

THE MONTANA POST.

HENRY N. BLAKE, Editor. Saturday, - - - October 20, 1866.

Our Agents in the different towns and mining camps of the Territory and elsewhere, will please take notice that the terms of subscription for the Post have been increased to \$3.50 per quarter, \$5.00 for six months, and \$8.00 for one year.

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THE LEGALITY OF THE LEGISLATURE.

Some parties have been inclined to censure Governor Smith, because he issued a proclamation declaring that certain men had been elected as members of the Council and House of Representatives. They assume that he recognized the legality of the law-making body that convened in the Territory last winter, and has thus placed himself in open opposition to the decision of Judge Munson and the acts of the other members of the Court. We do not regard his action in that light. Upon entering his office, he finds that documents have been transmitted to the Executive by the officials of every county and election district. Their right to hold these positions and discharge their public tasks, is conceded by all. It appears that the people have assembled, according to public proclamation, and voted for certain parties for different offices. No citizen appears before him to enter any protest, the forms pertaining to such occasions have been observed, there is no other assembly that claims an existence, and the duty of the Governor is plainly set forth. He cannot usurp judicial powers and declare that this law-making branch is illegal because he is governed by the record. Grave questions of constitutional law may arise, upon which he may entertain private views, but, as the Executive officer of Montana, it is his task to declare that the members of the third session of the Territorial Legislature have been "duly elected in conformity with the provisions of an Act passed April 10th, 1866." When the proper tribunal has passed upon the question, and decided that this body (which Governor Smith pronounces to be duly elected) is an illegal assembly, and due notice of this is given to the Executive officer, another policy must be adopted. Governor Smith therefore, has discharged a simple duty, and we do not understand that he thereby recognizes the legal matter that is involved. It should be remembered that the judges of the Territory have never enunciated the proposition that the Legislature de facto was not also de jure. In their conduct, (with the exception of Judge Munson,) they have quietly ignored its existence and never decided the point. There is no case pending before the Supreme Court of the United States, and we cannot tell when, or how, the vexatious question will be settled. In simple terms we state the truth by remarking that it "hangs by the gills." We earnestly hope, in consequence of the present condition of affairs, should be removed without delay. Unless some unforeseen event takes place, years must elapse before the citizens can act upon the measure with certainty and knowledge. We require a brief period and cannot wait so long, while every interest of the people is retarded by the doubts that prevail. The surest way to cut the Gordian knot is to grasp the sword of Congress. This body can pass an enabling act which will remove all the trouble that pervades the Territory. A new Legislature can make legal the action of officials, the statutes of previous assemblies. All parties who have performed their duties in good faith can receive compensation. The best result will be that all men in the Territory can take an active part at the polls, and we shall no longer be ruled by a limited number and, perhaps, a minority of voters.

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Telegraphic News.

Newfoundland Telegraph. Chicago, Oct. 7.—The New York papers are full of complaints that the wires across Newfoundland are getting out of repair too often. They are now connecting Newfoundland with Nova Scotia, and that line will soon be open. The New York, Newfoundland and London telegraph company, will place in thorough repair immediately all their telegraph lines, and build an entirely new line from Port Hood to Heart's Content as soon as can possibly be done.

Times for Fenton. The New York Times to-day comes out distinctly for Gov. Fenton and the regular Republican nominees, and says the Democrats deserve and will receive a severe drubbing.

Hanover Reconstructed. Berlin, Oct. 7.—The patent taking possession of the recent kingdom of Hanover was promulgated by the government yesterday. The loyalty of the people in all cases is demanded.

Catholic Council. Baltimore, Oct. 7.—The Catholic plenary council assembled to-day; all present, namely, seven archbishops, thirty-eight bishops, one hundred and twenty-two priests, heads of orders and doctors of divinity, seventy-four monks and three mitred abbots. The procession was formed at the archbishop's residence, and moved round the square to the cathedral. There was an immense gathering in the streets, estimated at 40,000 people. Archbishop Purcell celebrated the pontifical high mass, with bishop McCloskey, who preached a sermon. Bishop Spaulding delivered an address in Latin.

