

# San Antonio Daily Express.

**DAILY EXPRESS.**  
COMMERCIAL PAPER.  
Published daily, except on Sundays and public holidays.  
Terms of subscription:—Cash.  
12 Months, \$12.00.  
6 Months, \$7.00.  
3 Months, \$4.00.  
Single Copies, 5 Cts.  
ADVERTISING.  
10 Cts per square of ten lines.  
Changeable notices per cent advance on usual rates.

**WEEKLY EXPRESS.**  
TERMS OF SUBSCRIPTION:—Cash.  
12 Months, \$12.00.  
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Single Copies, 5 Cts.  
ADVERTISING.  
10 Cts per square of ten lines.  
Changeable notices per cent advance on usual rates.

VOL. VI. SAN ANTONIO, TEXAS, WEDNESDAY, OCTOBER 16, 1872. NO. 244.

**DRY GOODS.**  
**LOUIS BERNARD.**  
ALL who desire the CHEAPEST and BEST articles of  
**DRY GOODS, CLOTHING, TRIMMINGS, HATS, BOOTS AND SHOES, FURNISHING GOODS, &c., &c.**  
Should visit the new store of  
**E. BERNARD,**  
KORR'S BUILDING,  
60 Commerce Street,  
SAN ANTONIO, TEXAS.  
Give us a call, we will please in showing our goods.  
(1-10-72)

**FURNITURE.**  
**PH. CONRAD & CO.**  
Opposite the National Bank.  
Dealers in All kinds of  
**FURNITURE,**  
PARLOR AND BED-ROOM  
FURNITURE.

**FURNITURE.**  
Mattress-making and Upholstering.  
Have just received a select stock of  
**FURNITURE**  
Consisting of  
Chairs,  
Whose, Rocking Chairs, Tables, &c., &c.  
And a full assortment of **WALL PAPER.**  
All of the above articles can be had at liberal prices.  
They also offer their services for repairing Furniture, and for painting and hanging of Carpets, &c., &c.

**GROCERIES.**  
**F. GROSS & CO.,**  
Wholesale Liquor Dealers,  
**GROCERS.**  
AND  
**COMMISSION MERCHANTS,**  
Commerce Street,  
SAN ANTONIO, TEXAS  
6-12-7244.

**RHODIUS & CO.**  
WHOLESALE DEALERS IN  
Staple and Fancy Groceries  
33 Commerce Street,  
SAN ANTONIO, TEXAS

**T. B. LEIGHTON,**  
WITH  
**C. F. KROEGER & CO.,**  
DEALERS IN  
**GROCERIES,**  
**DRY GOODS,**  
**CLOTHING,**  
**Crockery**  
&c., &c.  
—AT—  
**PAUL MARTIN'S OLD STAND**  
Flores Street, San Antonio,  
ALL the attention of the public is called to our new and assorted stock of general merchandise.  
**T. B. LEIGHTON** would be pleased to see his old friends at all times. A large Wagon Yard at the disposition of Farmers.  
(27-4-72)

**GROCERIES.**  
**F. GUILBEAU,**  
NORTH-EAST CORNER  
OF  
**PRESIDIO**  
AND  
**LABEDO STREETS.**  
**GROCEER**  
AND  
**IMPORTER**  
OF  
**FRENCH WINES**  
AND  
**LIQUORS**  
BEST QUALITIES OF  
**FRENCH COGNAC**  
11-12-60d

**FOR SALE.**  
The house and Lot on Commerce street, known as the KLOEPPER HOTEL.  
Apply to  
**F. GUILBEAU.**

**TH. SCHLEUNING**  
SAN ANTONIO, TEXAS.  
**IMPORTER.**  
WHOLESALE AND RETAIL  
DEALER IN  
**GROCERIES, WINES, LIQUORS,**  
TOBACCO, CIGARS,  
china-ware, Porcelain Ware,  
&c., &c.

