

The Indianola Bulletin

Devoted to Commerce, Agriculture and the Dissemination of General Information.

VOL. I.

BROWN & BRADY,

THE MEN OF CHURUBUSCO.

By C. P. HOFFMAN.

The "B" point them out after years—
The men of Churubusco fight!
And tender hearts will make with me,
The gallant spirits come in right,
With heart the field alives,
And here the field alives.

Was equal, in the deeds he wrought.

To any country five—

They'll point them out, those veterans then.

As far as broadest nation goes,

And east as west, you're solid,

As far as broadest nation goes.

The "B" sing their praises, when they're no more—

The "C" sing their praises fight!

And when their latest march is over—

As one by one falls to night—

Then girls will be glad to spare,

From the last battle, the last roar,

A hand full of the greatest hair.

Which waves so richly now—

And louder in the winds abroad—

Will raise amid the heaven mirth,

And fill, like "Churubusco's last!"

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TO THE PUBLIC.

The litigation of Burnley and Jones,

against Cooke and others, in regard to the

possession and title of the land immediately

above the mouth of Powder Horn Bayou,

has been repeatedly tried before the pub-

lic in some form or other, by (or, for their

partial friends), claiming that land under

title. Burnley and Jones believing that

a matter of private interest or controversy,

of the nature of this, was not one in which

the public had any concern, have not

thought proper to trouble the community,

with any discussion of their rights, or justi-

cation of their conduct in endeavoring to

enforce these rights in the Courts. They

would have been contented to permit this

drama to be acted out, to the dropping of

the curtain on the last scene—the final

judgment of the highest Court—without

offering anything, voluntarily, by way of

comment, through the press, on the con-

duct, actions or rights of the parties, imme-

diately or remotely connected with it; leav-

ing the audience before whom it was enacting,

then, to determine, upon the morality,

legality and *so forth* of the course each had

pursued, and the rights each had possessed.

In the absence of Dr. Jones, who has con-

ducted these matters for Mr. Burnley and

himself, I sent to the "Indianola Bulletin,"

on Thursday morning, June 10, a communica-

tion, which appeared in our issue of

June 17th.—Eos. BULLETIN.

Believing now, (as I then did,) that there

is an object on the part of those, who are

continually, on paper, discussing this matter,

and that the execution of that object

would result in injury to innocent and un-

specting individuals; as a duty to the

public, and in correction of errors made by

the Bulletin and its "soundest and most tal-"

"ented" correspondent, I beg leave to submit another statement of the facts of this

case.

A. T. Burnley commenced, in 1840, I be-

lieve, an action of trespass to try title,

against Cooke and others in the Federal

Court, which suit is at this time pending

and undecided. The trespass complained

of, was upon lands claimed by him under

grants, from the Mexican Government,

whose conveyances. The fact that Mr.

Burnley was not a resident of this State,

and the existence of that suit in the Fed-

eral Court until this time, insufficient evidence

of his right to sue there. But apart from

the mere right, there were other good sea-

sons for taking the case there: the Judge

of this district was brother of a party who

held by the spine title an undivided fourth

of this land, and was therefore incompetent

to the trial of the case; there was involved

in its adjudication a large amount of prop-

erty, and questions of law and fact, requiring

many books, much evidence, and able

and very patient investigation; for the ob-

taining and use of these, Galveston, was

and proposed to commence improvements on this land. Receiving information of this,

Dr. Jones, for himself and Mr. Burnley

sought and obtained, of Judge Buckley, an

injunction to *stay* the suit.

But charges are preferred against the

Judge of that Court in Congress, he is

neither holding Court or residing perma-

nently at Galveston—it is on the Rio Grande

or elsewhere—a new trespass committed

to the commerce of the country, it is attempted

to be conveyed as a matter of fact, that the

whole of Western Texas is interested in the

matter, perhaps so, but the parties immedi-

ately interested in it, are few. The right of

"eminent domain" exists alone in the State,

and I have heard no instance of authority

from the Legislature to allow

Burnley and Jones, to con-

demn this land, as belongs to Burnley and

Jones, for public or corporate, or individual

purposes, when they're no more—

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THE BULLETIN.

JOHN HENRY BROWN, EDITOR.

INDIANOLA, TEXAS.

THURSDAY, JULY 8, 1852.

The editor, we are happy to be able to state, is recovering from his sore affliction, and hence, are long, to greet him once more at his post.

THE FOURTH.

The Anniversary of the Declaration which secured to us the rich fruits which we now enjoy, was celebrated in this place on the 5th inst., in a becoming manner. According to previous arrangement, the fourth falling on the Sabbath, the festivities during the occasion were postponed until the fifth, when a goodly number of our citizens and their families or property, and the same every day, devolves and brings to light, crimes and atrocities revolting to recollection.

