THE MONTANA POST.

A Newspaper, Devoted to the Mineral, Agricultural and Commercial Interests of Montana Territory.

D. W. TILTON & CO., Publishers and Proprietors. "MY COUNTRY, MAY SHE ALWAYS BE RIGHT; BUT, MY COUNTRY, RIGHT OR WRONG." TERMS: $8 a year, in advance.

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THE MONTANA POST.

D. W. TILTON & CO.,

D. W. TILTON, BEN. R. DITTES,

PUBLISHERS & PROPRIETORS.

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THE NEW MINING LAW—LETTER FROM HIGHLAND.

The following communication represents the unanimous opinion of the miners, who sustain the position of the POST in opposing the "new mining law." The subject is so important that we cheerfully insert it in our columns. The passage of acts of this character shows to the voters of the Territory that they cannot exercise too much discrimination in selecting a proper representative to sit in the Congress at Washington. By the election of the present inefficient incumbent, they declared that they preferred a man who advocated certain political theories, to one whose commanding talents and high character would have been invaluable in defeating unjust legislation. We have no doubt that a majority of our readers will agree with Judge Alex. Davis, a thorough democrat, who candidly declared, in the meeting that assembled in Virginia City, on the 22d ult., as follows: "It would have been better for the interests of Montana, if we had elected W. F. Sanders instead of Samuel McLean. I say this as a life long democrat, who has no sympathies in any degree with the political principles which the former gentleman has so boldly upheld." We do not insert the above extract as a personal compliment, but as a suggestion. The people of Montana must choose for high offices men who will maintain their privileges with knowledge and ability; or be prepared to take the consequences if they throw away their suffrages upon demagogues like McLean. If the citizens of the mining districts will stand upon this independent platform, and support the *best* candidates for their votes, there will be no more injury caused by imperfect and uncalled for enactments like the "new mining law."

HIGHLAND, August 26th, 1866.

EDITOR POST: In the issue of the POST of August 18th, I read the new mining law, and also your comments thereon. I was pleased to see that the leading journal of this Territory took a decided stand against such a foolish, unjust and decidedly ruinous law. I wish that every journal, not only in this Territory, but also in every mining State and Territory, would take as firm a stand against a law so ruinous to their best interests, and more especially to their future prosperity.

The rapid settlement of these States and Territories—Oregon, California, Idaho, Washington, Colorado, Nevada, Arizona and Montana—was caused by the discovery of the precious metals, and by the system of free mining therefor. The unparalleled growth and progress of those States and Territories are strong testimony in favor of the system of free mining; and with that system rests the future prosperity of all those States and Territories. It is only necessary to point to this cluster of States and Territories—to this once howling wilderness converted, in the short space of fifteen years, into a habitable place for hundreds of thousands of enterprising people—to show the result of a system of free mining. These States and Territories have been the magazine from which the Federal Government drew its sinews of war. It was the army of miners gathered into these States and Territories, that furnished the means to maintain an army that crushed the late rebellion. And now it is the small corps of sappers at Washington that, by erroneous legislation, would sap the strength, not only of those States and Territories, but of the general government. If the late enactment by Congress is enforced—if miners are compelled to comply with the provisions of that act—it will not only arrest the exploration and development of much mining land, but will decrease the production of the precious metals in mines now opened; and such a result will be reached in two or three years. The prospector will no longer risk his life among Indians, brave the hardship and deprivation of a prospector's life, to explore the mountain for new mines; to develope them with hard labor—when he knows that he has not the means to comply with a law, by which he can acquire title to his discovery; and that capitalists can oust him from his hard-earned discovery, on account of his inability to comply with the provisions of the mining law.

Now I would ask: What is to be gained by the enactment by Congress of such a law? Will Government derive any more revenue from the sale of mineral lands than from a moderate taxation of gold at the mint? I answer, No. And I think that a careful calculation of the probable net receipts from both sources, will show a balance in favor of taxation of gold at the mint. Senator Williams, of Oregon, in discussing the mining bill in the United States Senate, very justly said: "I think it worse than folly for the Government to undertake any system of this kind, with a view of increasing its income; for, instead of adding anything to the revenue of the Government, it will only impose new and grievous burdens upon it."

But granting that Government will receive an income from the sale of mineral lands, is it wise for Government to open a Pandora's box of legal difficulties among the mining population of these States and Territories? Is it wise to arrest the development of new mining territory, and check the production of the precious metals, for the small amount which the Government is likely to receive—for four or five years only—from the sale of mineral lands; when, under the system of free mining, the whole country, from latitude 49 deg. north to the Gulf of California, from Colorado to the Pacific Ocean, will be thoroughly explored by the prospector, in search of the precious metals?