**DR. E. EBNETT,**  
**PHYSICIAN AND SURGEON.**  
OFFICE—Chapin's Drug Store.  
Hours—7 to 9 A.M. 4 to 6 P.M.  
Residence—Manger Hotel. (51-7-7987)

**DR. A. ANSELL,**  
**Physician, Surgeon & Accoucher.**  
Office—Chapin's Drug Store.  
Hours—7 to 9 A.M. 4 to 6 P.M.  
Residence—Manger Hotel. (51-7-7987)

**F. HASENBURG, M. D.,**  
**PHYSICIAN, SURGEON AND OBSTETRICIAN**  
Residence and office, Ledaya street, opposite the ice factory. Office hours,  
12 to 2 P.M.  
At A. Nette's Drug Store  
From 10 to 11 o'clock, a. m.  
4-3-7244

**MISCELLANEOUS.**  
**AUCTION**  
AND  
**COMMISSION HOUSE**  
BY  
**L. WOLFSON,**  
SAN ANTONIO, TEXAS.

Auction sale of Dry Goods, Clothing, Hats, Boots, Shoes, Furniture, and every description of Merchandise, promptly attended to.  
Liberal advance made on consignment.  
Goods at private sale, at Auction Prices 15 to 20% off.

**LUMBER!**  
**LUMBER!! LUMBER!!!**  
NOW is your time to build yourselves Houses. From and after this date we will sell first-class Florida Pine at \$70 per M.  
**MAVERICK & KROEGER.**

**MAVERICK & KROEGER,**  
AGENTS OF  
**Bagdad Sash**  
**FACTORY,**  
BAGDAD, FLORIDA.  
HAVE now in warehouse, and have to arrive, a complete stock of the manufacture of this well known factory, and offer the same at the following prices:  
We are prepared to allow Country Dealers a liberal discount.

**Price List.**

SIZE.	SASH.	SASH.	BLINDS.
8x10	\$1 15	\$2 75	\$2 75
10x12	1 30	3 75	3 75
10x14	1 50	4 50	4 50
10x16	1 75	5 25	5 25
12x16	2 50	6 00	6 00
12x18	3 00	6 75	6 75

DOORS—12 INCH THICK. PRICE.

2-6x6 (common)	\$4 00
2-6x6 (first class)	5 00
2-8x8	5 50
2-10x10	6 50
2-10x12	7 50
2-10x14	8 50
2-10x16	9 50
2x7, half moulding	6 50
2x7, fancy	7 00
2-7, circle moulding	12 00

**Sash Doors.**

2-10x10, 12 inch thick	\$7 00
2-7x7, 12 inch thick	7 25
2-7x7, 14 inch thick	8 00
2-7x7, 16 inch thick	8 75

**Blind Doors.**

2-10x10, 12 inch thick	\$7 00
2-7x7, 12 inch thick	7 50
2-7x7, 14 inch thick	8 00

**Turned Fencing.**

44 feet high, per running foot	\$1 15
5 feet extra	6 50
Posts	3 50

**WE HAVE** now in yard, and are daily receiving, a large and well assorted stock of  
**LUMBER**  
Which we offer at the following prices:  
Per 1000 feet  
Texas Cypress Lumber.....\$30 00  
Rough Florida Pine.....\$20 00  
Dressed Flooring.....\$20 00  
White Canada Pine, 10x14 etc.....\$15 00  
Louisiana Cypress, 11x12.....\$15 00  
**MAVERICK & KROEGER.**  
19-5-7244

**BELL & BROS.**  
**MANUFACTURERS**  
**Jewelry, Silver-Ware, Plated-Ware**  
**WATCHES, CLOCKS,**  
**Spectacles, Fine**  
Pocket and Table Cutlery,  
BARBERS' SCISSORS,  
**FANCY GOODS, &c., &c.**  
Watches, Clocks and Jewelry  
**REPAIRED AND WARRANTED**  
No. 11 Commerce Street,  
SAN ANTONIO, TEXAS.  
27-12-1872

From the New York Tribune.  
**THE MATRON YEAR.**  
BY GEORGE ARNOLD.  
The leaves that made our forest pathways shady  
Began to rustle down upon the breeze;  
The year is fading like a stately lady  
Who lays aside her youthful varieties.  
Yet while the memory of her beauty lingers  
She cannot wear the livery of the old,  
So Autumn comes to paint with frosty fingers  
These leaves with hues of crimson and of gold.

The matron's voice filled all the hills and valleys  
With full-toned music when the leaves were young,  
While now, in forest dells and garden alleys,  
A chirping, ready song at eve is sung.  
Yes, sometimes, too when sunlight glides  
The morning,  
A carol rises from some half-naked tree,  
As if her slow but suredances scolding  
She wags again the olden melody.

