

# THE TELLER.

LEWISTON, NORTH IDAHO.

SATURDAY.....DECEMBER 9, 1876

## NEEDED LEGISLATION.

The solons of Idaho are now assembled at Boise City to do the law making for the Territory which will be required for the ensuing two years. We are not fully advised as to the sagacity and ability of the members of the present legislature, but as they have been the choice of the people for the purpose of legislation, they are and ought to be presumed to be competent.

Notwithstanding the recent compilation of our laws by the authority of a former legislature we yet fall far short of what is needful to make our laws as perfect as they should be. We hear much complaint in relation to the recent compilation, and some lawyers go so far as to say that the late volume of the laws compiled and published only tends to render confusion confounded, that we were better off with the several volumes before published than we are with the new. How much truth there may be in this assertion we are not prepared to say, having never critically examined the new volume. It is claimed for the new volume that it contains all the laws of Idaho that are operative, and that persons having the new volume need never consult any of the old ones to find the law of the Territory upon any given question. To make the laws complete in one volume was the original design of the legislature in having them compiled. But upon examination and comparison of the new with the old volumes very many say that the new is far from embodying the full laws of the Territory, and others claim that interpolations exist in the new that were never authorized.

This is a matter in which the whole public of Idaho are deeply interested, and a matter to which the present legislature should give special attention, and adopt means to have our laws plain and unmistakable in their meaning, and as compact as possible for the convenience of those who have to resort to the laws. Several laws of a general nature need changes to subserve the ends of justice and the convenience of parties litigant. The law of appeals needs some changes. The law regulating new trials in our courts needs amending in cases where causes are originally tried by a judge who holds court out of his district by reason of the disability of the resident judge to try the causes, and providing for settling statements, bills of exception, and disposing of motions for new trials at chambers and out of the district where the judge who tried the causes resides out of the district. A want of some provisions of this character, often works great hardship to parties litigant and in some cases entirely defeats the end of justice in bringing causes to a final issue. Many claim that our taxes should be materially reduced, certain it is that we pay far higher taxes than our sister and bordering Territory of Washington. This greatly retards the settlement of the country, especially the northern portion. At the last session of the Legislature the county of Nez Perce was divided and a large and populous portion of it annexed to Idaho county. But no provision was made for transferring causes then existing in the Probate courts, and estates which formerly belonged to Nez Perce, but by reason of the new county lines are now in Idaho county, to the jurisdiction of said county for settlement. This provision should be made.

Other localities may have necessity for some special legislation. We opine that our legislators will find something more to do than to speculate upon the present Presidential muddle, drink whisky, play pool and have an idle time generally. Every hour of their time during the sitting of the Assembly will be required to properly transact the business that is needed and expected at their hands, and then they will be forced to adjourn *sine die* with much unfinished yet important business on hand. No man should consent to go to the legislature unless he expects and is willing to work for his constituents while there and work faithfully.

## A CRISIS.

No one can contemplate the present Presidential muddle, and the telegraphic dispatches sent over the wires in relation thereto and not be convinced that our Republican government is experiencing a crisis heretofore unknown in its history. There would be but little doubt that the whole questions at issue could be amicably and justly settled without any outbreak among the people of any section, could the cool headed and wise of the land have the data under their control, upon which the settlement is to be made. But we are in the unfortunate position of finding these data in many instances in the hands and under the control of unscrupulous and gambling politicians, who have their all at stake upon some wished for result. Honesty, fair dealing, the purity of the ballot box are all matters of no importance to them so long as they can achieve their purpose. President Grant has seen fit to send troops to some of the Southern states ostensibly for the purpose of preventing frauds at the polls, and in the counting and returning of the votes. Under certain circumstances there is no doubt of authority in the President to protect the polls and the returns. But the good policy of the exercise of that authority under the excited state of the public mind is another question. We are not disposed to call in question the motives which actuated the President to do this, but we opine that in some cases it will be shown that he has acted upon false representations concerning the necessity for this military interference to preserve peace and secure a fair election by the people. From the recent dispatches giving the status of things in South Carolina we confess that we cannot see the necessity, or propriety of the troops guarding the State House and acting as ushers into the legislative halls. Better that all claiming seats there to have been admitted even if some had no right there, and left the civil authorities of that state to have settled the contests, than that the Federal arm of the Government should have interfered. The nation at large can better suffer the State of South Carolina to have an illegal legislature, than to suffer an unwarrantable and unjustifiable interference of Federal bayonets, such as is calculated to destroy the confidence of one-half of the people of the whole country in the integrity and good faith of the Federal government. When the confidence of the people in the constitutional fairness and justness of the government is once destroyed, there will become a rapid tendency on the part of ambitious men towards centralizing the government and inducing the people to quietly acquiesce therein. The San Francisco *Stock Exchange* in a short article on the situation concludes in the following language: "Returning Boards, Canvassing Boards, writs of injunctions, Supreme Court mandates, gratuitous opinions, are all gloriously mixed up in the hotch-potch, until the average reader is bewildered and he throws aside his paper, trusting, as we do, that Providence will continue on the right side and bring forth a President from the chaos of contention in the doubtful States. If Providence can't do it, we are afraid nothing else can. Let us pray." We join the prayer.