Famine in India. Reports of famine in India are confirmed, especially in the region around Calcutta. The correspondent of the London Times, writing from that city on the 11th of August, says the city was being so crowded with paupers that pestilence was feared. It may be said that 20,000 persons are now subsisting on charity daily in Calcutta, who are increasing by about 250 a day. Reports from Bolgore are even more appalling. Think of 900 dead bodies being picked up in the streets of Bolgore each morning. Half the truth has not been told. The last return from Bolgore shows 753 deaths in that one little station in the week ending July 21st. If you treble that number for the many who become food of jackals and vultures in the lonely jungle or ditch, you will not go beyond the sad truth.

Commodore Stockton Dead. Princeton, N. J., Oct. 8.—Commodore Stockton died last night at 10 P. M. His death has caused a deep feeling of gloom over the entire community. The funeral will take place on Wednesday.

Luella Passed Leavenworth. Chicago, Oct. 8.—The steamer Luella passed Leavenworth on the 4th, from Fort Benton, bringing two and a half millions of Montana gold dust.

Gold and Cotton. New York, Oct. 8.—The Post says gold is scarce, and has been lent at the unprecedented premium of two per cent. The decline in cotton has produced depression in dry goods, and the sooner this decline touches the bottom the sooner will trade return.

European Affairs. Farther Point, Oct. 8.—The steamer Hibernia passed with dates to the 28th. The Lord Mayor of London had determined to entertain the promoters and lawyers of the Atlantic Cable at a grand banquet at the Mansion House, early in November.

Candian Rebellion. Farther Point, Oct. 8.—The London Morning Post's city article says: Advice from Paris state that frequent interviews are taking place between the representatives of the various European powers and the French foreign office relative to Eastern affairs, but more especially between the French Foreign Minister and the representatives of England and Russia.

The Paris Moniteur says that in Candia, unfortunately, blood has been shed, but the insurrection has not progressed. The arrival of the Turkish commander seems to have produced a favorable impression, and, up to the present time, all hopes have not been abandoned of the success of the mission with which he is invested.

Flood in France. Farther Point, Oct. 8.—Serious inundations in France continued, and it is feared the waters had not reached their full height. Telegraphic communication between the center and south of France was extremely difficult.

Santa Anna's Humberg. New York, Oct. 8.—Advices from San Antonio via Galveston are, that quite a number of Santa Anna's agents are at work recruiting for a raid on Matamoros. There is but little sympathy shown them there, it being fully understood that Santa Anna is pledged to Napoleon to acknowledge the French debt, if he succeeds in gaining a footing on Mexican soil. Very few have joined his standard, as he is known not to be partial to the Liberal cause. Quite large quantities of arms and supplies have lately reached the Mexican frontier, destined for the Juarez army at Monterey, and other places. The forces under General Escobada are now in excellent condition, and will soon be fully equipped for a winter campaign.

Day of Thanksgiving. Washington, Oct. 8.—The President has issued a proclamation recommending that Thursday, the 23rd of November, be observed as a day of Thanksgiving and praise to God for all his mercies and benefits, and also recommending that the people humbly and devoutly implore him to grant to our national councils and to our whole population that divine wisdom which alone can lead any nation into the ways of all good.

A Contrast. LOOK ON THIS TELEGRAM.—New York, Oct. 5. The steamer Saxonia brings \$90,000 sterling in treasure.

LOOK ON THAT.—Chicago, Oct. 8. The steamer Luella passed Leavenworth on the 4th, from Fort Benton, bringing two and a half millions of Montana gold dust. Deduce your own conclusions; no comment is required.

GOVERNOR SMITH IN HELENA.