With odorous May-buds sweet as youthful pleasure  
She made her beauty blithe and dainty,  
But now the sad earth yields no floral treasures,  
And twines no roses for the matron's hair;  
Still can she not all lovely things surrender,  
Right regal is her drapery even now—  
Gold, purple, green, in wrought with every color  
An splendor with some half-naked tree,  
And clustering grapes in garlands of her brow.

In June, she brought us tafts of fragrant  
Rife with the wild-rose' cheery monotone  
And when the earliest was past and over,  
Offered us a sweeter scent from fields new  
Now upland orchards yield with paltering  
laughter  
Their red-checked bounty to the groaning  
wain,  
And heavy laden racks go creeping after,  
Piled high with sheaves of golden  
bearded grain.

So long, when all to love and life are clinging,  
Her festal holly shines on every wall,  
Her kisel shall be the New-Year bells out-  
girding,  
Transferring now her staidness to the  
pall;  
She fades and falls, but proudly and se-  
lately,  
This matron year, who has such largesse  
given,  
Her brow still tranquil and her presence  
stately,  
As one who leasing earth holds fast to  
Heaven.

While, however, we admit the popularity of the King and the success of his chosen Minister, we cannot say that we are satisfied that Spain has seen the end of her troubles. In Spain officials are numerous and elections can be manipulated. This is always a bad fact against the government of the day in Spain. The Church, we know, is against the present government; and the Church is, in reality, the greatest unit of power in Spain. The Church detests the Savoyard; it little likes the republicans, but it is the great power behind Don Carlos. When the Cortes meets we shall look for sharp fighting. Our best hopes may be blasted. Amadeus may find Zorrilla as weak as he found Sagasta; a change of Ministry may be the fruit of the first week; and it will not be wonderful if the first month gives us a change of Ministry and possibly a fresh election. We look forward anxiously to the reassembling of the Cortes. If Amadeus can weather another winter in Spain his dynasty is secure.  
—New York Herald of Oct. 6.

**Imperial Russia and Republican France.**  
The Russian Ambassador in the French capital has, it is said, received a Cabinet note from St. Petersburg commissioning him to withdraw the congratulations which he lately presented to President Thiers in the name of the Czar, and also to assure the chief of the French executive of "the disaffection of His Majesty Alexander at the aggressive attitude of the radical party in France." This note is really important, if it is exactly correct as it goes to show that the imperialist assemblage in Berlin was not, after all, a mere affair of pomp and vanity, but a deliberate coalition of the great military monarchies undertaken with the intent of pitting the governmental system by "divine right" against that of the democracy as established in France under the proclamation that the "vox populi is the vox Dei," and superior, consequently, to the traditional assumption of heavenly authority to the Crowns. President Thiers cannot control the tendency of the political will of the people of France. He is himself merely a venerable embodiment of the revolutionary principle vindicated to a grand public triumph after the endurance of years of fearful battle and of intense sorrow by the people. The Czar would appear rude in the eyes of the world to despatch such a message couched in language such as we quote from the cable telegram. But even monarchs can be rude at times. Witness Napoleon's sudden rebuff to the Austrian Minister at the Tuilleries, and on New Year's Day, too, when the French ruler had decided on the war which was terminated at Villafranca. We can scarcely believe, notwithstanding, that the Emperor of Russia has been chosen for the hazardous duty of throwing down the gauntlet of monarchical insult and defiance to the democracies of Europe in the moment of their new inspiration from Paris. Still less can we believe that His Majesty has accomplished the fact in such a deliberately pointed manner.—New York Herald of Oct. 6.

