

San Antonio Express.

VOL. II.

SAN ANTONIO, TEXAS, MONDAY, JAN. 13, 1868.

NO. 22.

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

DR. NOHL,
CITY PHYSICIAN,
 Residence: Opposite Green's east side of the river.
 Office hours before eight o'clock A. M., and from 2 to 4 P. M. (dec. 5-dw if)

MORTIMER SLOCUM, M. D.,
 Tenders his services to those citizens of San Antonio who wish to have medicine administered according to the Homoeopathic Law of cure.
 Office on Main street, two doors west of Post-Office. dly

NOTICE.
 HAVING been educated as Midwife in Germany, and having done business as such with good success for long years, I solicit the patronage of the public of San Antonio and its neighborhood, and promise to justify the confidence which the public may place in me.
 My residence is Alamo street, near Feldmann's Bakery.
MARY KLAEBE,
 San Antonio, August 20, 1866. no49-if

MRS. ECKEL,
 Graduate of "Marburg Institute Europe," offers her services to the people of San Antonio as Midwife. Her long and varied experience in this service renders her one of the best professions.
 Residence, Main Avenue, opposite house of Mr. William Elliot. 6-ly.

Lawyers.
S. G. NEWTON,
ATTORNEY AT LAW,
 414-3a&wtf SAN ANTONIO, TEXAS.

W. S. LEIGH, **A. DITTMAR**
LEIGH & DITTMAR,
LAWYERS,
 SAN ANTONIO, TEXAS.
 OFFICE FRENCH'S BUILDING, ROOM NO. 15. 147d&wtf

THEO. HERTZBERG & J. HOYER,
Notaries Public,
 COMMERCIAL STREET,
 Two doors east of Nette's Drug Store, sep18y SAN ANTONIO.

M. H. SOWERS, **A. B. WALKER**
BOWERS & WALKER,
 ATTORNEYS AT LAW,
 Office—Congress Avenue,
 (no. 11-ly) Austin, Texas.

JESSE STANCEL,
Attorney & Counsellor at-Law,
GALVESTON, TEXAS.
 Prompt Attention to Business. no84ly
 May 17, 1866.

Hotels.
Klopper Hotel.
 FIRST CLASS ENTERTAINMENT!
 Mrs. KLOPPER calls the attention of her friends to the extra facilities for travelers with teams. Attached to her house is a spacious yard fronting on the river, where any quantity of stock can be secured.
 411f Commercial street, San Antonio.

WASHINGTON HOTEL,
 Galveston, Texas.
M. F. THOMPSON,
 Proprietor.
 146, 17

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

STEVENS HOUSE,
 21, 23, 25 & 27 Broadway, N. Y.
 Opposite Bowling Green,
 ON THE EUROPEAN PLAN.
 The Stevens House is well and widely known as the traveling public. The location is especially suitable to merchants and business men; it is in close proximity to the business part of the city—in on the highway of Southern and Western travel—and adjacent to all the principal railroad and steamboat depots. The Stevens House has liberal accommodation for over 300 guests—it is well furnished, and possesses every modern improvement for the comfort and entertainment of its inmates. The rooms are spacious and well ventilated—provided with gas and water—the attendance is prompt and respectful—and the table is generously provided with every delicacy of the season—at moderate rates.
 The rooms having been refurbished and remodeled, we are enabled to offer extra facilities for the comfort and pleasure of our guests.
GEO. K. CHASE & CO.,
 June 15-4 Proprietors.

HIDES
 Bought at the
HIGHEST MARKET PRICE,
ELMENDORF & Co.

Cards of City Merchants.
TH. HERTZBERG, **F. SIMON.**
HERTZBERG & SIMON,
 Glassware, Mouldings,
 Pictures, Pipes,
 Fancy Goods, Brushes,
 Stationery, Music,
NEWSPAPER AGENTS,
 Commerce Street,
 at S. S. Sampson's old stand,
 SAN ANTONIO.

DRESEL & BRIAN,
WHOLESALE & RETAIL DEALERS
in
Dry-Goods and Groceries,
HATS,
SHOES,
CROCKERY,
NOTIONS.
 San Antonio, April 25, 1867. 118f

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

WULFF & SHETELIG,
Importers
General Commercial Agents,
 CHIHUAHUA, SAN ANTONIO,
 Mexico, Texas,
 je23 cor. Alamo & North streets

A. STAACKE,
 AGENT FOR THE MANUFACTORY OF
Wilson, Childs & Co.,
PHILADELPHIA.
 Orders for any kind of their work solicited.
 San Antonio, Texas, July 4, 1867.

Bankers.
W. A. BENNETT,
Banker,
 Dealer in Exchange and Government
 Securities,
 San Antonio.
 Will pay particular attention to the collection
 of Claims at all accessible points in Texas.
 d&wtf

J. S. Lockwood,
BANKING AND EXCHANGE OFFICE,
 on Commerce street,
 opposite Bell & Bros. Jewelry store,
 San Antonio.
 Currency and Exchange bought and
 sold; Collections made on all accessible
 points. 80 if

E. A. FLORIAN,
INSURANCE AGENT,
 No. 3, French's Building,
 SAN ANTONIO, TEXAS.
 Capital Represented,
\$9,000,000
 December 19, 1866. 43m

FOCKE & WILKENS,
COTTON FACTORS,
 and
General Commission Merchants,
 OSTERMAN'S BUILDING, GALVESTON.
 Exchange on New Orleans New York,
 London, and Hamburg. Jan8ly

ALBERT TURPE,
COMMISSION MERCHANT,
 EAGLE PASS, TEXAS.
 The highest Cash Price paid for
 Hides. sep17f

EMPIRE
Shuttle Sewing Machines.
 ARE SUPERIOR TO ALL OTHERS.
 Ranging from \$15 to \$24 per Dozen.
 Also, fine German Wines, such as
 CONSISTING OF—
FOR FAMILY AND MANUFACTURING
PURPOSES.
 Agents wanted. Address, EMPIRE'S M. CO.
 516 Broadway, New York

Important Notice.
 All petitions in voluntary Bankruptcy
 must be filed previous to 2nd March, 1868,
 If filed after that time, no discharge will be
 granted unless the Bankrupts Estate will
 pay fifty per cent. W. D. PRICE,
 dec 20wtm2 Register 3rd Con'g Dist.

WM. SMITH BROWN & CO.,
 Manufacturers and Wholesale Dealers in
Boots and Shoes,
 No. 53 Chambers Street,
 sep21w6m New York.

New York Cards.
R. FEINBERG & CO.,
 Importers of
French, English & German
FANCY GOODS.
 4 & 6 Warren Street, near Broadway
 NEW YORK.
 August 2^d. [no48ly.]

E. S. JAFFRAY & CO.,
DRY GOODS,
350 Broadway,
NEW YORK.
 Flannels, Hosiery,
 Gloves, Dress Shirts,
 Collars and Ties,
 Ribbons, Laces,
 Skirt Brads,
 Lace Articles,
 Dress Goods, Silks,
 White Goods,
 Linen Goods,
 Embroideries,
 English Crapes,
 Shawls,
 Cloaks,
 Yankee Notions etc. etc. etc. 17septf

CONKLIN & DAVIS,
 SUCCESSORS TO
J. CONKLIN & CO.,
GROCERS,
 and
COMMISSION MERCHANTS,
 No. 91 Front street,
New York.
 A. L. CONKLIN,
 L. E. DAVIS. je20

G. SCHMIDT, **ROBERT VOIGHT.**
SCHMIT & VOIGHT,
GENERAL
Commission Merchants,
 Handley's Building, 41 Pine Street,
GALVESTON, NEW YORK.
 August 25. [no48-ly.]