HELENA, Oct. 13, 1866. To-night Governor Smith met the citizens of Helena for the first time. The lease of the Helena Theater tendered the use of that building for the occasion, and notwithstanding the bad weather the building was well filled. Governor Smith arrived at about 7 o'clock, and was introduced to the audience by W. Y. Pemberton, Esq. Governor Smith said that he regretted, both on his own account, and that of the audience, the demonstration made, as he was suffering from a severe cold and general indisposition. But since it had taken place he would say he was happy and proud to meet them. Coming among them, as he did, a stranger to their Territory and to its laws, to its mining and agricultural interests, a short time must be given him to acquaint himself with these subjects before he could discuss them. He had been ten or fifteen days in Montana, but in that short time he had been convinced of the great future prosperity of the Territory. He alluded to its mountains, filled to the richest ore, and also to the beautiful and fertile valleys. But though a stranger to Montana, he was not a stranger to the country, or the general government. He knew something, too, of our laws and institutions, and he loved and adored them. His aim would be to uphold those institutions and the laws and the constitution of the United States. There was no greater, sublimer, or freer government than that of the United States. Montana is a part of this country, but has no vote in Congress, and no voice in the election of chief magistrate. But let the people of the Territory be not precipitate, and in good time the infant State would be heard, as already the infant Territory has made itself respected. Congress was not in the habit of paying much attention to the interests of the Territories. The members had their own districts to look after, as they hoped for reelection, their own States to look to as they aspired to the position of Senator. He himself had not been unselfish, but when his name was mentioned as the probable Governor of Montana, he had then directed his attention to that subject. Now he was here among us he should study the interests of the Territory, and should look to it that those interests progressed, though the officers went down. He liked to handle gold. The big nuggets which he saw in passing along the streets delighted him. But the agricultural interest was not inferior to the mining interest. Let the citizens build up their ranches. Let them invite people from other parts of the country, and from foreign lands, and soon there would be on every plain a mill and a furnace; in every plain a ranch, and the people would flourish. School-houses would spring up with every village and hamlet. He was a conservator of law and order, had been during six years last past mixed up with the war and with politics, and was always for the government. Now that the war had ceased, law and not military rule, must prevail, and the people must obey it. People who pay taxes must be represented. No taxation without representation was a principle of our government.

When the rebellion broke out he insisted that the eleven seceding States were in the Union, and could not get out of the Union unless with the consent of two-thirds of all the States. When the government succeeded in overthrowing the rebellion, this truth was established, that the States were in the Union and were entitled to representation in Congress. He (Gov. Smith) had sustained this position in the 39th Congress. Let the States be admitted and the members of Congress could then say what particular persons were qualified to be members of the different branches of the Legislature. A disqualified member must be sent back to his constituents, and they must elect a better man in his stead. When this question came up at Washington, he happened to think of Andrew Johnson thought. He had voted on many occasions during the war with Sumner and Stevens, but now that the war was over he was not to follow those men and help them to bring on a new war. He was for the government—Stevens and Sumner were not. In conclusion, Gov. Smith said that our fathers, in all their actions, had acted not for themselves alone, but for posterity. They had foreseen the thirty-six States and 33,000,000 of people that now make up the United States. Let us imitate them and, forgetting the past, look to the future, and some of us will live to see these thirty-six States twice thirty-six, and these 33,000,000 twice 33,000,000. All the world will look upon us with admiration and fear, and in this great glory Montana will have her share. He knew he was entering upon a difficult task, a task which would subject him to criticism, but his purpose was to support the constitution and the laws, and he asked the people to stand by him. He thanked them for the compliment they had paid him, and he hoped often to visit the people of Helena, and those in the gulches and on the ranches, that they might understand and become thoroughly acquainted with each other.