The Brownsville "American Flag" gives an account of a recent series of murders and robberies, perpetrated by a mixed band of Mexicans and Indians, on several American citizens, residing some forty miles above Brownsville. Public feeling in Brownsville on the reception of the above intelligence, had become greatly excited. A meeting of the citizens was called to decide what means to arrest the perpetrators of the deeds and to find out some way, if possible, to punish those acts, which if allowed to continue with impunity, will certainly depopulate that region of country. It appears to us, that prompt and energetic measures on part of our Government might stay if not eradicate completely, those evils which injure the citizens on the Rio Grande, and secure them the protection, which is their due and right.

Already lies the Beach between the outskirts of Indianola and Powder Horn Bayon commenced to show the onward spirit, which our citizens are actuated with, several very pretty residences have been erected recently on eligible spots on the road; among the number just completed is the very tastily and comfortable house of our friend, Mr. Ashworth. Several other houses for our citizens are under contract and we have no doubt are many months roll over, the barren waste will give way to the curling smoke, and comfortable appearance of homes.

The Galveston Citizen of the 29th ult. says the same Nick Hill by the last accounts has ascended the Trinity as far as Fort Belknap, forty miles below Dallas, and some hundreds of miles further than any other steamboat has ever gone. His further progress was barred by the rail.

(For the Indiana Bulletin.)

I. O. O. F.

MASON, BROWN & DRAKE. On the 20th June last I had the pleasure of witnessing the very interesting and imposing ceremony of organizing an Odd Fellows Lodge in Indianola.

Western Texas Lodge, No. 25, I. O. O. F., was initiated, and the following named brethren were elected and installed into the several offices, to serve for the present term ending the 1st December, 1852: A. K. Pier, N. G.; H. E. Bogart, V. C.; D. S. Woodward, Secretary, and F. B. Hughes, Treasurer. On the same evening five Neophytes were initiated into the mysteries and beauties of Odd Fellowship, and from the zeal manifested by the officers and members of this new Lodge in the good work of Friendship and Benevolence, I can in truth say, the principles of our beloved Order will not prove in hands like these.

Should our conjecture be correct, "well, America has lost a friend—the world, a man."

From the semi-weekly "Western Texan" of the 26th ult. we learn that the jail at San Antonio was without a single occupant, and that it was offered to rent. This speaks well for San Antonio, and more credit to her citizens, than all the eulogies that could be pronounced.

The "Western Texan," published at San Antonio, comes to us this week, with a new feature, that is, the publisher has issued a semi-weekly sheet, at the low price of one dime per week. We heartily congratulate our cotemporary, and hope he will meet with the success which the enterprise merits.

We are informed that the cholera has made its appearance in Victoria, and that a number of deaths have occurred from it, but we presume, as was the case with Indianola, the number has been greatly exaggerated.

The Report of the Engineers and Commissioners, appointed to select the terminus of the projected Gulf Rail Road, will be rendered on the 15th of this month. There is little, if any doubt, but that the decision of those gentlemen will be as we all anticipated.

The Editor who recently addressed his readers on the subject of Rail Roads, in the following strain, is understood to have left for California. The folks were not fast enough for him:

"Look around you at the world, all going on the wings of lightning, and the power of steam, at the rate of thousands of miles per second by the former, and you are here, standing on the banks of a little narrow prairie, deserted, unbroken, boundless, shallow sheet of water, with all your past year's earnings going to waste around you, waiting for rain. Looker you—men of energy in everything, but Rail Roads. Why the world will run over you and distance you, leaving you in darkness, unless you go to work, talk with tongues of lightning, and travel with Rail Road speed."

The schooner *Velasco*, Capt. Lemire, arrived at this port on Monday last, from the Salinas, with a cargo of milled iron, consigned to Astor Fromme. The trip was made in the unprecedented time of less than three days, against constant headwind and heavy weather.

DEPREDATIONS ON THE RIO GRANDE.—The state of affairs which has existed for sometime now, on the Rio Grande, surely cannot be tolerated much longer. The lives of American citizens are sacrificed with impunity. No guarantee or security have they for their families or property, and the same every day, devolves and brings to light, crimes and atrocities revolting to recollection.

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Ruby wine sparkled on the board, good feeling and fellowship reigned supreme, and after some two hours spent in pleasant interchange of thought and sentiment, the assembly adjourned, bearing with them the hope, that the Anniversary may ever be celebrated, and the day held sacred for ages to come by every one who bears the proud title of American citizen.

There were many good reasons drunk on the occasion, but owing to the press of matter on our columns this week, we will have to omit them.

We have promised to keep our readers posted up in regard to the health of the town. We have taken pleasure in informing all that, during the past week, there has been no cases of cholera among us, and we very believe that this terrible disease has left us, bag and baggage, and hope it may be a long time before it will again pay us a visit.

By reference to our advertising column, it will be seen that Mr. L. H. Wood has taken the room connected with the Alameda House, where all having watches, jewelry, or anything in his line of business to fix, can be accommodated.