**What H. G. Knew about the Democratic Party in July, 1866.**  
"The importance and paralysis into which the once proud and powerful Democratic party has fallen is evinced in many ways, but in none more strikingly than in the character of its lies and lies. How its orators and journalists used absolutely to rain columns on Adams and Clay and Harrison, and in latter days on Seaward and Fremont!—none of your little, contemptible, picaresque falsehoods, but great, fat, black lies, that had venom and sting in them—lies that evinced originality, audacity, and even genius."  
—Tribune, July 9th, 1866.  
"Indignant at this kind of vilification, the World very properly commented upon it, in this wise: "Now, seriously, it seems fair, nay indispensable, that somebody authorized to speak for Mr. Greeley should explicitly tell the democratic party whether he continues to hold this opinion of its character. If he does still think that all the vilest classes, all the scum and dregs of the community, are drawn to the democratic party by a sympathetic chord, he disgraces himself in asking for democratic suffrages; and if these incessant charges of thirty years are vain columns, it would be an indescribable baseness on the part of democrats to adopt him as their candidate. If the party is infected with such a loathsome moral leprosy as he has so perpetually asserted, how utterly vile and sordid must be his hankering for office to 'come also among them!' He would up one of his foul tirades against the democracy by saying: 'May it be written on my grave that I was never its follower, and lived and

let the people say Amen? No answer was given to these pertinent inquiries. Mr. Greeley's opinions of the democrats stand as the were written, and the inferences of the World have the same force now that they had then.  
This kind of argument is in fact so rich that we are compelled to postpone our further incursions into it to another time. We have taken enough, however, to prove both the necessity and the convenience of the straight-out movement in the said dilemma in which the democrats are involved."  
—N. Y. Evening Post, Oct. 5.

**A REASONING HORSE.**—This horse story comes to us testified to by several reliable witnesses, says the Janesville (Wis.) Gazette: Thomas Drummond, a teamster in our city, owns a horse which has been afflicted with lameness for two or three weeks past. This morning Mr. Drummond turned him out upon the common, hoping that fresh air and exercise would profit the animal. Upon gaining his liberty, the crippled horse hobbled along on three legs direct to the blacksmith shop of Wm. Eger, entered the shoeing department and stood there holding up his injured foot, with his head turned, and his eyes intelligently fixed upon Mr. Eger. This attracted Mr. Eger's attention and induced him to examine the foot held up in vitally for inspection. The result of that examination was the discovery of a huge nail driven into the frog, causing the lameness. The nail was removed, and the horse went away rejoicing and soon became well. The horse had been shod by Mr. E. on previous occasions, and showed good sense (not instinct) in going to the blacksmith for relief.

**MISCELLANEOUS.**  
**Eckford, Robinson & Deats,**  
LAW AND LAND OFFICE,  
Soledad Street,  
Opposite the Postoffice.  
**REAL ESTATE AGENTS.**  
16-4-44 w3m.

**JOHN R. SHOOK,**  
LAWYER,  
NO. 9, COMMERCE STREET,  
SAN ANTONIO, TEXAS.  
Will practice in District and Supreme Courts.  
(16-10-42d)

**BENNETT & THORNTON,**  
Bankers, Dealers in Exchange  
and Government Securities.  
Will pay particular attention to the collection of all kinds of promissory notes in Texas.  
1-5-714d.

**E. D. L. WICKES,**  
REAL ESTATE BROKER,  
San Antonio, Texas.  
1-7-7244m.

**WM. KELLNER,**  
Main Street,  
(Next to Postoffice & Hensch.)  
Has now re-opened his  
**ICE CREAM SALOON.**

**Confectionery**  
Candies, Cakes and Confectioneries constantly kept on hand. Cakes ordered to order.  
(10-10-714d)

**JAKE MARSHAL,**  
(FORMERLY SCHMITZ & DUBERRE)  
**SAN ANTONIO STEAM**  
**Cracker and Candy Factory**  
Commerce and Market Streets,  
Wholesale Manufacturers of  
**CRACKERS**  
Of all kinds, in quantities to suit purchasers.  
**Candies,**  
Of pure loaf sugar, in boxes of 10, 25, and 50 lbs.  
**CONFECTIONERIES,**  
WEDDING AND BALL CAKES, Made to order. Soda, Mineral and Champagne waters in fountain and bottles. All kinds of Soda Water Apparatus constantly on hand.  
All orders received in the above described lines, will be promptly attended to at the most reasonable market rates, and our prices are guaranteed pure and fresh. 25-6-714d.

**A. PANCOAST & SON,**  
MILITARY AND  
**Citizen Tailors,**  
Opposite L. Park, Commerce Street,  
San Antonio, Texas.

**The Grotto Saloon,**  
CORNER of Main and Soledad streets,  
has been entirely refitted and renovated, and is now open as a  
**SALOON IN THIS CITY.**  
None but the best of Wines, Liquors and Beer are kept on hand.  
All of the best brands of Cigars, foreign and domestic, as well as smoking tobacco, always on hand. R. H. JACKSON, Proprietor.  
5-4-7244m.

