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The Montana Post.



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Our correspondents throughout the Territory will oblige by conforming to the following rules: Limit all communications to a half column. Write only on one side of the paper, plainly and concisely. Mining news should be written separately from other news; brief, statistical and reliable. Write only what will be of public interest. Avoid personalities. Give date and address. The name of the writer must accompany each letter. An adherence to these rules will enable us to give early insertion to communications; a departure from them will account for non-appearance in nearly every instance.

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MORMONISM DEFINED.

A recent article in the POST, touching mildly on the abominations practiced by Brigham Young and his followers, appears to have touched a tender place in the Salt Lake Telegraph, and it thereupon devotes a couple of editorials to the POST. The Telegraph builds its article on this kind of theory. "The legalizing of prostitution is advocated in some of the States. Polygamy is no worse than prostitution, therefore why disturb it?" This kind of argument is its own refutation, and would not merit a reply were it not for the following assertions:

There is something said in general terms about infamous and detestable criminal practices, pernicious and demoralizing institutions, hostility toward resident unbelievers, and the Federal government and its officers, intimidating courts, defiance to the laws, locally legalized abominations, and so on. We have lived in this city quite a time, and must confess to utter ignorance of the prevalence hereabout of the crimes somewhat indefinitely preferred by the Post.

We are in a great loss to know what those infamous and detestable criminal practices, pernicious and demoralizing institutions mean. We have not the remotest idea of any such things in connection with the people of Utah.

As to hostility to unbelieving residents, to the Federal government and Federal officers, as such, it is entirely a mistake. Intimidation of courts and defiance of the law we know nothing of.

In law, when a witness testifies that he knows nothing of the circumstances of the case, his evidence goes for naught. Perhaps in this case, "ignorance is bliss," and the Telegraph thinks it "folly to be wise," or, its ignorance may be attributed to the truthfulness of the statement in the Alta California that "Mormonism is eminently European and representing the lowest class of European society. This 'lowest class' are not accountable for their neglected education. We have chosen the above moroseous from the article to show the elegant style of negative evidence with which they expect not only to satisfy the popular mind with the loyalty and law abiding proclivities of the Mormon people, but it is a characteristic specimen of the only kind of evidence that has ever been drawn from one of their people in a United States court of justice, when a Mormon was charged with crime. Read the record of the investigations and see. The Telegraph says the charges of the Post were indefinite. Very well! We will make them specific.

On the 18th of March, 1849, the people of Utah met in convention and established the "State of Deseret." In the preamble to the Constitution adopted, it was asserted that it was "a free and independent government," notwithstanding that all the territory within its limits had been ceded to the United States by Mexico in 1848. Brigham Young was elected Governor. There was no Enabling Act ever passed by Congress giving them the right to erect a State; therefore the formation of this "free and independent government" within the territory of the United States without its sanction, was an overt act of hostility. The hostility to Federal

officers after the Territory had been formed, requiring the presence of United States troops to insure their safety, a column of Federal troops was started for Utah in the autumn of 1857, under command of General Harney, which command was subsequently transferred to Col. A. S. Johnson. On their approach across the plains, Young issued his famous proclamation, containing the following:

"I, Brigham Young, Governor and Superintendent of Indian Affairs for the Territory of Utah, in the name of the people of the United States in the Territory of Utah, forbid, forbid!

First. All armed forces of whatever description from coming into this Territory, under any pretense whatever.

Second. That all forces in said Territory hold themselves in readiness to march at a moment's notice to repel any and all such invasion.

Third. Martial law is hereby declared to exist in this Territory, from and after the publication of this proclamation, and no person shall be allowed to pass or re-pass, into or through, or from this Territory, without a permit from the proper officer."

Brigham Young told Judge Brochus, publicly, "he would kick him or any other Gentile Judge from the stand, if he interfered with the affairs of Zion." He said publicly in one of his sermons, "I live above the law, and so do this people." On another occasion he said:

"I will be Governor still, after you have done everything you possibly can to prevent it. We have got a Territorial government, and I am, and will be Governor, and no power can hinder it until the Lord Almighty says: 'Brigham, you need not be Governor any longer,' and then I am willing to yield to another Governor."