BURTIS & FRENCH,
 Importers and Jobbers of
CROCKERY,
CHINA AND GLASS WARE,
 No. 12 Barclay street,
 (Four doors below Astor House.)
 je28ly.] **New York.**

BOGERT & OAKLEY,
 IMPORTERS AND WHOLESALE DEALERS IN
American, English, German, & French
Hardware,
Cutlery,
Guns, &c.,
 89 Pearl street, and 56 Stone street,
NEW YORK.

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

W. WESTHOFF, **L. FREUS.**
W. WESTHOFF & CO.,
INDIANOLA, TEXAS,
Wholesale Grocers,
Forwarding and Commission Merchants
And Dealers in Hardware.

G. W. WARE & CO.,
Commission Merchants,
 AND DEALERS IN
Hides, Wool, &c.,
LAVACA, TEXAS.

FRASER, Major & Co., New York,
 Canal Bank, New Orleans,
W. H. H. Withersall, Esq., New Orleans,
 William Chrysler, San Antonio,
 National Bank of Texas, Galveston,
 Heyck & Holfertich, Lavaca,
 Charles Taylor, Esq., Indianola.
 See 10dly

A. C. WHEELEY, **CHARLES HASKINS,**
 late of Walker's Div. of the Terry Ban.
McNEENEY & HARGRE,
Receiving, Forwarding
AND
General Commission Merchants,
ALLEYTON, TEXAS.
 We cheerfully recommend this firm as being
 prompt, reliable, and worthy of patronage.
 A. H. EDST, Galveston, Texas.

J. E. COWEN,
IMPORTER AND JOBBER
OF FOREIGN AND DOMESTIC
DRY GOODS,
BOOTS, SHOES AND HATS,
Strand,
GALVESTON, TEXAS.
 Particular attention to filling orders, accom-
 panied by cash or produce. 1286f

HEADQUARTERS FIFTH MILITARY DIST.,
NEW ORLEANS, Dec. 27, 1867.

[CIRCULAR.]
 On the 1st day of February, 1868, or as soon thereafter as practicable, Boards of Registers throughout the State of Texas, will make the following return and lists:
 A return showing the number of persons, whites and blacks, registered during the period of revision, January 27th to the 31st, 1868. The number of persons, whites and blacks, stricken from the registration lists during the same period, and the total number of persons, whites and blacks, remaining on the registration lists after revision.
 A list of the names of those stricken from the registration lists during revision and the reasons assigned therefor.
 A list of the names of those who applied to be registered during the period of revision but were rejected, and the reasons assigned.
 The above return and lists will be carefully prepared, and when complete will be forwarded to this office with as little delay as possible.
 By Command of
Maj. Gen. W. S. HANCOCK,
GEORGE L. HARTSUFF,
 Assistant Adjutant General.
 Official:
NATHANIEL BURBANK,
 2d Lieutenant 35th Infantry, Brevet 1st Lieutenant U. S. Army, Acting Assistant Adjutant General.

NEW STYLE OF NEW YEAR'S CALLS.

As the custom of calling on New Year's prevails in St. Louis as well as in New York, the following paragraph from the New York Evening Post, will interest our city readers:
 There is an insidious foe in the field. With astonishment and pain we have perused a circular, announcing that "New Year Calls are delivered by _____'s Special Message Post, _____ street, New York." We omit name and address, from consideration of public morality. No such pernicious scheme shall be indirectly assisted even by the publicity connected with our censures. All good men should unite to discountenance this treason to society, and to overwhelm with indignation the lazy wretches who avail themselves of such an ignominious escape from duty.
 If this practice should be allowed we should have people, before long, sending their cards to church. Perhaps, in some cases, it might save trouble and make no great difference if the pews contained bits of engraved pasteboard, and the pulpit were occupied by a carte de visite of the minister; but we are persuaded that, on the whole, the community would be gradually demoralized by such an example.
 Put case before us in its proper aspect. Mrs. Brown announces that she will receive New Year's calls at box 7042, Postoffice. Young Jones visits the queen of his soul, to make her an honorable and ardent offer of marriage, and is met at the door by a servant, who hands him the young lady's card, with the request that he would write upon it what he has to say.
 Manifestly, it would speedily become unnecessary to all, and the population of the world might be reduced to a few manufacturers and engravers, with carte blanche for the remainder. The first proximo shall have no proxy from us; we have somewhat to say in person to Arabella, and there are numerous fair ladies graciously desirous of hearing from our own lips that it is a fine day, finer than last year, but not so fine as the year before.

A SUMMER NIGHT IN RUSSIA.

The sun shines in St. Petersburg in June and July, for twenty hours a day; and even scarcely disappears beneath the horizon. I never experienced such sweltering weather in any part of the world except Aspidwahl. One is fairly boiled with the heat, and might be wrung out like a wet rag. Properly speaking, the day commences for respectable people and men of spirit—tourists, pleasure seekers, gamblers, vagabonds and the like—about nine or ten o'clock at night, and continues till about four or five o'clock the next morning. It is then St. Petersburg fairly turns out—then the beauty and fashion of the city unfold their wings and flit through the streets, or float in Russian gondolas upon the glistening waters of the Neva; then it is the little steamers skim from island to island, freighted with a population just waked up to a realizing sense of the pleasures of existence; then it is that the atmosphere is balmy, and the light wonderfully soft and richly tinted; then comes the sweet witching hours, when "Shady nooks Patiently give up their quiet being," None but the weary, labor-worn serf,

who has toiled through the long day in the fierce rays of the sun, can sleep such nights as these. I call them nights, yet what a strange mistake. The sunshine still lingers in the heavens with a golden glow; the evening vanishes dreamily in the arms of the morning; there is nothing to mark the changes—all is soft, gradual and luscious. A peculiar and almost supernatural light glistens upon the golden domes of the churches, the glaring waters of the Neva are alive with gondolas, miniature steamers are flying through the winding channels of the islands, strains of the music float upon the air, gay and festive throngs move along the promenades of Nevski, gilded and glittering equipages pass over the bridges and disappear in the shadowy recesses of the islands. Whatever may be unseemly in life is covered by a rich and drapery of twilight.—
J. ROSS BROWNE.

MEXICO.

Our advices from Northern Mexico are of the most cheering kind. The mining interest were never in a more flourishing condition, while the fact that trains loaded with wheat and other produce arrive in our town every few days, and our frontier posts on the El Paso route are supplied from Chihuahua and other North Mexican States, is sufficient evidence of their agricultural prosperity. The French never penetrated North of Monterey and they have no army desolations to recover from. The South has not been so fortunate.

The following reaches us from Havana, December 26th:
 The steamer Virginia, from Vera Cruz on the 20th instant, via Sinal on the 23d, arrived here to-day. She brings dates from the City of Mexico to the 19th instant. There was much misery throughout the Republic in consequence of the exhaustion and disorganization caused by the protracted war for independence.

A general call was made upon the Government to take effective measures to prevent the increasing brigandage, to which many people were compelled to resort by hunger.
 Peace had been re-established at Tepic. An official count for the votes for President was to take place in the Capital on the 20th instant. The majority for Juarez is known to be very large.
 Several prisoners confined in Perote had been liberated.
 Many disturbances of the public tranquility had taken place in the different parts of the Republic.
 The revolution in Yucatan was assuming large proportions.
 Santa Anna had been proclaimed dictator by the revolutionists, and was expected hourly to arrive from Havana with men and a million of dollars. The fort and town of Sinal were in the hands of the Sinals, but the port was blockaded by two Mexican gunboats.

A number of officers who formerly served under the Empire had arrived at Sinal from Matamoros on the 16th instant. An engagement took place between the Mexican gunboats and the batteries on the shore.
 The coast of Yucatan, in the vicinity of Sinal, was diligently watched to prevent the landing of troops coming from any foreign country to aid the rebellion.
 When the steamer Virginia, left Vera Cruz, on the 20th instant, the Mexican steamer Tobasco was ready to sail for Sinal on the next day, with an expedition to restore the authority of the Government at that place. She had on board five or six hundred men, and several pieces of artillery.