**BAR-ROOM.**  
GEO. HOERNER reminds his friends and the public generally, that he still keeps up a first class  
**Bar-Room,**  
At the old stand, Commerce street, where the latest drinks, gotten up in the best style, are obtainable at all times.  
14-12-714d.

**BISMARCK'S**  
**Coffee House,**  
**WINE & LAGER BEER SALOON,**  
Commerce Street.  
The best of Wines and Liquors always on hand.  
ANTON ADAM, Proprietor.  
29-11-714d.

**ST. CHARLES HOTEL,**  
Newly Opened  
BY  
**MR. AND MRS. SAFFROL.**  
FIRST class board and lodging for ladies and gentlemen, on moderate terms. Accommodation guaranteed to give satisfaction. Elegantly furnished lodgings, by day, week or month, up stairs. The table supplied with the best the market affords. Restaurant attached, system soup at all hours. Give us a call. Acacia Street, nearly opp. Story & Hall.

**ALEX. VARGA**  
SADDLER,  
AND HARNESS MAKER,  
Norton & Deuts old Stand,  
MAIN PLAZA,  
SAN ANTONIO, TEXAS.  
DEALER in all kinds of Saddlery, country will be promptly attended to. Only the best leather and material used, and customers may rest assured to be satisfied with all articles received.  
8-4-7244m.

**SAN ANTONIO SOAP FACTORY**  
BY  
**SIMON MENDEL.**  
Laredo Street, West Side of San Pedro  
Awarded certificate Premium and four Diplomas.  
The last Houston Diploma says: "Diploma awarded to S. Menzel San Antonio, for the best Soap made in Texas."  
Sam. T. Coaling, Capt. Chief C. & Depts. Texas.  
C. H. Green for Cash. All orders from T. Schleuning, Dr. Hensch & Co., Dr. Hensch & Co., F. Gross & Co., J. T. Guilbeau, and J. T. Guilbeau.

**THE**  
**LUMBER YARD**  
OF  
**EDWARD STEVES,**  
Alamo Plaza.  
Has now a full assortment of  
**LUMBER,**  
**SHINGLES,**  
**Cement,**  
**PLASTER PARIS,**  
**Doors,**  
**Sash, &c., &c.**  
All of the best quality, and offered



G. W. T.
St. 165, 1874.
I have...
4...
ADAMSON,
1 Ft. Agent.

To the Voters of the City of San Antonio.
I am a candidate for the office of Mayor of San Antonio, and respectfully ask your suffrages at the approaching election. If elected I promise a faithful discharge of my duties to the whole people of the City. I will urge a revision of the City Charter and Ordinances, so as to make them acceptable to the public, and the ground work of our future prosperity.
G. G. NEWTON.
San Antonio, Oct. 15th, 1872.

LOCAL AFFAIRS.
The Republican convention was the largest and most enthusiastic we ever attended, and there was not an inch of standing room left unoccupied in the spacious hall over Mr. Kotula's store. The minutes of the meeting appear in to-day's paper.

We are requested to announce that during the Jewish "Feast of the Booths" there will be religious service in Messiah Hall at 7 p. m., on Wednesday, (today) and at 9 a. m. on Thursday.

We have heard, and have no doubt of its truth, that Mr. John M. Pennington is to be the next City Marshal, if nothing occurs to prevent it. The rejection of Mr. Pennington is a happy one. We know of no one better qualified to be a democratic City Marshal.

We took a climb yesterday up into the District Court to see how the old thing works. Judge Noonan was on the bench listening patiently to the argument of counsel, while the traditional intelligent jury was on duty.

In the back part of the Court-room the busy hum of the democratic mill for the manufacture of indignant voters was in full blast. The gladiators didn't seem to have time to shake hands over the bloody axioms.

Our readers will be pained to learn of the death of Mr. Leonard von Iwonski, which took place yesterday morning at his residence in this city. Mr. Iwonski was an old citizen, and leaves a host of friends who respected him for his sterling honesty and the genial kindness of his disposition. His death was not unexpected, as he had been confined to his bed for several months with some affection of the liver. His family, consisting of his wife and two grown sons (one of whom is Mr. Charles Iwonski, the talented artist), will receive the sympathies of their friends and the community, generally, in this their hour of affliction.

