



INTRODUCTORY.

In presenting the first number of the Montana Post to our readers, it is but proper that we briefly lay down the principles that are to govern us as a journal.

Personalities will not be indulged in, as we believe it to be the province of a journalist to pursue an independent and straightforward course, and while we shall speak freely our sentiments on all subjects, we shall courteously extend to our opponents the same privilege.

THE RIGHTS OF THE GENERAL GOVERNMENT.

As this is a matter so generally discussed, and with many little understood, thoughts on the subject will not be in looking at this question the American should not make the constitution to his notion of what he would have means, but study to ascertain what our government really is, how it was formed, what are the powers of the government as conferred by the constitution, and what are the rights reserved to the States.

All American readers know that during the Revolution the different colonies or States, after they threw off their allegiance to Great Britain, were held together, by articles of confederation. Under those articles the colonies bound themselves together for the purpose of accomplishing a certain purpose (that of obtaining their independence), just as so many individuals form a partnership or association for the purpose of carrying on some legitimate business.

But, again, suppose that majorities trample on the rights of minorities, or that the general government interferes with the rights of the States—in other words, "puts its shovel where it should not"—what then is to be done? The answer is easy; the rights of the States and the people as a government, not out of it. The constitution itself provides for its change, either by three-fourths of the States, through a convention of the same, the general government having no say in the matter; or by a requisite number in Congress; here is the mode of redress.

But, says the objector, "the necessary number of States or Congress would not do this." This brings us to another part of the subject which we shall speak of in a future article.

of sustaining or rejecting the acts of the convention.

Then let it be remembered, the States, each in their State capacity, accepted or rejected the same—did not depend on a majority of the people to ratify the constitution—but each State was not bound by its provisions until she had adopted it. This was finally done by all the States after much discussion, Rhode Island being the last; and at that period, and not at any other, was the general government.

No state was bound by the constitution until she had adopted it. The point here is, that States existed before the general government—in fact, were the creatures that formed it. The powers conferred on the government by the States, are clearly defined in the constitution, among which is the right of declaring war, forming treaties, establishing post roads, regulating currency, &c., while all powers not delegated to the general government, remain with the States or the people. This latter clause is only negative, and explanatory, but shows how anxious were the Fathers to preserve the rights of the States, that to make "assurance doubly sure," this latter clause was inserted—as for instance, A owning 200 acres of land, sells 100 to B—this he conveys by deed of general warranty. Now, it is not necessary in the conveyance of the 100 acres to B, that he inserts a clause in B's deed that he (A) reserves the remaining 100. B only holds the 100 by his deed, but it shows caution, and a fear that the general government might usurp the authority of the States.

The States are sovereignties within themselves, having the right to make their own laws through their own legislatures; their own Judiciary to explain them, and their Executive to enforce them. These powers must not conflict with the Constitution of the United States or of the States, if so, the Judiciary so decides, and they are null and void. The beauty of our government, both state and national, is such that, if properly administered, there need be no conflict between the state and federal authority.

Indeed, while it is the duty of any citizen to yield obedient and willing obedience to the laws of the land while the same are in force, yet all of us being in States, look to the State and local authority for protection. Do we lose a horse, we apply to a magistrate for a warrant, and by authority of the power of the State, and at the expense of the same, try and convict the transgressor, and thus protect society against future outrages. So it is with murder arson, etc., showing the importance of state governments and local authorities.

And we can go farther, and say that in all matters affecting the local interests of the States, that they as well as the General Government should be the judges of their own grievances, or to put the proposition in another form, if by the government is meant the President, and by the State the Governor of the same. Then neither are the judges, except it be a question in which the Executive is made the judge by the constitution. But, in all other cases, the judiciary—the courts—that branch of the government created for the purpose and being the competent tribunal, is the only power or arbiter whose decisions are binding; and those decisions when made are the law of the land, and binding on every citizen.