Gov. Smith spoke about thirty minutes. He was, as he said at the outset, suffering from a cold, and was quite hoarse toward the conclusion of his remarks. He is a much younger man than the people expected to see, is well proportioned and compactly built, and has the appearance of a man of ability. After the Governor had concluded Messrs. Pemberton and Cavanaugh made a few remarks to the same general effect as to rebel representation. Mr. Cavanaugh, as a matter of course, wishing the Confederate hero and the Federal hero buried in the same grave and covered with the sweet roses of our common land. A few called only for Shober, but the manager of the house was anxious to have the dancing begin, and Shober did not appear. This little deficiency, and an absence of allusion to the negro, were all that distinguished the affair from a genuine Democratic party meeting, such as we have had a surfeit of during the week preceding the late election.

The indefatigable personage, theatrical manager John S. Potter, has proposed to the citizens of Omaha the erection of a new theater, and notifies them of an early visit, accompanied by the popular actress Julia Dean.

Items by a Nevadan.

MINING.—Brown's gulch is being opened and promises to be very rich. We were shown three very handsome nuggets taken from a hole sunk to the bedrock (by a gentleman whose name is forgotten), weighing in the aggregate \$17.30. The same gentleman informed us that two gentlemen of the next company above him took out eleven ounces in two days' work. Several other companies, among which are Pope, Patten & Co., are working hard, anticipating a big thing. Mr. James M. Sisse, of this place, informs us while writing that there has been a discovery made in Barton's gulch (which heads in the mountains near the summit, and empties into the Stinkingwater above the canyon,) that is thought to be a big thing, but expresses fear that it was "salted" on them.

SCHOOL MATTERS.—It was thought for awhile that Nevada would be abandoned to the Irish, Missourians, and Democrats, (which we think are synonymous terms) but that idea has been given up since our school meeting went against them, and they did not succeed in voting an extra tax upon us of four hundred dollars to pay for schooling their children; we say theirs, for they are the only people here who have more children than they are able to school themselves, and some of their big guns tell us that under the careful management of the present very economical Democratic officers, Madison county will get out of debt this year; that they have collected more money this year than last; yet, with that and the increase in the school-tax, together with their honesty, there is less school money in the treasury this year than last.

GREAT POLITICAL CHANGE.—When the Union League was in operation here we had the honor of being one of its members, and have often met among us one whom we supposed to be true to an oath or obligation, but you cannot always judge a man by the look of his "phiz." At the time of which we speak, this man was a respectable school teacher among us, but at the expiration of his school's term, to our surprise, he engaged in selling whisky, and soon after began to exhibit Democratic symptoms to such an extent that it became necessary to support himself by a post to prevent the floor hitting him in the face. In this condition he has voted with and for, and has accepted the franchise of the very officers of Price's army, and by this means has been elected to an important and responsible office.

TURN-OUT.—We notice in the Democrat of last week, one of Maj. Bagge's most tremendous "get-offs," which differs widely from what he proposed just after the Democratic Convention in Virginia last year. After failing to get the nomination for delegate to Congress, he came to our town and said he had been the wheel-horse of the Democratic party for many years, and that they had now thrown off on him, and "crying like a calf" requested to join the Union League, but after consultation among its members they declined to receive such trash from the Democratic ranks.

VIRGINIA CITY, M. T.

EDITOR POST.—Sir: The friends of Col. Rice will be pained to learn that he was killed about three weeks since on the Big Horn, by Indians. Col. Rice was long and favorably known by the earnest and true men of this country. He was a miner, gentleman and scholar, and, in fact, there was but one Col. Rice. While he sought no honor from political position, at the same time he merited the highest honor and regard from all good men, for the dignity of his mind. He had a family in California, and under all circumstances manifested great attachment for them.

VIRGINIA CITY

Hardware Store

JOHN KINNA.

Where Pilgrims and actual settlers may always obtain a general assortment of

MINERS' GOODS,

COOK STOVES,

CAMP STOVES,

CAST IRON STOVES,

PICKS AND SHOVELS,

MINERS' FARMERS' —And—

Mechanics' Tools Generally.

Tin, Sheet-Iron & Copperware,

Builders' Hardware, Coffee-Mills, Ox and Horse Shoe Nails, Carpenters' Tools, and a great variety of other things, pretty, useful and solid. Job Work in Copper, Tin and Sheet Iron, done with dispatch.