It will, I think, be admitted by every one, that, with our present national debt, it is to the interest of the Government to foster and encourage the exploration for, and production of the precious metals. It must be admitted also, that under no other system can there be such a rapid opening up of mining territory and such a large yield of precious metals as the last fifteen years has witnessed under the system of free mining. It is not only the present which will be seriously affected by this mining law—but the far future. This law is the germ of a monstrous monopoly—a beginning for the centralization of wealth.

Victor Hugo has said: "The two problems for a nation to solve are, first, to produce wealth. Secondly, to distribute it. The true result will show national prosperity. England solves the first of these two problems. She creates wealth wonderfully. She distributes it badly. Witness the two extremes of society. Monstrous opulence. Monstrous misery. All the enjoyment to the few—all the misery to the rest." Had Victor Hugo been acquainted with the structure of society in the United States, he could have added that the people of the United States came very near solving both problems, as we produce wealth rapidly, and our wealth is in possession of the many, and not of the few. We have, therefore, enjoyment for the many, and misery for but few. We have among us no feudal aristocracy, gorged with the wealth of the land, but a free intelligent, educated people, and wealth distributed among them according to enterprise. It is this general distribution of wealth that gives stability and vigorous strength to our government. It is then the duty of our national legislators, to avoid enacting laws calculated to centralize wealth. Our next Congress ought to repeal the mining law, and declare the mineral lands forever open to free occupation, untrammeled by Congressional enactments, allowing, as heretofore, miners' laws and customs to be the law of the mining section. Senator Stewart of Nevada, has well said: "The laws and customs of miners were founded on reason and justice, and challenged the admiration of all who investigated them, and a system of wise and judicious decisions have moulded these regulations into a comprehensive system of common law. This system has spread over all the mineral States and Territories, and it is well understood by a million of men. A miner's law is a part of his nature, he made it, and he loves, trusts and obeys it. He has given the honest toil of his life to acquire wealth, which, when found, is protected by no higher law than that enacted by himself, under the implied sanction of a just and generous government. Senators who have not given this subject special attention, can hardly realize the wonderful results of this system of free mining. It would be a national calamity to adopt any system that would close that vast region to the prospectors." Had Senator Stewart stopped there, it would have been well, but again he says: "The importance of legislation, which shall give title, so important for permanent prosperity is daily increasing by the agitation of the subject, by the absolute necessity of some system guaranteeing to capitalists indemnity for their investments" Now I ask what better title is needed by capitalists, than the title given by miners' local laws, or by State and territorial Legislative enactments?

Senator Stewart again says: "This bill proposes no new system but sanctions, regulates and confirms, a system to which the people are devotedly attached, and removes those of doubt and uncertainty which have recently depressed and retarded the growth and prosperity of our mining communities." Now, on the contrary, I think that this mining bill does propose an entirely new and ruinous system, involves all mining interests in doubt and uncertainty and will retard the growth and prosperity of every mining community.

In conclusion, I will say that the representatives from the mining States and Territories were recreant to their true duty, in not presenting a firm front, a solid phalanx, in opposition to the passage of the mining law, and particularly the Delegate from this Territory, who thinks that such a law "will suit our folks in all the mining States and Territories," and that "we must swallow the one thousand dollar clause to *get the seat*." Heaven help the rest! We must swallow salts to get castor oil. Our Delegate has shown much weakness and frailty during the whole term of his service, but we were hardly prepared for such an avowal which is contained in his letter about the mining law. But our Delegate may put in a Falstaffian plea: "In a state of innocency Adam fell, and what should poor Jack Falstaff do in the days of villainy? Thou see'st I have more flesh than another man, therefore more frailty."

Let us hope that our delegate and the the representatives from all other mining States and Territories will see the error of their ways, and struggle hard for a repeal of the mining law by the next Congress. S. H. D.

LETTER FROM HELENA.

HELENA, August 26th, 1866.

EDITOR POST:—When the City Hall at New York was building, the city fathers, thinking that no part of the island North of its site would ever be thickly settled, from motives of economy constructed the upper side of red sand stone, using marble for the South side and wings only. How they miscalculated every one knows. We in Helena are not disposed to fall into a similar error; hence, in the location of the new post office, the wants of posterity, rather than the convenience of the present generation, have been consulted. It is placed well up on Broad street—it was far enough away before—and on the North side of the street, so that by eight o'clock in the morning, when the "plain people," who do not rent boxes or drawers, form in line for their mail matter, they are subjected to the rays of the sun, pouring down upon them in a way that must be felt to be appreciated.

No cases of sun-stroke have occurred yet, and as Americans can adapt themselves to any circumstances, they will, perhaps, come to like even this.

The building is more convenient for the insiders and employees than the old one, having a better supply of light, and in this respect alone, as far as I can see, is an improvement.