But it may be said that he who argues for State Rights is an enemy of the general government. Let us see about that. We think he only is the friend of the government, who obeys the laws of his country, both state and national, as explained and interpreted by the courts.

Our answer is forthcoming: No. Why not? Simply, because when she agreed to adopt the federal constitution there was no clause in it giving her that right, therefore she impliedly if not expressly agreed that she would not.

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WAR NEWS OF THE WEEK.

The telegraph brings us as usual this week a large amount of news, from which we glean the following as most reliable: At last accounts—the 15th inst.—Mobile was closely invested by our land forces, the gunboats co-operating. Fort Morgan at the entrance of the harbor, was passed by our fleet, Fort Powell, above, with other batteries, were abandoned. The greatest engagement was severe; our boats steamed up to the Confederate works lashed together two and two, and engaged the rebel fleet as well as Fort Morgan. Our fleet, commanded by Admiral Farragut, the rebel fleet by Buchanan. Admiral Buchanan, after obstinate resistance, is a prisoner in our hands; he was severely wounded in the leg—it is reported that he is since dead. The huge rebel ram Tennessee was captured by our fleet. We lost the Tennessee—blown up by a rebel torpedo. General Granger commands the land forces and did good service. This important advantage in thus placing our fleet above the strong works which command the entrance to the pass, while our land forces are gradually contracting their lines and approaching the city, places the same in "a bad row for stumps."

At Atlanta we have had a series of desperate engagements, resulting in Union successes. The Confederates placed Hood in command of Johnson's army because it was said he was a daring general and would give Sherman battle, while Johnson was too cautious. The result shows that Johnson knew what he had to contend with. Hood did engage Sherman and lost heavily by it. Sherman has now a strong position on his line in the form of a semicircle and is gradually approaching the city; our works are now close to the rebel position, the heaviest looks bright in the Southwest. True the southern troops foot by foot reluctantly give back as our troops advance.

Turning to the Army of the Potomac, recently there has been no heavy fighting; Lee and Grant, owing to the extreme heat, are apparently content to let their armies rest and recruit their exhausted energies preparatory to future desperate struggles. Petersburg remains in about the same condition; while the rebel raid into Maryland, which had two objects in view, one to threaten Washington and cause Grant's army to be withdrawn from the front and thereby relieve Richmond, and the other to fill their "mooks" in the Shenandoah Valley. Grant paid no attention to this movement, but kept his eye on Richmond. They got some plunder, and lost a good deal; burnt Chambersburg, Pa.—probably had a right to do this as her civil authorities surrendered it over a year ago without resistance. We simply note this to show in what high estimation the southern soldier holds his northern pretended friend. Their forces, badly harassed by our troops, are retreating down the valley of the Shenandoah.

Nothing is going on at Charleston. Our troops are occasionally firing on Fort Sumter and throwing shells at the rebel works, just to let them know that they are about, and then waiting to give the rebels time to repair damages, get under cover and wait for more bombs. Along the coast at Beaufort we hear no news, and will wait for the "school marm's" report from that quarter.

There are some bushwhackers in Kentucky and Missouri. Missouri appears to be unfortunate—the trouble is with her own people. They have never forgotten politics; keep running after this leader and that, until their houses are burned, their property carried off and themselves murdered—first by the bushwhacker, next by the Jayhawkers. We would rejoice to see Missouri wheel into line, her people unite, let politics alone, and with the flag in her hand her people would be safe. Let her drive out her political charlatans and she will have no fear of raiders.

Now we turn to the Indians. We have long looked for news from General Sully, but he is slower than "the seven-year-itch." May be he don't want to "kill the goose that lays the golden egg." His preparations at St. Louis were on a gigantic scale this spring, and judging from the number of his boats loaded with stores going up the river; one would think he was going to war with the British Empire, and did not expect to return for years. He has probably got up to the mouth of the Yellowstone, and maybe built a fort, probably sent some troops to the mouth of the Big Horn, who will remain during the winter. They will have no fears of being approached with pick and shovel by the Sioux. Sully may meet a Sioux, but will he catch one, "that's the rub."