MONTANA BREWERY.

JOHN MANNHEIM, Proprietor.

Lager Beer, of Superior Quality,

Delivered to all parts of the Territory.

Connected with my Brewery I have a DISTILLERY for the manufacture of Malt Whiskey. I solicit the patronage of the public for a home manufactured article. 91

Helena Advertisements

James N. Williams, FASHIONABLE Hair Dressing and Shaving Saloon, Bridge street, Helena, Montana Territory. 108

Crystal Palace Hotel, SITUATED on Main street, Helena, has been fitted up and put in the most complete order for the accommodation of the travelling community. The tables will be furnished with every luxury the country affords, while the bedding is warranted not to be surpassed by any in the mountains. 113 J. B. COX, Proprietor.

International Hotel, Helena, - - - Montana Territory, G. JULES GERMAIN, Proprietor. 1201

W. Y. Pemberton, E. W. Toole, PEBBERTON & TOOLE, ATTORNEYS-AT-LAW, HELENA, - - - MONTANA TERRITORY.

WILL practice in all the Courts of the Territory of Montana. 23-135

R. Lawrence, C. Hedges, LAWRENCE & HEDGES, ATTORNEYS-AT-LAW, OFFICE ON MAIN STREET, HELENA, - - - MONTANA. 75-100

W. T. McLEOD, Tin and Hardware Store, MAIN STREET, HELENA, M. T.

COPPER, TIN AND SHEET IRON JOB WORK done with neatness and dispatch. A large assortment of CAST IRON STOVES

Constantly kept on hand. 105 S. C. Gilpatrick, H. M. Bryant, HELENA NEWS DEPOT, —AND—

CIRCULATING LIBRARY. COPIES of the papers of the Territory and Eastern and Western Papers and Periodicals, constantly on hand. Novels and Light Literature for sale, exchange or hire. In fact, everything in a BOOKSELLER'S LINE.

Any article not procurable in the place can be sent for by the Helena News Depot. Call and inquire. Bridge street, above Main. Subscriptions for the MONTANA POST received.

JEWELRY MANUFACTORY.

LEWIS & HALE,

RESPECTFULLY inform their friends and the public that they have removed to their NEW STORE. No. 21 Main street, two doors above the Crystal Palace Hotel, Helena, M. T., where they will keep constantly on hand a full assortment of

Watches, Clocks and Jewelry, LADIES' BROOCHES, EAR-RINGS, BUCKLES AND SHIELDS, SLEEVE BUTTONS, RINGS, etc. etc.

Gold and Silver Chains of every description manufactured from native gold, and a full assortment kept constantly on hand. We also have a good assortment of genuine setts, consisting of

Diamonds, Moss-Agates, Rubies, Emeralds, Garnets, etc., etc.

And many other precious gems too numerous to mention. Watches repaired by experienced workmen. All work guaranteed to be as represented. 113-114 LEWIS & HALE.

FORT BENTON.

B. A. MELTON & JOHN B. TAYLOR STORAGE, FORWARDING —AND—

Commission Merchants,

Fort Benton, Montana Territory.

BEING exclusively in the Storage and Commission business, we will give our individual attention to receiving, storing and forwarding all goods consigned to us. We respectfully solicit the patronage of the business men of Montana Territory. We refer, by permission, to

Messrs. Pfouts & Russell, Virginia City, M. T.; J. J. Roe & Co., " " " " Gorham & Patton, " " " " Mr. John S. Rockfellow, " " " " John H. Ming, " " " "

Messrs. King & Gillett, Helena City, M. T. Messrs. Gaston, Simpson & Co., Helena City, M. T. Mr. J. R. Upson, " " " " Capt. W. H. Parkinson & Co., " " " "

Messrs. M. Brannham & Co., Blackfoot City, " Mr. A. Beattie, Banker, St. Joseph, Mo., Messrs. Strode, Rubey & Co., St. Louis, Mo., " Dameron Brothers & Co., " " " " Mr. E. M. Samuel, St. Louis, Mo., " " " " Mr. William North, " " " " 93-66

Joseph Griffith, William Thompson.