The great sensation connected with mining has been the arrival of 2200lbs of dust from Montana Bar, the fame of which has reached you ere this. I saw the three fortunate owners of this magnificent pile, and have also seen more than three who have sought long and diligently for riches in the bowels of the earth without success. Such great strikes doubtless stimulate many a faltering heart to further exertion in hopes of similar good fortune. But here, as elsewhere, the rule holds good, success is for the few, disappointment for the many.

What do you think of prize fighting? Every one says it is brutal. Well, so it is. But there must be much that is brutal in the best of us, for I observe it is very hard to see a fight going on without becoming interested in it, or at least making very strenuous efforts to see the end as well as the beginning.

We have had one of those encounters—scientific they are called by those who favor them—and the result was that two stalwart fellows bruised and disfigured each other considerably, and the big man, whom we, the uninitiated, thought the the better man, lost the fight by a foul blow. All seemed pleased until it was suggested by some of the knowing ones, that the whole affair was pre-arranged, and that the gate money was divided among those interested, this being the only money that changed hands. But it was a consolation to think that those who endured such beating for money must have had the worst of the bargain.

A Democratic ratification meeting is the next thing in order of time, and deserves less comment even than the fight. The weather was unfavorable, the crowd small and unsympathetic, and the speaking not good.

One of the orators was hooted away from the stand, although he told them he was an "old line Democrat," and offered to say anything they wished, if they would only tell him what that was. Another should be indicted for mayhem by the next grand jury, for he inflicted severe wounds upon our mother tongue with every sentence he uttered. The burden of the song was something about a legislature, which a horrid Radical judge had pronounced not a legislature, and something about swallowing Andy Johnson boots and all. You know the rest. Indeed, I met a person who gave me an accurate account of the whole affair without having been near the meeting.

The complaint in the POST against the temple of Terpischore in your city, will apply to the similar pest houses here. What we need more than anything else at present, is a thorough and vigorous police. Disorderly conduct, riot and breach of the peace are too common and it is time that decent people have some respect paid to their rights. A night's rest undisturbed by drunken brawls would be a very agreeable novelty.

One branch of business must be good here—the sale of horses at auction. Our auctioneers seem to have sold all the horses in creation, and still keep selling more horses. Pedestrians have no rights either in the street or on the sidewalk, one would think from the wild way our jockeys speed along. Something ought to be done to stop this, or at least render travelling less dangerous.

The telegraph brings us the report of what the Philadelphia Convention has done, and we feel an interest in national politics, even here among the mountains. Messrs. Doolittle and Raymond have, by the good natured concession of Fernando Wood and Vallandigham, attained the bad eminence of chief actors in this strange movement. Viewed as a Republican measure, it is a concession to the prejudices of the enemies of the country, a policy which has been tried again and again, and never with any other than evil results. As a Democratic measure, it has some significance, and shows the usual shrewdness of that party's leaders. With them, it is the first step toward undoing the few good acts of the late patriotic, but often indiscreet, Congress. The principle set forth in the resolutions that no State can go out of the Union, nor can representation be denied to any State, is specious but will deceive none but those who wish to be deceived. People who cannot exactly point out the policy of such a doctrine, *feel* well enough that it is false, and the few respectable names connected with the Philadelphia movement will not reconcile them to the absurdity.

Mr. Lincoln completely exposed the doctrine of Popular Sovereignty—which in its day was an equally great stumbling block—by showing it to mean that "if A. wishes to enslave B., C. has no right to object." The *reductio ad absurdum* of the new dogma is equally easy, and is this: Granting it to be true, it follows that any portion of our citizens, provided they be sufficiently numerous to make it impolitic to hang them all in case of failure in their undertaking, may rebel, and upon being subdued by the national authority, have a right to exercise all the political franchises they possessed before. To make it still more glaring we have, by emancipating the blacks, given the South two-fifths more power in the House of Representatives, as a reward for their good conduct for the past five years! When the new party prevails in the country, there will be more than Wendell Phillips who will think "the South victorious." For what will the South have lost? Slavery was never worth fighting for, except as an instrument of power in national politics, and they have gained, and not lost, in this respect, by the recent change in the status of the negro. I do not believe that the people of the North who were so restless under the injustice of the three-fifths representation clause in the constitution, will acquiesce in the greater injustice which President Johnson's policy, if carried out, will impose on them. The conservatism which defends only abuses, and the magnanimity which gives both our friends and ourselves bound into the hands of our own and our country's enemies, I cannot believe will find favor among an intelligent people. HAL.

PEOPLE'S MEETING.

First meeting and organization of the Johnson Party of Montana Territory. In pursuance of the following notice published in the MONTANA POST,

"A meeting will be held at the U. S. court room, Virginia City, on Saturday evening, of all persons favorable to the reconstruction policy of President Johnson, and the platform adopted at the Philadelphia Convention, and in favor of the nominations made and the principles announced at the People's Convention on Thursday evening."