In the meantime the Indians of the plains, having banded together, are committing all sorts of butcheries on the defenceless inhabitants of Western Kansas, burning houses, stealing horses, etc., while the people are fleeing for safety. The Oregon Mail line has been stopped, and we have no news from the States. Several of the stations along the line were in the hands of the Indians. The company have drawn off their stock to places of greater safety; trains have been attacked and several killed. There is said to be few troops along the line. There are plenty of people in Colorado to clean out these "breach-clout gentlemen," if the authorities will give them a chance. Should they need any help, we have plenty of old mountaineers up here who will take a hand.

Our plan is to let out the Indian war by contract to the lowest bidder. If the Government don't understand this business, let her sell out to somebody that does. Our people have looked on these Indian butcheries about long enough, and if they don't cease, will soon take the matter into their own hands. If the Indians are all banded together against the whites, as is reported, we can't go amiss; but this we don't believe; there are some really friendly and these should be protected.

Recently up on Bear's head, not far from this city, a woman and two children were killed. We have heard two sides as to the reasons, but have not learned the facts in the case. A party immediately left this city to investigate the matter. We shall soon be put in possession of the facts, by-the-by, if the Indian interferes with our people he will wake up the wrong passenger, that's all. We are informed that the Overland Mail will soon be in running order, when our people will again be in receipt of news from the States.

Ones in the States.—By recent letters we learn that the wheat crop in Ohio, Indiana and Illinois is far better than was expected after the severe winter. Corn is doing well, and is in late planting and some places is

DARING ROBBERY.—On the 21st inst., while the Express coach was passing through Fort Neff Canon, between this city and Salt Lake, she was stopped by four robbers, and the inmates, four in number, were robbed of from \$27,000 in dust. They were on their way to the States, having been here sometime in accumulating by industry, that which at home would have made them comfortable. We learn that some \$10,000 of the money belonged to a banker of this city. This business is commencing a little here, and prompt measures should and will be resorted to to put a stop to these daring outrages. These road agents, as they are called, can easily be dispersed with. The names of these unfortunate persons, as we have been informed, are as follows: Jack Hughes, Howard Norris, E. L. Stanley and Charles Bessor.

HOLES IN THE MOUNTAINS.—All along our gulch are seen caves or excavations; these are caused by the miners in drifting. As the dirt is rich near the bed-rock, and as you near the mountains the stripping becomes heavier, the miner resorts to the drift. He follows the bed-rock, securing the roof above by timbers as is done in coal banks; and thus a large amount of gold is taken out at cheap rates. Drifters are those who work under ground, and being well acquainted with the work, receive large pay. Drifting is also attended with some danger, frequently the piling gives way, and the unfortunate miner is entombed in a vault dug with his own hands.

NEVADA CITY, THE JUNCTION AND CENTERVILLE.—We have not as yet had time to visit those enterprising and flourishing cities, but on passing through these places the first and only time, were struck with their size, neat appearance and amount of business done. Though Nevada is only a year old, many fine and substantial buildings have been erected. The Junction and Centerville, only two months old, have lots of fellows in them "keeping store." Success to our adjacent cities. No more enterprising men are seen anywhere, as is shown by the number of their subscribers to the Post, their job-work, advertising, &c. Pitch in, boys, you shall lose nothing by it.

ALMOST A ROW.—Passing along Cover Street, the other day, our attention was attracted by a group of juveniles with open eyes and wretches, making all sorts of gesticulations, saying: "Pa will buy one for me." "I'll bet Pa will have one for me." On coming nearer, we learned that the cause of the excitement was a fine lot of pies on the counter of the Mechanical Bakery. Call and elbow your way through the crowd of customers and see for yourselves.

TO THOSE WISHING TO SEND PAPERS HOME.—Many persons complain that they send newspapers to their friends in the States which never reach their destination. The Post Office regulations are that all transient papers are to be prepaid three cents each. Put a three-cent stamp on the paper and it will go through.