Santa Anna is in this city.
 Many ex-imperialist officers have arrived here. They all seem to be very busily engaged.
 A telegraphic dispatch the other day came from London to Washington in nine and a half minutes. Suppose it to have kept on around the world, the circuit would have been made within an hour. What said Shakespeare? "I'll put a girdle round the earth in forty minutes. If the dispatch referred to above, had started from London at one minute past eleven on Dec. 20, it would have gone around the globe and arrived at its starting point by fifty-eight minutes past eleven Dec. 19—apparently making the girdle of the earth nearly twenty-four hours before it started. "Canst thou send the lightning, that they may go and say unto thee, Here we are!"

The heaviest fall of cheese this season occurred in Eighth avenue, New York, a short time since, a monster cheese, weighing 7,000 pounds, having broken down the truck on which it had been loaded.

The Daily Express.

Official Journal of the United States.

Official Journal of Bexar County and City of San Antonio.

W. B. MOORE, A. SIEMERING, J. W. NEWCOMB. A. Siemering & Co., Publishers.

MONDAY, JAN. 13, 1868.

We are authorized to announce GEO. W. PASCHAL as a candidate for Delegate to the Convention from this District.

MAJOR GENERAL GILLEM'S REPORT—NEGROES MIS-REPRESENTED.

The officer whose name appears at the head of this article, has made an elaborate report to General Ord, under his official title as Assistant Commissioner of the Freedmen's Bureau of Mississippi. This report is written from the "white man's" stand-point, which platform is seemingly not too narrow for men to get upon who have fought through the war in assisting to suppress the slaveholders' rebellion. It is based upon the supposition that the relation of employer and laborer must always exist between the races, and whenever this relation is disturbed the laborer will seek revenge at the hands of the "ruling class."

This unfortunate belief existing in the minds of men of education and position is working great mischief against the freed people, and is only the continuation of the heresy promulgated by Justice Taney, when in his review of the African race he discovered that European nations had, for more than a century previous to the establishment of this nation, regarded them as an inferior race, "totally unfit to associate with the whites either socially or politically, and so far down in the scale of animals that they had no rights which the white man was bound to respect;" and in 19 Howard, page 410, this fallacy is perpetuated in our American system by Justice Taney.

These subtle but able arguments, sustaining the "Dred Scott" decision were so forced into every law presented to the consideration of Congress, that the free people of the Northern States passed the Personal Liberty laws, which simply required that the citizens who were arrested there should be tried where arrested instead of being forced before a Court in a Southern State, where all whites believed that the negro possessed no rights, in nor out of Courts; of course his associates—necessarily all negroes—could not testify, and the victim never returned. This is the main charge of rebels against abolitionists. War finally came, and the matter is settled forever.

Now the planter is left with his broad acres, and his brand is on all the stock. The wild forest is deemed his heritage and the broad plains the exclusive pasturage for his flocks and herds. The negro is left with his browney muscle, and, under the interpretation of General Gillem, the alternative of going into a patch, staked out by his natural enemy, upon the best terms he can make—generally gives two thirds to the land-owner—or starve. The General, in his report, says:

"There is another subject worthy of attention in this connection. There seems to be a wide-spread belief, which is daily increasing among the freedmen, that the land in this State is to be divided and distributed among them; and in some sections of the State this illusion is assuming a practical form by the freedmen refusing to contract for the next year, or to leave the premises they have cultivated this year."

That he willfully misrepresents these people we do not believe. That he is grossly imposed upon by the voluntary advice of the late master class, who have no means of judging the opinions and hopes of the negroes and who are ever ready to misrepresent them, is apparent in every line of the report. There is not a hundred negroes in the South who expect the lands to be divided out to them as above stated. They have a burning desire to possess a homestead where they can raise their beans and corn and bread, and the privilege to raise their meat. In short, to so diversify their product that when one article fails another will grow. They have an intense determination to throw off the influence that concentrates their energies upon one article of growth that fails four times in five and makes them beggars four-fifths of their time. They have an intense determination to break the power that hires them four months of the year and makes them vagrants the remainder of the time.

In short, General Gr. has, General Greg-

ory and General Thomas, have long since learned that the only solution of this vexed question is for land-owners to sell up their plantations into small tracts and sell or lease them on long time to the yeomanry. Encourage them in organizing industrial communities and building school houses. Discourage and break down the Landlord system.

Since the days when the Roman slaves under Sparticus revolted and overthrew their masters, down to the oppressions of English Landlords in Ireland, the theory has worked naught but evil. It must never be inaugurated in America. The negroes have no definite idea how the rule of the large land-holders is to be broken, but they look to the men of this Government to do it. To charge them with an intention to forcibly seize and distribute the lands can emanate only from a mind totally blinded by rebel sophistry. No better proof of the fact that every rebel argument against the negro is exhausted in this report is needed, than the fact that every rebel newspaper publishes the report with an exultation, amid great flourish of trumpets.

SPITE—ITS EFFECT.

The announcement that the cholera was on the verge of an epidemic in this city, was made in the rebel Herald, merely to oppose the conjectures of this paper. If the matter ended here, we, nor the community, would care; but that statement has gone abroad. The papers of the State repeat it, and we learn from the Chief Justice of Wilson county, that it is believed the cholera rages here as an epidemic. From other sources we learn that many who usually trade in San Antonio, go as far as the coast to make purchases through fear of the epidemic. Is he who allows personal spite to rise above the public good, a fit journalist?

FIRE AT INDIANOLA.

We sympathize with our neighbors at Indianola in their terrible affliction; eighty thousand dollars utterly swept out of existence, in one of our western cities, is hard to spare. Indianola is built entirely of wood, and we hope when the "brist district" is rebuilt, they will use brick, as they can be obtained at a small advance on Philadelphia rates. Ships always being ready to carry them as ballast. When the Gulf railroad is completed, we will supply them with our fine lime stone, the best building material in Texas.

By Telegraph.

[SPECIAL DISPATCHES TO THE EXPRESS.]

Markets.

New York, January 10.—Stocks very strong. Money and sterling unchanged.

Gold 137 1/2. Bonds 87. Arrived Steamers Persia.

New Orleans, January 11.—Cotton active; sales 5190 bales; receipts 8000 bales; exports 5477 bales; Middling 15 1/2; sales for the week 32230 bales; receipts 22078 bales. Gold 136 1/2.

London, January 10.—Consols 92 1/2. Bonds 71 1/2. Stock 419,000 bales including 94,000 bales American.

At sea from Bombay to Liverpool since last report January 1st, 170,000 bales.

Baltimore, January 10.—Cotton dull 15 1/2.

New York, January 10.—Cotton more active and firmer; sales 6,000 bales at 10 1/2.

Flour dull; State \$8.80 to \$11; Southern \$10.20 to \$10.50.

Wheat dull. Corn heavy. Mixed Western 37.

Liverpool, January 10.—Cotton firm unchanged; more doing; sales 12,000 bales.

Total stock at sea, 211,000 bales whereof 115,000 are American.

Louisiana Convention. New Orleans, January 10.—The Convention is rushing the Constitution, getting as far as article 67 to-day; adjourned to meet at 7 o'clock this evening.

The Convention is still in session and it is reported that the sudden activity was caused by letters from prominent politicians at Washington.

European. Berlin, January 10.—At a conservative dinner Bismarck reviewing the situation said war with France this year was a phantom, and urged his hearers to dismiss all fears.

Congressional.

WASHINGTON, January 10.—The Senate proceedings were unimportant until the House bill, suspending the contraction of the currency, came up.

An amendment was offered that nothing in this or any other bill shall be construed to increase the currency except the fifty millions revenue notes already authorized.

The bill was defeated by a vote of 30 to 17.