Proceedings of the City Council.
October 14th, 1872.
Present—His Honor Mayor Nathan, Commissioners—Messrs. Florin, Cook, East, Kampmann, Probst and Schreiber.
Minutes of the meeting of October 7th were read and approved.

Written of Gen. Bohn, asking permission to open and exhibit a panorama for the term of one month, with reduction of license, was read, and license ordered to issue on payment of one dollar per day.
Petition of Theo. Herman and T. J. Devine was read and referred to committee on Public Improvements.

Petition of F. C. Cortesi, was read and referred to the City Attorney.
Report of the committee on Public Improvements on the petition of J. B. Lockwood, was read and approved, and Lockwood was admitted to occupy lots No. 11 and 12, Block 5, District 1, on Oct. 15th.

Petition of Fire Company No. 1, asking the City to assume the liabilities of the Company, amounting to \$100,000, was read and granted, and the Mayor is authorized to execute the necessary orders pertaining to the liabilities of Fire Company No. 1 and 2.
Resolved, That the proceedings for Mayor and Recorder be made void.

The name of S. G. Newton and F. Groves were placed in nomination.
After discussion, the Chair decided that F. Groves was not before the Convention as a candidate.
S. G. Newton was then nominated for the office of Mayor, by acclamation.
Jas. N. Flak was nominated for Recorder by acclamation.

Ward No. 1.—John Stevens, J. H. Kampmann.
Ward No. 2.—John Stevens, J. H. Kampmann.
Ward No. 3.—John Stevens, J. H. Kampmann.
Ward No. 4.—John Stevens, J. H. Kampmann.

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It is not a physic which may give temporary relief to the sufferer by the first few doses, but which afterwards goes on to weaken the invalid, nor is it a blood-cleansing agent, which, under the popular name of "Bitters," is extensively peddled over the public, and which, by its use, leads to a more permanent cure. It is a powerful purgative, and is recommended by the leading medical authorities of London and Paris, and has been long used by the regular physicians of other countries with wonderful results.

**Dr. Wells' Extract of Jarcheba** retains all the medicinal virtues peculiar to the plant and must be taken as a permanent curative agent. Is there want of action in your Liver and Stomach? Is there indigestion, relieved at once, and the blood becomes impure by the deleterious secretions, producing beriberi or skin diseases, blotches, Pimples, Psoriasis, Cures, Pimples, &c. &c. Take Jarcheba to cleanse and purify and restore the vitiated blood to healthy action. **Have you a Dyspeptic Stomach!** Unless digestion is promptly aided the system is debilitated with loss of vital force, poverty of the Blood, Dropsical Tendency, General Weakness or Lassitude. Take it to assist Digestion without reaction, it will impart youthful vigor to the weary invalid.

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took the Premium at the Louisiana State Fair in 1871 and 1872, and the Mississippi State Fair 1871.

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The great field trials at Seattle, Wash., and at Xenia, Ohio, in the Summer of 1880, where "The City" and some 40 competitors including all the leading machine built, and was awarded the First Premium and Gold Medal, - proves that the proposition has been able to sustain for the first time the claims of superiority for the City Machine over all others. Its extraordinary lightness of draft takes one-third of the labor of the team. The adjustability of the engine, to cut high or low without stopping the team, is worth \$25 on any machine. It is thoroughly modern, light, and easy to start in any position with correct mechanical principles. In short, it is the lightest, the most durable, the least complicated, the most perfectly constructed, the most symmetrical in design, the best implement of its class. Farmers can afford to ignore their welfare - Send for pamphlet - investigate. See or write to some one who has used this machine. See the Machine yourself before you buy any other.

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**Turbine Water Wheel.**

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**ONLY THE BEST MATERIAL,** which we import from the North direct, (because our State has no Wagon timber to speak of,) is used by us and we

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The undersigned having completed his new Factory, in which all work is done in the most perfect manner, is prepared to make at the shortest notice Doors, Windows, Blinds and Mouldings of every description. Riping and Planing Lumber. Making 1 inch and 1 1/2 inch Flooring, and all other articles connected with the Carpenter Business. Seasoned Lumber, White and Yellow Pine and Louisiana Swamp Cypress constantly on hand.