FIGHT ON THE OVERLAND ROUTE.—A friend hands us a communication giving a somewhat graphic description of a fight on the Overland Route, in which the writer participated. We are informed that during the fight, a number showed the "white feather." After it was over, they exclaimed, "Boys didn't we give it to them?"

AN ACT RELATING TO THE DISCOVERY OF GOLD AND SILVER QUARTZ LODES, AND OF THE MANNER OF THEIR LOCATION.

Sec. 1. That any person or persons who may hereafter discover any quartz lead or lode, shall be entitled to one claim by right of discovery, and one claim each by location.

Sec. 2. That quartz claims shall consist of two hundred feet along the lead or lode, by one hundred feet in breadth, covering and including all dips spurs and angles within the bounds of said claim, as also the right of draining, tunneling and such other privileges as may be necessary to the working of said claim.

Sec. 3. The locator of any quartz claim on any lead or lode, shall, at the time of locating such claim, place a substantial stake, not less than three inches in diameter, at each end of said claim, on which shall be a written notice specifying the name of the locator, the number of feet claimed, together with the year, month and day when the same was taken.

Sec. 4. All claims shall be recorded in the County Recorder's Office within ten days from the time of posting notice thereon, provided that when the claim is more than thirty miles distant from the county seat, the time shall extend to fifteen days.

Sec. 5. Quartz claims recorded in accordance with the provisions of section four of this act, shall entitle the person so recording, to hold the same to the use of himself, his heirs and assigns, provided that within six months from and after the date of recording, he shall perform or cause to be performed thereon, work amounting in value, to the sum of one hundred dollars.

Sec. 6. Any person or persons holding quartz claims in pursuance with this act, shall renew the notice required in section three, at least once in twelve months, unless said claimant is occupying and working the same.

Sec. 7. The conveyance of quartz claims to other persons, by bills of sale, or other instruments of writing, with or without seal, shall be construed in accordance with the lawful local rules, regulations and customs of miners in the several mining districts, and said bills of sale or instruments of writing conveying quartz claims, shall be prima facie evidence of sale, as if such conveyance had been made by deed under seal.

CORRESPONDENCE.