On motion, Hon. Paris S. Pfouts was called to the chair, and Truman C. Everts and John S. Bartruff appointed secretaries

Mr. Pfouts, on taking the chair, addressed the meeting at some length, congratulating it that so large and influential an audience had responded to the call of the first Johnson meeting in Montana. He then proceeded to show how the affairs of the Territory had been managed by a clique and called upon the people to unite with the miners and others in their efforts to put it down by supporting the nominations made on Wednesday night.

Hon. H. L. Hosmer then read to the meeting the speech delivered by President Johnson, to the delegation appointed by the Philadelphia Convention to wait on him, and announce to him the proceedings of said Convention. This was received with frequent bursts of applause from the large and attentive audience.

Judge Hosmer then presented the following resolutions, which he supported by a speech in which he considered the various propositions contained in them, and very clearly showed the necessity for a change in the administration of affairs in this Territory:

Resolved, That we learn with profound gratitude of the harmony and unanimity which prevailed in the recent grand Convention at Philadelphia, which we hail as the harbinger of a brighter day in our National History, and the precursor of a union in sentiment and action, that shall conciliate all portions of the nation, and confirm in a befitting manner, the peace, won at such vast expenditure of blood and treasure.

Resolved, That we believe in an undivided Union, as our only source of National blessing, and that the sooner the old quarrels which have so long and so terribly disunited us, are forgotten, and all again rejoice in the old flag, the sooner will we realize the beneficient results of those great principles, which lie at the foundation of our Government—which as they can be sooner attained by supporting the generous and noble policy of reconstruction, advanced by President Johnson, by mutual conciliation and mutual sacrafice, we do hereby most cordially recommend to the adoption and support of all the citizens of this new Territory.

Resolved, That we fully endorse the principles promulgated at the Miner's and People's meeting, with reference to the government of the affairs of this Territory, and will cordially unite in the support of the ticket, at that time put in nomination.

Resolved, That we recognize as a great conservative principle, the doctrine announced by President Johnson, "once a State, always a State," and feel, that to his steadfast adherance to it, and his firm resistence of the extreme measures of the radical party in Congress, his faithful reliance upon the adequacy of law, to preserve peace and good order, we are indebted for the harmony which now prevails in that portion of our Country, so lately shaken by the rebellion.

Resolved, That we have no sympathy with the extreme party intolerance and malignity, which would prevent the recognition of States or persons, by the Government, after they have grounded their weapons of rebellion, and expressed a willingness to return to their loyalty, and to co-operate in the support and restoration of the Government, and that the independent and magnanimous policy adopted by President Johnson upon this subject, demands, and shall receive from us a generous recognition, and a firm and unqualified support.

Resolved, That the truly statesmanlike qualities of President Johnson, his justice, his magnanimity, his patriotism, his enlarged views of the objects and ends of our Government, which they have eminently qualified him for, and enabled him to grapple with the present fearful exigency in our National affairs, have also entitled him, to that which in common with all his friends, we now cordially accord him, our gratitude and admiration.

Resolved, That the recent so called "quartz law" passed by Congress, is in our judgment, as ruinous in its tendencies, as it is senseless in its provisions, and that we will support no man for Congress, who will not pledge himself in advance, to use all honorable efforts for its speedy repeal.

Resolved, That we fully approve of that portion of the recent amendment, which was recommended by the Committee on Territories, and to the Territorial Organic Law, which provides for the abolition of all charters granted by the Territorial Legislature, not already organized, and for the absorption of those in operation, by the provisions of some general Corporation Law, to be hereafter adopted, and that we will vote for no man, for either House of the Legislative Assembly of this Territory, who will not pledge himself, if elected, to oppose all applications for chafters, not absolutely founded in necessity and justice.

Resolved, That we are in favor of the speedy construction of the Northern Pacific Railroad, and unqualifiedly condemn the action of Congress, which denied to this work, the needful constitutional assistance for effecting that object.

Resolved, That in our judgment, the Missouri and Yellowstone Rivers, are proper subjects of congressional favor, and that such surveys should at once be made of them, as not only to demonstrate the extent of their navigable qualities, but as to lay the foundation, for such expenditures as may be necessary to render their navigation permanent and lasting.

Judge Alex Davis seconded the motion for the adoption of the resolutions, and supported them in a speech of great power and ability, which was received by the audience with hearty and repeated applause.

Judge N. J. Bond followed in a speech in which he endorsed fully, the resolutions and sentiments of the meeting.

The speeches were frequently interrupted by loud and hearty applause, and the meeting adjourned at a late hour, full of enthusiasm, and confident of success at the approaching election.

P. S. PFOUTS, Chairman.

TRUMAN C. EVERTS, } Secretaries.
JOHN S. BARTRUFF, }

A POPULAR life of Abraham Lincoln in Italian has just been published in Florence, Italy. It is sold for the benefit of the freedmen.