The bill was discussed to the adjournment. The House bill creating a new commission of whisky meters was passed.

The Supreme Court—New Hopes for Rebels.

WASHINGTON, January 10.—The proceedings in the Supreme Court are attracting intense interest. The impression is that the bench will decide adversely to the Constitution. The following occurred to-day:

Judge Black moved that a day be appointed for a hearing of the ex parte cases.

Mr. Stanberry objected to arguing the cases on behalf of the Government, because he had written opinions sustaining the other side.

The matter was deferred upon Stanberry's suggestion, until the Government could arrange it to appear by some other course.

This case is that of Colonel McCordle, editor of the Vicksburg Herald, who was imprisoned by General Ord.

The decision is looked for every day, and the impression is very general that a writ will be granted which would virtually set aside the law.

The second case involves the constitutionality of the law by which Congress authorized the sale of captured property and directed the proceeds to be paid into the Treasury. At the same time the claimants might at the end of two years bring suit for recovery through the Court of Claims.

The case comes up through the owner of a lot of cotton, who brought suit directly against the officer making the seizure. This latter person pleads the law as his defense.

In what is known as the Virginia case, efforts were made to devise means in which Congress can proceed in nullifying contracts between States. It comes into court on the motion of parties representing Virginia and claiming the accession of the counties of Berkeley and Jefferson to West Virginia as not valid. Although notified by Congress, the State of West Virginia provided for recovering these counties upon the consent of Virginia being given. The consent was obtained, and Congress was asked to ratify the contract. Before the action of this body was consummated, Virginia withdrew her consent; but Congress paid no attention to their action, and proceeded to ratify the agreement. Virginia claims that such action was unconstitutional, and comes into the Supreme Court to test it.

Several years ago one of the principal thoroughfares of London was regularly patrolled by a beggar who asked alms of no other passers except old ladies. "O'young lady! have pity on a poor beggar." He was singularly successful in his appeals. In reply to an inquiry, he explained his success thus: "You see sir my plan pleases all the ladies. Some of 'em believes me, and are pleased by the compliment. Others see it's all a sham; and they are tickled by the joke. So you see I get something from all of 'em."

New Advertisements.

List of Letters

- Remaining in the Postoffice, at San Antonio, up to the 11th day of January, 1868. August, Joseph; Bell, Charles A.; Beck, Ohio; Batt, Charles; Brodbeck, P.; Buchanan, Hannah; Brown, William; Bays, W. F.; Crawford, A. C.; Caldwell, G.; Cullen, Jas.; Childs, James; Clark, W. H.; Doughty, Mrs. M. C.; Dunn, Matt; Fuentes, Pedro; Freeman, John P.; Ford, J. J.; Galan, Francisco; Gilroy, G.; Holmes, William; Howard, Mrs. Maria; Harper, Mrs. Martha; Hopkins, Michael; Hancock, Jasper; Holsinger, H. J.; Johnson, R. B.; Jick, P.; Kelly, Mrs. C. A.; Klings, Mrs. F. Published by Official Authority, S. P. GAMBLIA, F. M.

A CANDLE TO BURN ALL NIGHT—When, as in case of sickness, a dull light is wished, or when matches are mislaid, put finely powdered salt on the candle till it reaches the black part of the wick. In this way a mild and steady light may be kept through the night by a small piece of a candle.

A stutering gentleman lately went to hear a well known lecturer, and was highly pleased. He remarked afterwards, as evidence of the attention of the audience: "It was so a-s-still you could have p-p-picked up a p-p-pin."

The Senate of the United States has, by its late action, abolished the prefix "Honorable" to the names of the Senators. Henceforward a Senator will be addressed as "Mr.," a plainer, chaster and more honorable title.

Proposals for Erecting Public Buildings for Wilson Co.

SEALED PROPOSALS will be received at the office of the County Clerk of Wilson county, in the town of Lodi, W.V. county, on or before the 15th day of February, 1868, for the erection of one Court House, to be built of stone, of the following dimensions, to wit: one story high and forty-five feet square. Each proposal must be accompanied with plan and specifications. Payments to be made in County Bonds; \$ one, two, and three years, equal installments, with ten per cent interest from date of completion. The successful bidder will be required to finish said structure on or before September 1st, 1868, out of first class building material. Proposals will be required to be accompanied with the names of two responsible sureties and directed to the undersigned, at Sutherland Springs, Wilson county, Texas. W. LONGWORTH, Chief Justice. J. C. COOK, Agents for the County. Jan 12 dwd

Sale of Ambulances, Spring Wagons, &c.

DEPOT QUARTERMASTER'S OFFICE, SAN ANTONIO, TEXAS, Jan. 8th, 1868. Will be sold at Public Auction, at the "Alamo," in this city, on Saturday, the 1st of February next, commencing at 11 o'clock, A. M.

Eleven Ambulances & Spring Wagons,

not required for public service. The articles must be removed immediately after the sale. TEXAS—Cash, in Government Funds. By order of Bt. Brig. Gen. C. H. Tompkins, Chf. Q. M., 5th Mil. Dist. J. G. C. LEE. Brevet Lt.-Col. & A. Q. M., U. S. Army. Jan 8 ddt

MEYER, SAWYER & CO., AUCTION & COMMISSION MERCHANTS,

225 Main Plaza and Solidad street, next to the Plaza House. A good yard for stock in connection with the premises. Sale days—Monday's, Wednesday's and Saturday's. (Jan 7)

F. KALTEYER, APOTHEARY AND DRUGGIST,

Presidio St., near the Court-house, SAN ANTONIO. Has just received direct from Europe, a well selected supply of Drugs, Medicines, Chemicals, etc. Among others—English Calomel, English Mustard, Citric Acid, Acetic Acid, Oil of Bergamot, Oil of Lemon, List, &c., &c. Superior Steel Pens and Pen Holders, Trusses, Syringes, of Block Tin, Glass, and India Rubber, Capping Glasses, Medicine Chests, Medical Saddle-bags, etc. Genuine Eau de Cologne. dec20d1-3m.

SCHMITT & DUERLER, Commerce Street, SAN ANTONIO, TEXAS.

Wholesale Manufacturers of ALL KINDS OF Crackers, Candles, Syrups, AND Confectioneries, WEDDING AND BALL CAKES Made to Order. —ALSO— A Select Assortment of Fancy Groceries, Such as Can-Fruits, Jellies, Preserves, Figs, &c. Always on Hand. San Antonio, Oct. 2, 1867. dtf

NOTICE.

The Hard and Soft Rock quarries belonging to the city, will be rented at Public outcry, in front of the Mayor's office, on Friday, January 10, 1868, at 10 o'clock, A. M., for the term of one year, from the above date, the rent payable monthly, in advance, to the City Collector. W. C. A. THIELEPAPE, Mayor, City of San Antonio. Attest: MARTIN H. CAMPBELL, Secretary. Jan 7 dtd

NOTICE!!

Having received an order for 10,000 BUSHELS of PECANS!! I am prepared to pay the HIGHEST CASH PRICE for the same. oct10d&w3m H. GRENET.

BELL & BROS. DEALERS IN

Jewelry, Silver-ware, Plated-ware, Diamond Goods, American and European Watches and Clocks, Gold Pens and Pencils of every kind, Gold and Silver Thumbies, Gold, Silver, Steel and Tortoise-shell Spectacles and Eye Glasses, with Pebble and Glass Lenses, Suitable for the aged or near-sighted. Engravers and Manufacturers OF ALL ARTICLES IN THEIR LINE. WATCHES, CLOCKS, JEWELRY, repaired and warranted. Orders Filled Promptly. Main Street, Five doors east of Main Plaza, Opposite their Old Stand. San Antonio, Texas. March 29, 1866

DAVID FRIEDLANDER & CO., G. P. DEVINE'S OLD STAND, East Side of Main Plaza, SAN ANTONIO, TEXAS.