**RISES TO EXPLAIN.**—The *Idaho Statesman* of the 28th ult rises to explain the reasons for its attack upon the independence of the TELLER and indites a full column article without pith or point, and then stops in the midst of its own confusion of ideas by simply saying: "If it were not utterly repugnant to our own inclinations, we know the taste and temper of our readers too well, and we are guided by too high a regard for their rights and feelings to engage in bandying epithets."

Will not some philologist help our neighbor to finish the above sentence.

**SOUTH CAROLINA AFFAIRS.**—The *Chicago Times*' special of Nov. 29, says: Carl Schurz says according to present accounts from South Carolina I and all order-loving citizens must conclude that there is an usurpation of power which has no ground to stand on, and unless a different state of affairs prevail than the dispatches indicate the people will loudly protest against this overstepping of all party boundaries.

**DEAD.**—The papers announce the death of James H. Alvord at Hollister, Cal., Nov. 15 1876. Mr. Alvord was formerly a resident of Idaho and extensively known as a merchant at Florence and Slate Creek and was of the firm of Alvord & Storms. He was formerly U. S. Marshal of Idaho.

**DEATH OF JUDGE SHAFER.**—The *Idaho World* announces the death of Judge Shafer at Eureka, Nev., Nov. 22d. The deceased practised law in Florence in 1862, and part of 1863, then went to Boise and engaged in mining and practiced law. In 1868 he was elected Delegate to Congress from this Territory and served one term, afterwards returned to Boise basin, where he remained till 1873, then left for California. He was deemed an able lawyer and an amiable gentleman. He leaves a wife to mourn his loss.

**HIGH WATER DAMAGE.**—The Walla Walla papers chronicle much damage to mills, houses and bridges, in that vicinity by the high water of the 26th ult. Many say that a water-spout emptying itself in the Blue Mountains was the cause of the excessive rise in the water as at the time of the storm there was comparatively no snow in the mountains to furnish the great amount of water that found its way to the valley.

**INSANE.**—The *New York Sun* says that Clemens, the humorist, better known as Mark Twain, has become insane, and gives an account of an interview with him at his own home which leaves no doubt of his derangement of mind.

**FLORIDA.**—The Canvassing Board of returns for Florida on the 28th ult, certified thirty-eight majority for Hayes. This included all the counties but Dade.

**IMPEACHMENT.**—The *New York World* demands the impeachment of the President and his cabinet for unjustifiable interference of troops in South Carolina.

**SUPPLYING THE ENEMY.**—It is reported that large quantities of ammunition are being furnished to Sitting Bull by wagons from the British possessions.

**IN THE CASCADES.**—The *Portland Standard* says, that a farmer has discovered some rich placer mines in the Cascades, and has mortgaged his property to obtain means to open and work them. He produced six ounces of gold dust, of high grade, as evidence of his new discovery.

## MARRIED.

**KREBS LANDPHERE.**—At the residence of Ezra Baird, Lewiston I. T., Dec. 3d 1876, by Rev. Mr. Shafer, Gustavus Krebs to Miss Lida, C. Landphere.

Compliments of the parties received and enjoyed with much relish. May life run as smooth with the happy pair as the printers dreams were pleasant.

