice the fad of giving opium to the patient, the fad being generally called "opiate." The first two are dead's medicines; the last is a narcotic poison. The only medicine needed in Deathbeds and its components are Dr. J. WALKER'S CALIFORNIA VEGGAR. Bitter, the great vegetable tonic of the age.

Is it any Wonder?

In view of the immense amount of salesmen and adulterated baking powders used by the public, it is no wonder that any wonder that there are disease, gouty, decayed teeth, weak and useless muscles, and disordered digestion! See to it that you escape these evils by using Dr. Price's Oream Baking Powder, the only kind made, by a physician, with special reference to its healthfulness, and indispensability. It is the only powder we have had for years. We do not hesitate to endorse it as the best in the market, and also Dr. Price's True Flavoring Extracts, Orange, Lemon, etc.

GRAND OPENING OF "THE CRYSTAL!" —ON—

Saturday Eve, March 20.

THE CRYSTAL BILLIARD PARLORS

Bar will be opened on Saturday evening, March 20, at Nos. 38 and 40 Commerce Street, opposite the National Bank. The lovers of the beautiful game of Billiards please take notice.

Large and Attractive

AUCTION SALE OF DRY GOODS

AT—

L. BERNARD,
Main Plaza, San Antonio

—ON—

Closing Out Sale
COMMENCING
Monday March 22,

At 9 O'CLOCK, A. M. and to Continue Until the Whole Stock is Disposed of.

—ON—

THE STOCK CONSISTS OF CHILDREN'S LADIES' & GENTLEMEN'S BOOTS & SHOES, CLOTHING, HATS,

DOMESTICS, FLANNELS, SILKS, DRESS GOODS, SHAWLS, BLANKETS, LADIES' WHITE GOODS, NOTIONS, LACES, TRIMMINGS, RIBBONS, HOSIERY,

and such a variety of MERCHANDISE as is usually kept in a good retail store in the city.

THE STOCK will be sold POSITIVELY. A Good Chance for Retail Merchants as the Stock will be sold in lots.

Wright & Co., Auctioneers.
12-3-dwt

For Rent!

A Store on Main Street will be for Rent from the 1st of April to Oct. Enquire of A. PANCOAST & SON.

SATURDAY, MARCH 20.

Musical Entertainment
AT THE

CASINO HALL.

None but members and their guests, (non-residents) admitted. 10-3-dwt

WOLFRAM'S

CENTRAL GARDEN!

THE GRAND OPENING of this beautiful garden will take place next SATURDAY, MARCH 20.

The public are invited to avail themselves of this delightful retreat where flowers, trees, and the babbling waters of the San Antonio will cheer their hearts, and where the choicest refreshments can be obtained. A new

FOOT BRIDGE crosses the river at the foot of Yturri Street leading from Market street. 16-3-dwt

A. SCHEIDENWALD,

PIANOS,

MUSICAL INSTRUMENTS,

Music and Stationery.

10-3-dwt

A LOT of choice HATS, of the very latest styles, just received at PANCOAST & SON, Nov. 4th, 1874.

The Manufacture of HATS, is a science, not an art, and therefore, to be done well, requires a combination of dexterity, taste, and judgment. A trifling indisposition may, therefore, arrest a combination of dexterity, taste, and judgment, but far more formidable diseases, a multitude of ailments are traceable to constipation; fever and ague unbalances the entire nervous system, and thence follows the source of the protein aliment which affects this portion of the human organization. Hence, after a course of Bitters, however, whether related to the inception of these disorders of the stomach, bowels or liver, which give birth to the majority of diseases and disabilities, or taken when they have ripened into formidable maturity, are alike powerful to cure. The process of recovery is, of course, longer than the malady has gained headway, but it is not the less certain. Disease, notwithstanding, kills more suddenly than it does, and its suddenness is usually due to the operation of the grosser alternatives and irritants.

Blank forms for proposals, printed in diamonds as the number of articles, payment, kind of packing, quality of stores, etc., will be furnished on application to the Superintendent, or the Acting Commissioner of Substances at any of the posts named.

Samples of all articles, except Metal, must accompany each article sent to us, and we will make a full record of the same.

Please NOTE.—We deal in nothing round, injured, damaged, or adulterated in any respect, even the lowest qualities in the above list, are perfect in their degree, clean, pure, and unadulterated in every particular.

WE WANT ACTIVE AND RELIABLE AGENTS EVERYWHERE, to whom special inducements are offered. The business is honorable and respectable. Young and old, Rich and Poor, Male and Female, can get up clubs and set up Agents. Send for circular and begin at once.

Address,

HERMAN SCHREINER,
Capt. 9th Cav., A. C. G.

16-3-dwt

TRUSTEE'S SALE.

WHEREAS Lucy Payne and Joseph Payne have failed to pay unto the order of Dr. W. G. Kingsbury their promissory note dated May 19th, 1872, for one hundred and sixty coin dollars, due 90 days from date, and whereas said Lucy Payne and Joseph Payne on and before the 18th day of May, 1872, made and delivered their deed of trust constituting E. J. Silbert trustee, with instructions to sell the hereinabove described premises in case default be made in the payment of said promissory note, and whereas, W. G. Kingsbury, the said note, as aforesaid, has accepted said trust and agreed with the execution of his trust, therefore in pursuance of the powers vested in said R. J. Silbert as trustee by said deed of trust recorded in Bexar Registry, in Book V, No. 3, p. 274, 275, said trustee, R. J. Silbert, has agreed to sell the hereinabove described premises to the highest bidder for cash on Saturday the 3rd day of April, A. D. 1875, between the hours of 10 o'clock A. M. and 4 o'clock P. M., in the City of San Antonio all that parcel of land in Bexar County, City of San Antonio, containing 20 acres front on Santos street, bounded on the North by said Santos street, on the South by property formerly belonging to Sam'l Hall, on the East by property of Robert Sledge, and on the West by property of Green Thomas, having a front of 20 yards, and a depth of 37' yards, and being portion of land in property of James W. Lewis, and Robert Sledge from Hiram M. Lewis as per deed, recorded Aug. 1, 1872, recorded in Book W, No. 2, p. 225, and purchased by Lucy Payne on the 22nd December, 1870, and recorded January 10th, 1871, in Book V, p. 581.

... and Silbert for simple and plain deed of said premises in the name of said Lucy Payne and Joseph Payne will be made to the purchaser.

R. J. SILEBERT, Trustee. 4-3-dwt

FEB 27, 1875.

17 FEB 27, 1875.