Daily Sales of Goods, Wares, and Merchandise of every description. Consignments respectfully solicited from home and abroad. To Consignors from abroad we furnish worthy references in New York, New Orleans, and the principal cities of Texas. 16d3m

AUCTION HOUSE

NOTICE. The Mayor will be in attendance at the Mayor's office every day from 8 o'clock A. M. till 12 o'clock M. and from 2 o'clock P. M. till sun down. On Sundays from 8 o'clock till 10 o'clock A. M. Regular meetings of the City Council every 1st and 3rd Mondays in each month. W. C. A. THIELEPAPE, Mayor. Attest: MARTIN H. CAMPBELL, City Sec. San Antonio, Dec. 3rd, 1867. (dlm)

DIRECT IMPORTATION. ONLY ONE WORD! H. GRENET,

Respectfully invites City and Country Merchants and the Public generally to examine his stock before purchasing elsewhere. BY DOING SO THEY WILL FIND GREAT INDUCEMENTS to their advantage. EVERY ARTICLE IS WARRANTED AS REPRESENTED. G. E. JEFFERSON, SAN ANTONIO. JEFFERSON & MURPHY AUCTIONEERS.

COMMERCIAL BROKERS,

Main Plaza, San Antonio, Texas. Respectfully Solicit Consignments. Have abundant space for any quantity of goods for Auction, Private Sale or Storage. Also, a large yard for Carriages, Wagon Stock, &c. Stock Auction every Saturday at 1 o'clock. Mules and Horses always on hand for sale. Cotton bought and sold. Particular attention paid to the purchase and sale of Real Estate. Also, to disposition of Bonded Ware Goods. (dec 20 f.)

NORTON & DEUTE.

Main Plaza, San Antonio, DEALERS IN Hardware. Stoves, Agricultural Implements. Woodenware, Window Glass, Paints, Oils, Leather, Arms and (an 3d f) GARDEN SEEDS.

DR. D. WEISELBERG, Physician and Surgeon,

OFFICE, at Nett's Drug Store, On Commerce street. San Antonio, Jan. 3rd, 1868. (xwif

Local Intelligence.

THE HERKS CASE.—Judge Striding decided in the Herks case...

ACROBATS.—The Auction establishment of Meyer, Sawyer & Co., and Friedlander & Co., were in full blast on Saturday.

ADJOURNED.—The Police Court has adjourned until the 1st Monday in February.

WHEAT.—Another train of wagons arrived in our city on Saturday, laden with wheat.

FROM'S MURDER.—The murderer of A. Cotton has not yet been apprehended, it is doubtful if he is even wounded, as at first supposed.

A CARD.

SAN ANTONIO, January 12, 1868.

Editors of the Express: In the Sunday issue of the San Antonio Herald, a notice is published under the heading of "Raid in Causes."

When two years ago I had the honor of making publicly my report to the citizens of Bexar of the position I had taken in the first reconstruction convention, I distinctly stated that I considered the constitution framed by the majority of the convention as a failure, and expressed my intention to vote against said constitution when submitted to the people for adoption or rejection.

I further stated that I believed a second convention a necessity, and expressed my intention, in case of such an eventuality, to offer my services as delegate to the same convention.

On several occasions, when urged upon to accept an office under our Provisional status, I repeated, my above intention, believing that my willingness to serve Bexar county as one of the delegates was universally known, at least to my political friends.

The notice of the Herald forces me to relinquish my passive position, and you will please, therefore, place my name before the people as a candidate.

Yours respectfully, E. DEGENER.

CITY SCRIP.—The amount of city scrip received for the week ending Saturday, January 11th, 1868, is \$2,513.90; the amount previously received is \$11,375.71. The total amount received is \$13,889.61.

MAYOR'S COURT, January 11, 1868.—Pablo Babron, fighting and disturbing the peace; fined \$10 and costs.

PERSONAL.—M'le Janauschek, the eminent German tragedienne, is again at the Academy of Music, New York.

TO LET.

The store on Flores street, known as P. Martin's store, lately occupied by P. C. Taylor. For particulars, inquire at P. Martin's, Main street, one floor below Nette's Drug Store.

Notice to Holders of City Scrip.

MAYOR'S OFFICE, SAN ANTONIO, January 6, 1868. NOTICE is hereby given, that the time for receiving City Scrip at this office expires on the 25th day of January, A. D. 1868.

Proposals for Fresh Beef.

OFFICE ASST. COMMISSARY OF SUBSISTENCE, Camp Hatch, Rio Concho, Tex. Dec. 21, '67. SEALED PROPOSALS, which must be in triplicate, will be received until 12 o'clock, M. January 10th, 1868, for supplying Fresh Beef, either on the hoof or slaughtered, as may be required, to the troops of Camp Hatch, Texas, and to all camps and hospitals in the vicinity, drawing supplies therefrom from January 10th, 1868, or as soon thereafter as may be required, to January 1st, 1869, or such less time as the Commissary General of Subsistence may direct.

The bids will state the price per pound, net, currency, for Fresh Beef furnished on the hoof, and the price per pound net, for that furnished slaughtered.

Proposals must be accompanied by a proper guarantee, signed by two responsible persons, stating that if the proposal is accepted, the bidder will enter into a contract, and that they will enter into bonds in the penal sum of \$3,000 three thousand dollars for the faithful performance of the contract.

Satisfactory evidence of the loyalty of each successful bidder, and the solvency of the persons offered as security, will be required.

The names of firms should be stated in full, with the address of all the members of the firm.

No bids will be entertained when put in by contractors who have previously failed to comply with their contracts, nor when it may be discovered that the bidder has offered directly or indirectly more than one bid.

Bidders, if a firm, the members must be present to respond to their bids, and to sign and complete the contracts on the above named day.

The beef cattle furnished must not be over five years old, and weigh not less than (500) five hundred pounds, net, dressed.

The beef furnished must be of good marketable quality, in equal proportions of Fore and Hind quarters, neck, shanks, kidney tallow, to be excluded, and to be delivered at such times and such quantities as may be required.

Payment will be made monthly, or as soon thereafter as funds be received therefor.

The Government reserves the right to reject all bids offered. Endorse envelopes enclosing bids, "Proposals for Fresh Beef."

Address proposals to the undersigned, W. C. HEMPHILL, 1st Lt. 4th U. S. Cavalry, A. C. S. Jan 8 dt

A. NETTE, has just received a large stock of DRUGS, MEDICINES, PERFUMERIES, and SURGICAL INSTRUMENTS.

In fact all the leading articles, such as PATENT MEDICINES, that are usually kept in a First Class Drug Store.

The stock being selected by himself off the market 41-4f

Dissolution of Partnership. The Co-partnership heretofore existing under the name of Cochran, Bayless & Co., having been dissolved by limitation, Mr. Thomas Cochran will close up the old business.

THOMAS COCHRAN, H. BAYLESS, GEORGE C. BENNETT, San Antonio, Texas, December 21, 1867.

Having this day sold to Messrs. Bennett & Minter our stock of Groceries, we take pleasure in recommending them to our former customers as in every respect worthy of their confidence.

COCHRAN, BAYLESS & CO., San Antonio, Texas, December 21, 1867.

We, the undersigned, having purchased the entire stock of Groceries of Messrs. Cochran, Bayless & Co., will continue the business at their Old Stand, under the style and firm of Bennett & Minter, and will keep on hand a Complete Stock in their line, and solicit a continuance of the patronage of the old firm.

GEORGE C. BENNETT, J. F. MINTER, San Antonio, Texas, December 21, 1867. [Sdaw

THE Gas Generators Have Arrived!

An invention by which a common Kero Lamp can at once be transformed into a Gas Lamp, of a most brilliant light, entirely safe against explosion, no chimney needed, and is not subject to be blown out by the strongest breeze or current of air; at the same time giving a better light than the combined light of two ordinary Kerosene Lamps, and saving fully one-third of the kerosene oil, by simply applying the gas generator.