THE POST.—A train of one hundred and fifty wagons from Omaha came in last week; having left the lower Platte bridge on the first of July. They came the road leading from Deer Creek, called Boyeman's out. After having crossed the Black Hills, where they suffered but little for the want of grass and water, they report the road as being one of the finest, and that they did at every encampment, the streams of water, the banks of which were well timbered and covered with a luxuriant vegetation. Fish and game abound all the way, and in fact in several instances the emigrants were very much tempted by the beauty of the locations to establish themselves there and create permanent settlements. They had to contend with Indians on Powder River. The red devils came to them with their usual treachery, pretending to be on a friendly errand to the whites, as they only wanted to buy a few articles, such as flour, sugar, coffee, etc. They wore Cheyennes, and were well armed and mounted. Dr. Crepin, who had learned at his cost on the Platte river how much reliance could be placed on their polite assurances, tried to get some of them to come in the camp; but they could not be induced to do so, which fact went far to show to all acquainted with Indian customs that they were bent on mischief. Still, as most of the men composing the train were anxious to avoid difficulties with these Indians, it was decided that presents should first be made to them, and that on receiving them they should be requested to depart. The Indians, as also those persons who knew something about Indians, expressed at once their disapprobation at these proceedings, they being in favor of at once changing upon and driving them off. Finally, the Indians were treated to a handsome breakfast, after which instead of departing, the chief stuck his lance in the ground and the warriors gathering together began to take positions on the hills surrounding the camp. It was soon ascertained that a man who had gone but a few miles from the camp to hunt for a stray cow, had not yet returned, and that the Indians had probably murdered and robbed him. Dr. Crepin immediately proposed to raise a company for the purpose of going out and ascertaining his fate, and putting spurs to his horse declared that if nobody followed he would go alone. Six mounted men at once joined him, and a number on foot under the lead of the guide ascended a hill which commanded the road. The Indians were in sight but they kept quiet until the brave little band had gone about two miles, when suddenly the Indians rushed down the hills and surrounded them. These proceedings were being watched by a number of persons with the greatest anxiety; the odds were so great against them that scarcely a hope could be entertained of seeing them return alive. Hearing the clamor raised by our men, the brave horse halted and seemed to consult together for a few minutes, when the Doctor briefly told them that they had better prepare for the worst; that their chances for escape were few, and that they might as well kill as many of those devils as they could, and then die like brave men. The men did as they were told, and the little band was seen coming like a thunderbolt amongst the miscreants. The Doctor was seen pulling one Indian by the hair, his own horse and that of the Indian running together like two well trained hounds. The Doctor told us afterwards that the Indian was killed, he had shot him through the heart and was trying to get his scalp. It was thought that this Indian must have been the chief, for he was dressed in a very fine suit of clothes, and was very smartly got back to camp, but not without visible marks of their bravery; one of them whose name we do not know, and who fought like a lion, came in with an arrow through his neck. The Indians having set the grounds around the corral on fire, it required a large number of men to quench it; in the meantime firing at long range was done from the hills, possession of which had been taken by the boys. The Indians kept hovering around until four o'clock in the afternoon, when they departed thirty less in number. The emigrants had to regret the loss of four men killed, one of whom was found with eleven arrows and three balls in his body. There were several wounded, among whom was the Doctor; but all did well under his care and are now in the country prospecting for gold. No more Indians were seen after this occurrence, although the emigrants stopped some time at the Big Horn and at Clark's Fork for prospecting. Now, it may be asked how long the people will submit to be murdered and plundered by beings who do not deserve the name of men, but whose existence on earth is as questionable as that of the rattlesnake? E. W.

FOUND DEAD.—A man was found in our city yesterday morning dead. An inquest was held on the body, and the verdict, as we learn, was death by exposure caused by intemperance. We did not learn the name of the deceased, but note this case as another of "rum's victims." He was decently buried by the authorities.

NO LATER NEWS.—Owing to the Express coach being broken down last night, we are without news. On Saturday or Friday we have given the latest. May be an Express from the States, or domestics, as the line has probably been destroyed by the Indians. We shall soon, however, be able to give all the reliable news received—as soon as the line is open.

WANTED.—TO HEAR FROM HER SON.—Mrs. Hopkins, lately of St. Louis, is now in this city, and anxious to receive any word respecting her son, Wm. Hopkins. When last heard from, he was in this Territory. Any information, by letter or otherwise, will be gladly received by his mother.

NEW RECRUITING REGULATIONS.—On July 18th President Lincoln issued a call for one hundred thousand volunteers. Under this call men may enlist for one, two or three years, and the United States pays a bounty of \$100 per year. The first payment for one year men is \$33 33; for two years men, \$66 66; for three years men, \$100. In addition to this the State pays \$20 for recruits, and \$300 for veterans; in addition to this the men are boarded, clothed and their doctor's bill paid, and no tax levied on them. The pay and bounty amount to \$223 for three years—\$100 per month.

The Home of John B. Gough.

A correspondent of the New Haven Courier, writing from "Hillside," near New Haven, gives the following description of John B. Gough's residence:

A ride from Worcester upon the Boston road, of about four miles, brings you to a ridge of hills, a grove, and buildings of Gough. Passing a small house on the main road, where the owner resides, the private road winds away up the hill to the dwelling of Gough. The grounds are beautifully laid out, the hundreds of trees were all arranged by the proprietor himself, where twenty years ago, existed only two oaks, which stand their stateliness yet, and on the summit of the place of two hundred and fifty small parcels of woodland. The house is of perfect neatness, inside and out, large barn and a neat ten-room house boarding the employees of the farm very near; altogether composing a fine settlement. The works of art, the pictures brought from Europe, the valuable library, are attractions nowhere else to be met with. At the present time, say nothing of silver, thirty persons are helping to what is produced here. The occupation of the farm consists of eight horses, cows, chickens and pigs. Water is brought from the hill higher up into the house and the evenings are spent in singing, together with other profitable and amusing entertainments. It ventures to predict that Gough could be induced to sing for a dance he would meet with as great a success as with any of his lectures. He is now preparing a new lecture upon "Facts and Fiction" for next season.