In a sermon, preached September 16, of the same year, Brigham Young said:

"This people are free; they are not in bondage to any government on God's foot-stool. We have been enough of their oppression and hellish abuse, and we will not stand any more of it. * * * They say that their army is legal, and I say that such a statement is false as hell, and that they are as rotten as an old pumpkin that has been frozen seven times and then melted in a harvest sun. Come on with your thousands of illegally ordered troops, and I will promise you, in the name of Israel's God, that you shall melt away as the snow before a July sun. You might as well tell me that you can make hell into a powder house as to tell me that you could let an army be here and have peace; and I intend to tell them and show them this if they do not stay away."

Heber C. Kimball said:

"Is there a collision between us and the United States? No! we have not collided; that is the word that sounds nearest to what I mean. But now, the thread is cut between them and us, and we will never gybe again—no never worlds without end. Do as you are told, and Brigham Young will never leave the governorship of this territory, from this time henceforth and forever. No, never. And there shall be no wicked Judge with his w—ever sit in our courts again; for all who are against Israel are an abomination to me and our God."

These sermons were published in the Deseret News.

To Powell of Ky. and Ben McCullough who were afterwards appointed Commissioners to Utah, Young and Wells acknowledged they had destroyed government trains with the army. President Buchanan, the man who had lived past his day of usefulness, a vacillating doting nonentity, issued a proclamation of pardon: The Mormon Church dictated the movements and location of the Federal troops; they were disposed of in remote districts, and so ended the farce.

On the 7th of January 1863, Judge Cradlebaugh stated in the House of Representatives that "while he was an Associate Justice of Utah, the grand Juries utterly refused to do anything and had to be discharged." He added:

Sitting as a committing magistrate complaint after complaint was made before me of murders and robberies. Among these I may mention, as peculiarly and shockingly prominent, the murder of Forbes, the assassination of the Parishes and Potter, of Jones and his mother, of the Aiken party of which there were six in all, and, worst and darkest in the appalling catalogue of blood, the cowardly, cold blooded butchery and robbery at the Mountain Meadows, Sept. 10, 1857. At that time there still lay, all ghastly under the sun of Utah, the unburied skeletons of one hundred and nineteen men women and children, the hapless hopeless victims of the Mormon creed.

He stated that the wholesale murder was committed by Mormons, partly painted as Indians, by written authority of Brigham Young. They were a train of emigrants who had passed through the city and been joined by disaffected Mormons. U. S. officers reported officially the same thing. The train was a wealthy one, was from those states from which the Mormons had been expelled and Revenge and Avarice inspired the deed. It consisted of 40 wagons, 800 head of cattle 60 horses and mules, and nearly 150 men and women and many children. The people were all massacred except the infants and Hon. J. Forney testifies to the Commissioner of Indian Affairs that a few days after the massacre their was distributed among the leading dignitaries \$30,000 worth of property. Capt. Campbell, who was appointed to enquire into these affairs, reported to the A. A. Gen. of the U. S. Army July 6, 1859, that:

These emigrants were met by the Mormons, assisted by such of the wretched Indians of the neighborhood as they could force or persuade to join, and massacred, with the exception of such infant children as the Mormons thought too young to remember or tell of the affair.

Judge Cradlebaugh visited the scene of the massacre, was thoroughly convinced that the Mormons concocted the deed and were the main parties in executing it. Numbers of Mormons who had apostatized offered abundance of evidence if they were assured of military protection. He took affidavits and issued warrants for the arrest of thirty-eight Mormons including three Bishops when orders were received from Washington to withdraw the military and so ended, for the time at least, the investigation. Brigham Young, superintendent of Indian affairs at the time made no mention of this massacre in his report. The Deseret News made no mention of it for several months. The Indians, apostate Mormons and the children saved in the massacre; goods found in the possession of Mormons, known to have belonged to the emigrants, and traced back to the day succeeding the massacre, every evidence of a direct or circumstantial character, fastens upon the Mormon people the stigma and guilt of this damnable outrage. It is not sufficient there is this day in possession of Judge Titus in Salt Lake city. The original order issued by Lieut. Gen. Wells commanding the Nauvoo Legion in the handwriting of his Adj. Gen. Spangler, sworn to as authentic by two witnesses, and admitted last winter by the widow of Spangler to be his handwriting, ordering the murder of over forty tenantry who had incurred the displeasure of the Mormon dignitaries. This order is published in a report in the United States Congress last winter.