The undersigned having procured the patent right for Bexar County, has now a supply of the Generators on hand, and offers to sell them at One Dollar, specie, each. To Dealers, they will be offered by the dozen at a very fair discount.

The undersigned has also been authorized to sell County Rights and Generators to all counties where said patent has not been introduced. F. SIMON, At the store of Hertzberg & Simon, San Antonio. nov1972m

Historical, Philosophical, Biographical and Miscellaneous Books, Stationery, AND NOTIONS, AT GAMBLE'S BOOK STORE, 57 Commerce Street, ST. LOUIS, MO. JUST RECEIVED A FRESH SUPPLY OF STATIONERY— for Commercial purposes, Ladies' Bath Gift Note, Octavo and Billet Paper; Lined Envelopes, &c., &c.; Photographic Albums; Portfolios; Toilet Articles; Perfumery, &c., &c.; Ladies' Dress Buttons, Visiting Cards, Spectacles, Canes, Umbrellas, and many other articles, too numerous to mention.

Public Documents, Engravings, Lithographs, &c., &c., &c.

Novels by the most popular Authors

LIBRARY, new and extensive Stock, Librarians supplied on liberal terms. Also, an extensive assortment of NEW BOOKS, and the most popular Authors.

DISOLUTION. The mercantile co-partnership heretofore existing between the undersigned, under the name, style and firm of R. Welling & Co., is this day dissolved by mutual consent.

The settlement of the business of said firm will be made by E. Cramer, and all debts due thereto, collected by him.

R. WELLING, E. CRAMER, M. KRAUKAU. Referring to above circular the undersigned will continue the business under his own name. C. CRAMER. (if. San Antonio, Dec. 5, 1867.

BLYMER, NORTON & CO., (Successors to Clark & Sarge Machine Co.), No. 116 MAIN STREET, Cincinnati, Ohio.

SORGO MACHINERY. The Celebrated Cook Evaporator, Victor Case Mill, Eureka Padder & Straw Cutters, Eureka Cider Mills, Warner's Sulky Revolving Hay Rakes, Horse Power Forks, Lone Star Corn Shellers, Double Shovel Plows, Crawford's Garden Cultivators, Church, School, and Farm Bells, and many other implements, Tools and Machines.

Manufactured by BLYMER, NORTON & CO. N. B.—Send for Circulars and Illustrated Catalogues. sept-10 wif.

Grovesteen & Co., Piano Forte Manufacturers, 499 Broadway, NEW YORK.

These Pianos received the highest Award of Merit at the World's Fair, over the best makers from London, Paris, Germany, the cities of New York, Philadelphia, Baltimore and Boston; also the Gold Medal at the American Institute, for Five Successive Years! Our Pianos contain the French Grand Action, Hany Pedal, Overstrung Base, all Iron Frames, and all Modern Improvements. Every Instrument warranted Five years. Made under the supervision of Mr. J. H. GROVESTEEN, who has a practical experience of over thirty-five years, and is the maker of over eleven thousand Pianos. Our facilities for manufacturing enable us to sell these instruments from \$100 to \$200 cheaper than any first class piano forte. 3-7

EVANS & CO. (ESTABLISHED 1856.) CASH WHOLESALE GROCERS GALVESTON, AND ALL KINDS OF FANCY SOAPS. Sold By EVANS & CO GALVESTON, TEXAS. july :d&wfy

J.C. HULL'S SON, NEW YORK. FAMILY & PALE SOAP, AND ALL KINDS OF FANCY SOAPS. Sold By EVANS & CO GALVESTON, TEXAS. july :d&wfy

Steinway's Pianos. The first Grand Gold Medal awarded at the Universal Exposition in Paris, 1867 for the three styles, viz: Grand Square and Upright. For particulars inquire at ZORK & GRIESEN BECK, Agents. dec 11-df

TEN CHIHUAHUA WAGONS or sale at LEROUX & CO. GRUYER. dec. 5-dim.

STOVES!



COOKING, PARLOR, AND BOX STOVES!

Just received by LEROUX & CO. GROVE. oct31tf

ELMENDORF & CO. Hardware Merchants. MAIN PLAZA.

Have constantly on hand, and offer for sale English and American Cutlery, Iron and Steel of all sizes, Carpenters Tools, Mill & Crosscut Saws of all sizes, Boring Machines, Nails of all sizes, Butts, Hinges, Screws, etc.

Door, Cabinet & Trunk Locks of all kinds, Shoe Makers & Saddlers Tools & Trimmings, Buckles Rings, etc., Bride Bits & Webbing, Oil Cloth, Hames, Collars, etc., Tin, Rivets, & Kettle Eons, etc., etc., Steel Hoes and Agricultural Implements, in general.

Landreth's Garden Seeds always on hand and a general assortment of Hardware. Also: Paints, Oils, Turpentine & Glass; Paint, Shoe & Clothes Brushes, Petroleum & Lamps, Colt's Army & Navy Size Pistols, Powder, Shot & Caps, and all other articles in their line of business at low prices.

Sole Agents for Herring's Safe's also for Planer & Kayser's Sewing Machines. May 24th 1866. no35tf

LEVENSTEIN & CO., Commerce Street, SAN ANTONIO, TEXAS, WHOLESALE & RETAIL DEALERS

Fancy and Staple DRY GOODS. CLOTHING, BOOTS, SHOES, HATS, &c., &c., &c.

Just received a large stock of Fall and Winter Goods! and will sell all at the very lowest prices nov5tf

Hungarian Leeches. Just received and for sale by A. NETTE, Druggist and Apothecary, Commerce St., San Antonio, Texas.

C. H. MOORE & COMPANY, Shippers and Dealers in Doors, Glazed Sash, and Painted Blinds.

Having on hand a large assortment of CHOICE STOCK. We are enabled to fill all orders at Greatly Reduced Prices. Orders from the country solicited and promptly filled. MARKET STREET, GALVESTON oct18dly

N. L. McCREADY & COMPANY, SHIPPING Commission Merchants, 36 FOURTH STREET, NEW YORK. — AGENTS —

For the old line of direct packets to Havana and Louisiana, Texas. Receive and forward goods to both points free of commissions, and guarantee effected if desired. sep24ly

Cavalry Horses Wanted Immediately! Two Hundred and Seventy-Seven Horses, For which the highest prices in specie will be paid.

For particulars apply at the Menger Hotel, or Stock Yard near by. R. W. PEAY, San Antonio, Nov. 19, 1867. tf

TO RENT, A comfortable house two minutes walk from commerce street; also, a good stand for a Beer Saloon on Main Plaza. Apply to JOS. DWYER. dec 28-df

House to Rent. One of the finest houses in the city, situated on the east side of the river, adjoining the residence of Mr. Fentzenreider. Apply at the business house of E. Fentzenreider. Main street. (dec. 6-1f

Special Notices.

A Cough, a Cold, or a Sore Throat, Requires immediate attention, and should be checked.

If allowed to continue, Irritation of the Lungs, a Permanent Throat Disease, or Consumption, is often the result.

Brown's Bronchial Troches, Having a direct influence on the parts, give immediate relief.

For Bronchitis, Asthma, Catarrh, Consumptive and Throat Diseases, Troches are used with always good success.

SINGERS and PUBLIC SPEAKERS use them to clear and strengthen the voice.