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**English, German, French** AND **SPANISH** FOR SALE

General and Special Laws of the 34th Legislature of the State of Texas, First Session 1871, at the "Express" Office.

**THE STATE OF TEXAS,** County of TEXAS. **THE STATE OF TEXAS,** County of TEXAS. **To the Sheriff, as only Constable of Bexar County.** Whereas, on the 15th day of August, A. D. 1872, James P. Newcomb, a citizen of the county and State aforesaid, now residing in said county, did execute and John Gore Newcomb, formerly a resident citizen of said county of Bexar, and State of Texas, now a citizen of Atascosa county in said State, filed a petition for a writ of error, alleging that they are the plaintiffs in a certain suit, pending in the district court of Bexar county, styled No. 2933 J. P. & J. G. Newcomb vs. Eliza Newcomb et als, wherein Eliza Newcomb, J. C. Hall, C. A. Harper and J. H. Beck were originally the defendants; that said J. C. Hall having died, his heirs, Wm. Hall, Mrs. Theodore Ayers and Theodore Ayers, were made parties; and that said J. H. Beck having also died, the said was dismissed as to him; that at the February term, A. D. 1872, of said district court on the 15th day of May, 1872, said cause came on for trial, and a judgment was rendered, whereby it was adjudged that the said plaintiffs recovered nothing by their suit, and that the defendants recover of the plaintiffs and the surties on their cost bond all costs incurred by said plaintiffs in the prosecution of said cause; that the said plaintiffs are aggrieved by said judgment, that the same is erroneous and that many errors appear upon the face of the record; that said Eliza Newcomb, J. C. Hall, C. A. Harper and J. H. Beck were originally the defendants; that said Mrs. Theodore Ayers and her husband Theodore Ayers are residents of Galveston county in said State; that N. O. Green, a resident of said county of Bexar, and J. H. Beck, the attorney for the record of said Wm. Hall and Theodore Ayers and wife; that said Eliza Newcomb and C. A. Harper are non-residents of this State, and that neither said Eliza Newcomb and C. A. Harper had any attorney of record nor any other attorney to represent them in said cause.

Petitioners having filed their obligation as required by law, pray that citation be issued to the defendants in this State, commanding them to appear before our Supreme Court at its next term, and that said non-residents of the State be cited as may be directed, that a writ of prohibition issue and that in due time the record of this cause be transmitted to the Supreme Court.

And whereas, said plaintiffs in error have filed a supplement to the above described petition, alleging that neither said defendant Eliza Newcomb, nor C. A. Harper were ever represented by an Attorney of record or otherwise, nor have said parties any attorney at present, nor have they had, nor have they now any agent known to plaintiffs in error; that plaintiffs in error have used due diligence to ascertain these facts, and therefore pray that said parties be cited in the manner provided by law for citation to the district court, which said supplemental allegations are verified by the affidavit of W. B. Leigh, Attorney for the said plaintiff in error.

And whereas, affidavit has been made before me that the said defendants Eliza Newcomb and C. A. Harper are not residents of the State of Texas, and that the said plaintiffs in error have filed a good and sufficient bond, approved by me and conditioned according to law.

These are therefore to command you that you summon the said defendants, Eliza Newcomb and C. A. Harper, by publication of this writ in some regularly printed newspaper, published in this county, for four successive weeks previous to the return of a return, to be made and appear before the Honorable Supreme Court of the State of Texas at the next term thereof, to be held at the city of Austin, beginning on the first Monday in December, A. D. 1872, and there to defend said writ.

Hereto filed out of this writ makes due return.

Witness, Mortimer Slocum, Clerk of the District Court of said county, this 24th day of August, A. D. 1872.

M. SLOCUM, Clerk District Court Bexar County. My FRANK D. PURTT, Deputy. Issued same day.

W. B. LEIGH, Attorney. Came to hand August 24th, 1872. I hereby order the publication of this citation for four successive weeks.

H. D. BONNET, Sheriff of Bexar Co. By C. G. ARTZ, Deputy. 16-5-71dft.)

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If you value your eyesight use these Perfect Lenses. Ground from Minute Crystal Pebbles. Melted together, and derive their name "Diamond" on account of their Hardness and Brilliance. They will last many years without change, and are warranted superior to all others in use.

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