HASTY CLAY.—The last accounts received of this eminent statesman give but little hope that he will ever again perform in the changing panorama of life. That the final grand act is drawing to a close, and the curtain will soon fall there can be but little doubt. By the steamer which is hourly expected, we would not be surprised to learn that the giant oak has fallen, and nothing remains of a once great man but a name, which will live as long as history records the deeds of those who devoted their lives to the welfare of their country. Should our conjecture be correct, "well, America has lost a friend—the world, a man."

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(For the Indiana Bulletin.)

MASON, BROWN & DRAKE.—In your paper of the 17th ult., I see a communication from A. which may be all correct as to the substantial facts and legal conclusion, but a sense of justice to an old esteemed and departed friend, calls from me a few remarks. I send to Don Martin De Leon, the empress of De Leon's Colony, whom I knew well, and esteemed highly, he was a man too proud to do anything in a low, undermining & conniving way, what he done was bold and daring, by virtue of authority or power, neither could or would he care for gain, impose pretended and unauthorized titles upon simple and unlettered colonists.

In the communication of A. you make with this reading, "Now that there was an empresario by the name of Martin De Leon, who about that time assumed grants to his land, it is true, this induces me to write to him in the Ten Coast League, between Guadalupe and Laredo, now, your correspondent uses the words 'it is true,' but he could be false would have been much truer, for the truth is, that Don Martin never received a colonist, or made a grant within the said Coast League, which is well demonstrated from two facts, viz: first, that De Leon died in July, 1834, and second, that no title was made in the Coast League until April 1842; hence, the conclusion is, that the said of pretended grants is not on his shoulders. If it is said, that he received the grants with that intent, I can only say that your correspondent holds the affirmative and justifies it; but I can say, that I have seen the petitions of some individuals made in 1832, and unanswered at his death, and afterwards answered by Placido Venezuela, as empresario ad interim, which goes to show that he was scrupulous in his actions, and was averse to matters of imposition. This exonerates the old father and founder of Victoria, which is all that prompted this pet to scribble, as the same time disavowing all personal ill will to your correspondent, or any interest in the result of your legal masters, but being an old seeder, I caution you to set down straight against them in Justice."

Mr. Bullitin, I had intended to stop here, but on reading it over, I find that another old friend is in the same predicament in which Mr. A. brought Don Martin, viz: the Commissioner, Don Fernando, and being a very knowing man as you perceive by what I have said, I will say a few things, throwing light on his acts, that I don't know, viz: did Don Martin's death terminate or conclude his colonial contract? I don't know. I believe the lawyers say that all personal contracts terminate with the death of the contractor—it may or may not be so. Again, where did Placido Venezuela get the authority or title of empresario? I don't know. Again, where did all the colonists come from? Whose names are to the deeds in the Coast Colony? I don't know. Certain it is that Musgo Manso, and the De Leon's out of this section of country, containing about fifty-five leagues, got about forty-six, making a few, six or eight leagues, to actual colonists. This at first sight, might seem to hint something like fraud—another is it easy to explain it satisfactorily, but if the truth was known it would be something like this: Mexico had recently emerged from an array of conquests, and the will of separation was law to all inferior without any regard to separate functions or political divisions, and less strength than that a Mexican at that time should see no reason why a Colonist in the army should not make and control the authority of an Alcalde, or why a General of Division, or a Political Chief, (Hijo de Pueblo,) should not control the action and even rights of emigrantes who were mere children. The idea that they had no jurisdiction in such matters never crossed their minds, they were high in office, in the habit of using real power and not caring for that sort of power which was written in a pamphlet called the constitution, and by his own admission, this seems to be the all-embracing empresario, and true explanation in this case, which seems to be shrewdly hinted at in the communications or letters of Gen. Teran, as also the conduct of the political chief Maiques, who is still put somebody in the year 1835 in possession of those Coast Leagues (as Don Martin was dead at this time it could not have been him,) we therefore are left to conjecture, that it was this said political chief that settled the dispute between Power and De Leon, which at this date was easy done, (Power's time had terminated and De Leon was dead,) so by simply making Placido Venezuela, empresario ad interim, all would be right. This was not hard to do, as an officer of that government never wanted authority. There is a very good reason for believing this conjecture true; the said Musgo obtained six leagues of land within the said interior colony, which he could not have had without the creation of this new one, and the power to colonize this newly acquired colony, this stretch of power might not have seemed great to him who was used to power, and certainly not to the De Leon's who were a plain, but noble family. It should be noted, why I saddle this matter on the political chief, I answer that I have no other reason than that it is more likely to be true, from the fact that it is not so farfetched than his own Society, it is said, has done all it could do to prevent or compensate these inequalities. Our political institutions have guaranteed equality of rights to every member of society, and assured a free party to individual energy, intent, and daring by the mountain of incumbrance which he imposed.

Why this equal, wandering vagrant houses and swarms among the shades of luxuriant opulence? Why this huge mass of ignorance in the midst of all these ostentatious provisions for education—his unshaking vice even under the droppings of the sanctuary? Why is the light of this young soul quenched in its opening by the mountains of incumbrance which he imposed?

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