Obtain only "Brown's Bronchial Troches," and do not take any of the worthless imitations that may be offered. Sold every where nov11tf

THE HEALING POOL and House of Mercy, HOWARD ASSOCIATION REPORTS, for young men on the crime of Solitude, and the errors, abuses, and diseases which destroy the manly powers, and create impediments to marriage, with sure means of relief. Sent in sealed letter envelopes, free of charge. Address, DR. J. SKILLIN HOUGHTON, Howard Association, Philadelphia, Pa. 1842&w3m

To Marry or not to Marry! WHY NOT? Serious Reflections for Young Men, in Essays of the Howard Association, on the Physiological Errors, Abuses and Diseases induced by ignorance of Nature's Laws, in the first age of man. Sent in a sealed letter envelope free of charge. Address, DR. J. SKILLIN HOUGHTON, Howard Association, Philadelphia, Pa.

To Music Teachers and Dealers. The subscriber is fully prepared to furnish Sheet Music, Strings, Musical Instruments, and Music Books of all kinds at the lowest trade rates, wholesale and retail, from the largest collections in this country. Orders punctually and faithfully attended to. Address all orders 811 ERIA OTT, 785 Broadway, N. Y. di

ERRORS OF YOUTH. A gentleman who suffered for years from Nervous Debility, Premature Decay, and all the effects of youthful indiscretion, will, for the sake of suffering humanity, send free to all who need it, the recipe and directions for making the simple remedy by which he was cured. Sufferers wishing to profit by the advertiser's experience, can do so by addressing, in perfect confidence, JOHN B. COGLEN, 42 Cedar Street, New York. w32ly

To Consumptives. The Rev. EDWARD A. WILSON will send (free of charge) to all who desire it, the prescription, with the directions for making and using the simple remedy by which he was cured of a Long Affection and that dread disease, Consumption. His only object is to benefit the afflicted, and he hopes every sufferer will try this prescription, as it will cost them nothing, and may prove a blessing. Please address Rev. EDWARD A. WILSON, No. 165 South Second Street, Williamsburgh, N. Y. sep21

Information Guaranteed to produce a luxuriant growth of hair upon a bald head, or beardless face; also, a recipe for the removal of Pimples, Blotches, Eruptions, etc., on the skin, leaving the same soft, clear, and beautiful, can be obtained without charge by addressing THOS. F. CHAPMAN, Chemist, 525 Broadway, N. Y. sep21

SLOCUM'S BOOK STORE, Commerce Street, Opposite Bell's Jewelry Store. Keeps constantly on hand School Books at Wholesale and Retail. A fine assortment of STATIONERY of all kinds, CHILDREN'S BOOKS, Catholic & Episcopal Prayer Books, and other books. Suitable for Presents! A large assortment of PHOTOGRAPHIC ALBUMS Toilet Articles, Pen Knives, and Miscellaneous Articles. Also THE INDELIBLE PENCIL, Wholesale and Retail. The Latest Novels constantly on hand. Cards of all kinds. In fine a full assortment of everything pertaining to this line of business. All the Latest Newspapers, Magazines, etc. Music! Music!! Music!!! A fine assortment on hand, and receiving NEW MUSIC every week. oct22tf

AUGUST HARTMANN, SAN ANTONIO, 35, COMMERCE STREET, Respectfully informs the public that he has combined the business formerly carried on by Mrs. W. Hartman on Commerce street, near the Post office, with the business heretofore known under the firm of Rossy, Hartman & Co., and both have established themselves under the above firm at the old stand of Rossy, Hartman & Co. and will hereafter deal in American, French and German DRY GOODS AND FANCY ARTICLES San Antonio, May 21, 1867. 135 v542f

[Official.]

PUBLIC ACTS OF THE THIRTY-NINTH CONGRESS OF THE UNITED STATES.

CHAP. CLXXVI.—An Act to establish a uniform System of Bankruptcy throughout the United States.

[CONTINUED.]

Sec. 28. And be it further enacted, That the like proceedings shall be had at the expiration of the next three months, or earlier, if practicable, and a third meeting of creditors shall then be called by the court, and a final dividend then declared, unless any action at law or suit in equity be pending, or unless some other estate of effects of the debtor afterwards come to the hands of the assignee, in which case the assignee shall, as soon as money can be converted, divide the same among the creditors, and within two months after the same shall be so converted, the same shall be divided in manner aforesaid. Further dividends shall be made in like manner as often as occasion requires; and after the third meeting of creditors no further meeting shall be called, unless ordered by the court. If at any time there shall be in the hands of the assignee any outstanding debts or other property, due to or belonging to the estate, which cannot be collected and received by the assignee without reasonable or inconvenient delay or expense, the assignee may, under the direction of the court, sell and assign such debts or other property in such manner as the court shall order. No dividend already declared shall be disturbed by reason of debts proved subsequently, unless the creditors proving such debts shall be entitled to a dividend equal to those already received by the other creditors before any further payment is made to the latter. Preparatory to the final dividend, the assignee shall submit his account to the court and file the same, and give notice to the creditors of such filing, and shall also give notice that he will apply for a settlement of his account, and for a discharge from all liability as assignee, at a time to be specified in such notice, and at such time the court shall audit and pass the accounts of the assignee, and such assignee shall, if required by the court, be examined as to the truth of such account, and if found correct he shall thereby be discharged from all liability as assignee of the bankrupt.

Sec. 29. And be it further enacted, That the court shall thereupon order a dividend of the estate and effects, or of such part thereof as it sees fit, among such of the creditors as have proved their claims, in proportion to the respective amount of their said debts. In addition to all expenses necessarily incurred by him in the execution of his trust, in any case, the assignee shall be entitled to an allowance for his services in such case on all moneys received and paid out by him therein, for any sum not exceeding one thousand dollars, five per centum thereon; for any larger sum, not exceeding five thousand dollars, two and a half per centum on the excess over five thousand dollars; and for any larger sum, one per centum on the excess over five thousand dollars, and if, at any time, there shall not be in his hands a sufficient amount of money to defray the necessary expenses required for the further execution of his trust, he shall not be obliged to proceed therein until the necessary funds are advanced or satisfactorily secured to him. If by accident, mistake, or other cause, without fault of the assignee, either or both of the said second and third meetings should not be held within the times limited, the court may, upon motion of an interested party, order such meetings, with like effect as to the validity of the proceedings as if the meeting had been duly held. In the order for a dividend, under this section, the following claims shall be entitled to priority or preference, and to be first paid in full in the following order:—

First. The fees, costs, and expenses of suit, and the several proceedings in bankruptcy under this act, and for the custody of property, as herein provided.

Second. All debts due to the United States, and all taxes and assessments under the laws thereof.

Third. All debts due to the State in which the proceedings in bankruptcy are pending, and all taxes and assessments, made under the laws of such State.

Fourth. Wages due to any operative, clerk, or house servant, to an amount not exceeding fifty dollars, for labor performed within six months next preceding the first publication of the notice of proceedings in bankruptcy.

Fifth. All debts due to any persons who, by the laws of the United States, are or may be entitled to a priority or preference, in like manner as if this act had not been passed; always provided, That nothing contained in this act shall interfere with the assessment and collection of taxes by the authority of the United States or any State.

OF THE BANKRUPT'S DISCHARGE AND ITS EFFECT.