GRIFFITH & THOMPSON,

CONTRACTORS AND BUILDERS, Office, Corner Idaho and Van Buren Streets,

VIRGINIA CITY, - - - MONTANA.

ALL kinds of Mill Work, and Stone, Brick or Frame Building done to order, or on contract, on the shortest notice. Particular attention paid to the building of Quartz Mills. All work warranted to give satisfaction.

REFER TO

Judge J. Tufts, New York City; Chatham Bank, New York City; Clark & Upson Mining Co., Hartford, Conn.; Prof. H. A. Ward, Rochester, New York; John G. Copelin, St. Louis; Erford & Petring, St. Louis; And to business men generally of Virginia City, M. T. 12-1

Estray Notice.

CAME to my Ranch, situated on Stinkingwater, about the 12th of August, one Sorrel Horse, white stripe in face, white hind legs, defect in left hind leg, and about nine years old. The owner can have the same by paying charges. ALICE METZEL, Proprietor Denver Meat Market, Nevada, M. T. 111-113

THE MONTANA POST

BOOK AND JOB PRINTING OFFICE.

Corner of Wallace and Jackson streets, Virginia City, - - - Montana.

ALL KINDS OF Fancy and Ornamental PRINTING EXECUTED WITH DISPATCH.

We have the latest improved POWER PRESSES, Together with a large assortment of NEWSTYLES OF JOB TYPE Which enables us to do work

N BETTER STLEY AND WITH MORE EXPEDITION Than any office in the Territory.

WE HAVE ON HAND A LARGE STOCK OF Business Cards, Of every Style, Size, and Variety, To which we invite the attention of Business Men.

All orders promptly attended to, and satisfaction guaranteed.

NOTICE.—We have this day sold our Banking Office, at this place and Helena, and transferred our business to Messrs. Hussey, Dahler & Co., who will continue the Banking Business, on and after July 2d, at both points, and in the same building occupied by us. Messrs. Hussey, Dahler & Co., are gentlemen well known in Colorado, and Montana, being possessed of all that is necessary to carry on the business of Banking, successfully, we cheerfully recommend them to our numerous friends. We wish all persons having balances with us to call at once and transfer them to Messrs. H. D. & Co., or draw them; and all parties owing us must make immediate payment as our outstanding business must be settled without delay. ALLEN & MILLARD.

Warren Hussey, Frank Palmer, C. L. Dahler, Salt Lake City, Denver, Virginia City

WARREN HUSSEY & CO.,

Denver and Central City, Colorado Ter.

HUSSEY, DAHLER & CO.,

Salt Lake City, Utah. —And—

Virginia City and Helena, M. T.

BANKERS,

AND DEALERS IN GOLD DUST, CORN AND CURRENCY

DRAW EXCHANGE ON San Francisco, Salt Lake, Denver, St. Louis, New York. —And—

On All Parts of Europe. Collections promptly attended to. Virginia City, July 4th, 1866. 119

TOWNE & BACON,

BOOK AND JOB PRINTERS, BOOK BINDERS, BLANK BOOK MAKERS, PAPER RULES, 536 Clay St., Opposite Leidesdorf, SAN FRANCISCO, CAL.

THIS Firm are large Importers of Paper, Printers' Materials, Ink, etc., and with the largest Printing Office in the State, are able to do good work with dispatch, at very low prices. Parties sending orders from the interior will be served as faithfully as though personally present. Samples and price lists furnished when desired, and all work guaranteed to give satisfaction. Agents for H. D. Wade's Ink. 92

MRS. L. J. SCOTT,

RESTAURANT AND HOTEL, RED ROCK CITY, (HIGHLAND GOLD DISTRICT), 612-3m MONTANA TERRITORY