THE LATEST NEWS.

NEW YORK, Aug. 15th.—Herald's special from South-west sends the following: The fleet under Farragut passed the forts at the entrance of Mobile Bay, at 8 o'clock on the morning of the 5th. The monitor Tennessee was up by a rebel torpedo. No other vessels were lost. The rebel ram Tennessee, under the command of the late Admiral Buchanan lost a leg and is in a corner. The land forces under Granger vesting Fort Gaines with light batteries opened upon the fort simultaneously with the passage of the fleet by the fleet, and the water batteries and silencing the Fort Powell, in Mobile Bay, was blown and evacuated by the rebels.

The Richmond Sentinel of the 15th says: There is little doubt that Grant is moving a large body of his troops cautiously and secretly from our front. Where he is going we do not know, but they are City Point on transports and go down river. His steamers laden with troops have been seen within the last few days moving off.

CINCINNATI, Aug. 13th.—A special to the Commercial from Knoxville states that pretty hard fighting occurred on Saturday, Sunday and Monday the front, but no general battle. Advantages decidedly in our favor.

The Herald's Washington special says: Commissioners of Indian Affairs are formed by Gov. Evans that he is satisfied that nearly all the Indian tribes of Plains are combined in war against the whites. It will be the greatest Indian war this country has ever had, extending from Texas to the British Possessions.

The Times' Washington special says: Notwithstanding the fact that the fleet did not, but failed to attack when desired, and to answer telegrams sent in afternoon until the next morning. Not more than sixty-four dispatches were sent Meade to Burnside. The latter claims he expected Meade to be on hand to be operative, which claim, it is believed, cannot be allowed.

NEW YORK, Aug. 15th.—Farragut, in a letter to Com. Palmetto at New Orleans, says: At an early hour of the 10th our fleet, instead of two and one, sailed into the Pass, close under the nose of Fort Morgan, pouring in broadside shot, a broadside of grape and canister, driving our vessels exposed only to the fire from Fort Gaines and Powell, which is of little effect on account of distance; at the same time, Granger's land batteries enfiladed Fort Gaines, and caused its evacuation on the blowing up of Fort Powell. In passing the Forts, the Onocida received a shot which temporarily disabled her machinery, but was safely towed through to the fire; but her consort, our monitor Tecumseh, carrying the foremost, was sunk instantaneously, carrying down 100 men, including Capt. Corran. The oncoths having passed it, they were pursued by the formidable rebel ram Tennessee, and three iron-clad rams, which immediately attacked and battered her so effectually that she was obliged to surrender in a few minutes. The ram was but slightly injured. Lt. Prentiss, of the Monitor, lost both legs, and Capt. Maloney, of the Onocida, lost an arm.

The Herald's correspondent of Mobile says: When the Selma surrendered to the Federals, on boarding her, it was found she had lost four masts, her deck was covered with dead and dying. Her supplies were with blood, and her Commander, Lee Comstock, formerly of the United States Navy, was lying dead across the bow of a gun with his bowels torn out. The Tennessee attempted to avoid the monitors made for the wooden ships, but the ship and Monitor, followed her up; the latter struck the Tennessee amidships, and her terrible prow, causing the huge monitor to reel like a drunken man. She further blooded was saved by the latter raising the white flag. The same Selma slaughter was visible here as on the Selma. Capt. Girard now commands the captured ram. We captured near three hundred prisoners. Our army has been informed that the Selma is in a bad way. Having struck by every one of our monitors, she was forced to surrender. The ram was captured from Pensacola, and prevented the escape of the

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