Sec. 30. And be it further enacted, That at any time after the expiration of six months from the adjudication of bankruptcy, or if no debts have been proved against the bankrupt, or if no assets have come to the hands of the assignee, at any time after the expiration of sixty days, and within one year from the adjudication of bankruptcy, the bankrupt may apply to the court for a discharge from his debts, and the court shall thereupon order notice to be given by mail to all creditors who have proved their debts, and by publication at least once a week in such newspapers as the court shall designate, due regard being had to the general circulation of the same in the district, or in that portion of the district in which the bankrupt and his creditors shall reside, to appear on a day appointed for that purpose, and show cause why a discharge should not be granted to the bankrupt. No discharge shall be granted, or, if granted, be valid, if the bankrupt has willfully sworn falsely in his affidavit annexed to his petition, schedule, or inventory, or upon any examination in the course of the proceedings in bankruptcy, in relation to any material fact concerning his estate or his debts, or to any other material fact; or if he has concealed any part of his estate or effects, or any books or writings relating thereto, or if he has been guilty of any fraud or negligence in the care, custody, or delivery to the assignee of the property belonging to him at the time of the presentation of his petition and inventory, excepting such property as he is permitted to retain under the provisions of this act, or if he has concealed, permitted, or suffered any loss, waste, or destruction thereof; or if, within four months before the commencement of such proceedings, he has procured his lands, goods, money, or chattels to be attached, sequestered, or seized on execution; or if, since the passage of this act, he has destroyed, mutilated, altered, or falsified any of his books, documents, papers, writings, or securities, or has made or been privy to the making of any false or fraudulent entry in any book of account or other document, with intent to defraud his creditors; or has removed or caused to be removed any part of his property from the district, with intent to defraud his creditors; or if he has given any fraudulent preference contrary to the provisions of this act, or made any fraudulent payment, gift, transfer, conveyance, or assign-

ment of any part of his property, or has lost any part thereof in gaming, or has admitted a false or fictitious debt against his estate; or if, having knowledge that any person has proved such false or fictitious debt, he has not disclosed the same to his assignee within one month after such knowledge; or if, being a merchant or tradesman, he has not, subsequently to the passage of this act, kept proper books of account; or if he, or any person in his behalf, has procured the assent of any creditor to the discharge, or influenced the action of any creditor at any stage of the proceedings, by any pecuniary consideration or obligation; or if he has, in contemplation of becoming bankrupt, made any pledge, payment, transfer, assignment or conveyance of any part of his property, directly or indirectly, absolutely or conditionally, for the purpose of preferring any creditor or person having a claim against him, or who is or may be under liability for him, or for the purpose of preventing the property from coming into the hands of the assignee, or of being distributed under this act in satisfaction of his debts; or if he has been convicted of any misdemeanor under this act, or has been guilty of any fraud whatever contrary to the true intent of this act; and before any discharge is granted, the bankrupt shall take and subscribe an oath to the effect that he has not done, suffered, or been privy to any act, matter, or thing specified in this act as a ground for withholding such discharge, or as invalidating such discharge if granted.

Sec. 31. And be it further enacted, That no person who shall have been discharged under this act, and shall afterwards become bankrupt, on his own application shall be again entitled to a discharge of his estate in insolvency, or to any benefit or preference of his debts proved against him, unless the assent in writing of three-fourths in value of his creditors who have proved their claims is filed at or before the time of application for discharge; but a bankrupt who shall prove to the satisfaction of the court that he has paid all the debts owing by him at the time of any previous bankruptcy, or who has been voluntarily released therefrom by his creditors, shall be entitled to a discharge in the same manner and with the same effect as if he had not previously been bankrupt.

Sec. 32. And be it further enacted, That any creditor opposing the discharge of any bankrupt may file a specification in writing of the grounds of his opposition, and the court may in its discretion order any question of fact presented to be tried at a stated session of the district court.

Sec. 33. And be it further enacted, That if it shall appear to the court that the bankrupt has in all things conformed to his duty under this act, and that he is entitled, under the provisions thereof, to receive a discharge, the court shall grant him a discharge from all his debts except as hereinafter provided, and shall give him a certificate thereof under the seal of the court, in substance as follows:—

District Court of the United States, District of _____, Whereas _____ has been duly adjudged a bankrupt under the act of Congress establishing a uniform system of bankruptcy throughout the United States, and appears to have conformed to all the requirements of law in that behalf, it is therefore ordered by the court that said _____ be forever discharged from all debts and claims which by said act are made provable against his estate, and which existed on the _____ day of _____, in which day the petition for adjudication was filed by or against him; excepting such debt, if any, as are by said act excepted from the operation of a discharge in bankruptcy. Given under my hand and the seal of the court at _____, in the said district, this _____ day of _____, A. D. _____

(Seal) Judge.

Sec. 34. And be it further enacted, That no debt created by the fraud or embezzlement of the bankrupt, or by his defalcation as a public officer, or while acting in any fiduciary character, shall be discharged under this act; but the debt may be proved, and the dividend thereon shall be a payment on account of said debt; and no discharge granted under this act shall release, discharge, or affect any person liable for the same debt for or with the bankrupt, either as partner, joint contractor, indorser, surety, or otherwise. And in all proceedings in bankruptcy commenced after one year from the time this act shall go into operation, no discharge shall be granted to a debtor whose assets do not pay fifty per centum of the claims against his estate, unless the assent in writing of a majority in number and value of his creditors who have proved their claims is filed in the case at or before the time of application for discharge.

Sec. 35. And be it further enacted, That a discharge duly granted under this act shall, with the exceptions aforesaid, release the bankrupt from all debts, claims, liabilities, and demands which were or might have been proved against his estate in bankruptcy, and may be pleaded, by a simple averment that on the day of its date such discharge was granted to him, setting the same forth in haec verba, as a full and complete bar to all suits brought on any such debts, claims, liabilities, or demands; and the certificate shall be conclusive evidence in favor of such bankrupt of the fact and the regularity of such discharge; always provided, That any creditor or creditors of said bankrupt, whose debt was proved or provable against the estate in bankruptcy, who shall see fit to contest the validity of said discharge on the ground that it was fraudulently obtained, may, at any time within two years after the date thereof, apply to the court which granted it to set aside and annul the same. Said application shall be in writing, shall specify which, in particular, of the several acts mentioned in section twenty-nine it is intended to give evidence against the bankrupt, setting forth the grounds of avoidance, and no evidence shall be admitted as to any other of the said acts; but said application shall be subject to amendment at the discretion of the court. The court shall cause reasonable notice of said application to be given by said bankrupt, and order him to appear and answer the same, within such time as to the court shall seem fit and proper. If, upon the hearing of said parties, the court shall find that the fraudulent acts, or any of them, set forth as aforesaid by said creditor or creditors, against the bankrupt, are proved, and that said creditors or creditors had no knowledge of the same until after the granting of said discharge, judgment shall be given in favor of said creditor or creditors, and the discharge of said bankrupt shall be set aside and annulled. But if said court shall find that said fraudulent acts and all of them, set forth as aforesaid, are not proved, or that they were known to said creditor or creditors before the granting of said discharge, then judgment shall be rendered in favor of the bankrupt, and the validity of his discharge shall not be affected by said proceedings.

PREFERENCES AND FRAUDULENT CONVEYANCES DECLARED VOID.

Sec. 36. And be it further enacted, That if any person, being insolvent, or in contemplation of insolvency, within four months before the filing of the petition by or against him, with a view to give a preference to any creditor or person having a claim against him, or who is under any liability for him, procures any part of his property to be attached, sequestered, or seized on execution, or makes any payment, pledge, assignment, transfer or

conveyance of any part of his property, either directly or indirectly, absolutely or conditionally, the person receiving such payment, pledge, assignment, transfer, or conveyance, or who is benefited thereby, or by such attachment, payment, pledge, assignment, or conveyance is made in fraud of the provisions of this act, the same shall be void, and the assignee may recover the property, or the value of it, from the person so receiving it, or so to be benefited; and if any person being insolvent, or in contemplation of insolvency or bankruptcy, within six months before the filing of the petition by or against him, makes any payment, sale, assignment, transfer, conveyance, or other disposition of any part of his property to any person who then has reasonable cause to believe him to be insolvent, or to be acting in contemplation of insolvency, and that such payment, sale, assignment, transfer, or other conveyance is made with a view to prevent his property coming to his assignee in bankruptcy, or to prevent the same from being distributed under this act, or to defeat the object of, or in any way impair, hinder, impede, or delay the operation and effect of, or to evade any of the provisions of this act, the sale, assignment, transfer, or conveyance shall be void, and the assignee may recover the property, or the value thereof, as assets of the bankrupt. [TO BE CONTINUED.]

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