## PLAITING MACHINE.

Mrs. Alida J. Anderson

ANNOUNCES THAT SHE IS THE AGENT for MAIRS & KELLOGG'S PLAITING MACHINE. It makes any kind of side, knife or box plaiting more perfectly and even than the best hand made work. It works all kinds of cloth from the coarsest to the finest without injury to the fabric. It plait any depth up to 7 inches and any width. Prices low, give it a test. Plaiting done by the yard at Mrs. Andersons, Lewiston I. T.

## Sheriff's Sale

OF REAL ESTATE.

BY VIRTUE OF AN EXECUTION ISSUED out of the Justice's Court in the Precinct of Lewiston, County of Nez Perce, Idaho Territory, in the suit of P. W. McCabe against Patrick Mackey, judgment was rendered in the said suit on the 23d day of October, A. D. 1876, in favor of said plaintiff and against said defendant for the sum of seventy-two and forty-two one hundredths dollars (\$72 42) gold coin, and twenty-eight and eighty-eight one hundredths dollars (\$28 88) costs of suit together with accruing costs. I have levied upon all the right, title, and interest of the said Patrick Mackey the said defendant in and to the following described real estate, situate, lying, and being in County of Nez Perce, Idaho Territory, viz:

The south half of the northeast quarter and lot two, and southeast quarter of northwest quarter of section eighteen, township forty-three north, range five west, Boise meridian, comprising one hundred and sixty-one and ninety-four one hundredths (161.94) acres, with house and improvements thereunto belonging. Notice is hereby given, that on SATURDAY, the 23d day of DECEMBER, A. D. 1876, at 12 o'clock noon, in front of the Court House in the city of Lewiston, County of Nez Perce, I will sell all the right, title, and interest of the said Patrick Mackey in and to the said above described property to the highest bidder, for cash in gold coin.

EZRA BAIRD,

Sheriff of Nez Perce Co.  
Lewiston, I. T., Nov. 29th 1876.

# BAIRD BROS.,

PROPRIETORS OF THE

FLORENCE, WARRENS AND

ELK CITY

EXPRESS,

Transacting business with WELLS, FARGO & CO'S., Express. Also carrying the U. S. Mail from Lewiston to the above named places, and intermediate points.

Always Supplied With The Best

Of horses, coaches and "accommodating whips." Never Failing to Go Through on Time.

TRANSPORTATION OF

PASSENGERS, TREASURE

COLLECTIONS, ORDERS &c.,

MADE A SPECIALTY, AND ANY AND all business entrusted to them will be attended to promptly. We are making semi weekly trips to and from Lewiston, I. T., with stages. Leaving Lewiston at 4 o'clock A. M., on Tuesdays and Saturdays, and leaving Mount Idaho at 7 o'clock A. M., on Mondays and Thursdays of each week. Making weekly connections with the mining camps, Elk City, Florence and Warrens.

The best of references given if required.  
1-tf BAIRD BROS.

## DAN McELWEE'S

SALOON,

Montgomery Street,  
LEWISTON I. T.

At the stand formerly kept by L. E. Harris next door east of the Postoffice. Call in  
1-tf



## T. S. BILLINGS

Manufacturer And Importer Of

SADDLES AND HARNESS

LEWISTON, IDAHO.

A GOOD ASSORTMENT OF:

Saddles,	Zinc Collar Pads
Harness,	Kimball Checks,
Bridles,	Rockwell Bits
Cantinas	Texas "
Halters	California "
Surcingles	Mexican "
Riding Whips,	Race "
Stage "	Mexican Spurs
Team "	California "
Stock "	Dragoon "
Buggy "	Curry Combs
Brushes, Etc., Etc.,	

And everything pertaining to a first-class Harness Shop,

SOLD REASONABLY FOR

GOLD COIN OR

ITS EQUIVALENT.

Buggy Trimming and Repairing promptly attended to. Call and see.  
1-tf T. S. BILLINGS.

## NOTICE!

ALL PARTIES KNOWING THEMSELVES to be indebted to the undersigned, are hereby notified that if payment is not made before the first day of December next, legal process will be commenced for the recovery of the same. "Three tips and out."  
Oct. 30th 1876. D. H. HOWSER.  
3-5w