In December of 1863, Governor Harding sent in his message to the Utah Legislature, in which the following passage occurs:

"I lay it down as a sound proposition that no community can happily exist with an institution so important as that of marriage, wanting in all those qualities that make it honorable, with a multitude of illegitimate neighboring civilized communities having the same object. Anomalies in the moral world cannot long exist in a state of mere abeyance; they must, from the very nature of things, become aggressive, or they will soon disappear from the face of our globe. This proposition is supported by the history of our race, and is so plain that it may be set down as an axiom. If we grant this to be true, we may say up the conclusion of the argument as follows: Either the laws and opinions of the communities by which you are surrounded must become subordinate to your customs and opinions; or, on the other hand, your's must yield to theirs. The conflict is irrepressible."

That plurality of wives is tolerated and believed to be right may not appear so strange; but that a mother and her daughters are all bound to fulfill the duties of wives to the same husband, or that a man could be found in all Christendom who could be induced to take upon himself such a responsibility, is, perhaps, no less marveled in morals than in matters of taste. The bare fact that such practices are tolerated amongst you is sufficient evidence that the human passions, whether excited by religious fanaticism or otherwise, must be restrained and subjected to laws which all must yield obedience. Much to my astonishment, I have not been able to find any law upon the statutes of this Territory regulating marriage."

This message, a most temperate and able argument against the practices indulged in by the Mormon people in direct violation of the laws of the country, the Legislature suppressed, and no record of their journals will show that Governor Harding ever delivered any message whatever. This fact being communicated to the United States Senate, the Committee on Territories, of which Ben. Wade was Chairman, was instructed to examine into and make a Report to the Senate of the cause for its suppression. From this Report we make the following extracts:

"We have here the first exhibition within the limits of the United States of Church ruling the State. * * * Polygamy of the most unlimited character, sanctioned by the exhibition of a man with the mother and daughters indiscriminately, is not the only non-American thing among them."

In 1863, Judge Waite, who was Judge of the Second Judicial District, proposed holding a term of court in it, in the month of May, as provided by law, many murders having been committed there. The Mormon Legislature had passed a bill changing the term to October; but the Governor had refused to approve it. On examining the original bill, however, in the Secretary's office, he found that the word "May" had been erased, and the word "October" forged and interlined in the handwriting of one of the clerks, who had penned the body of the bill, and the Legislature sustained the forgery.

The original act of 1850 not being adequate to the administration of justice by the judiciary, an amendatory act was drawn up by Judge Waite, and having been submitted to and approved by Judge Drake and Governor Harding, it was sent to the United States Senate and introduced by Senator Browning. The telegraph brought the word of its introduction to Salt Lake, and a meeting was called at the Tabernacle, March 5, 1863, at which Brigham Young used the following language:

"Do you acknowledge this man Harding for Governor? (Voices—No! You are our Governor.) Yes, I am your Governor; and I will let him know that I am Governor; and if he attempts to interfere in my affairs, 'Woe! woe! into him.' Will you allow such a man to remain in the Territory? (Voices—No! put him out.) Yes, I say, put him out. Judges Waite and Drake are perfect fools, and the tools of Governor Harding, and they, too, must leave. If all those do not resign, or if the President does not remove them, the people must attend to it."

In regard to the war now desolating the country, it is but the fulfillment of the prophecies of Joseph Smith, which he told me thirty years ago. Brother Joseph said that

the South would rise against the North, and the North against the South; and that they would fight until both parties were destroyed, and you my part, I give it God speed; for they have spilled the blood of the Prophet. (A vociferous "Amen" from the audience.) Do not wish to live in or have anything to do with the United States. I will have a free independent government for myself, where many live and enjoy civil and religious liberty."

A petition to the Governor and Judges asking them to leave was signed by several thousand Mormons. A counter petition, denouncing the resolutions and condemning the assertions against the officials as unqualified falsehoods, was signed by every commissioned officer in Utah. The Governor and Judges were waited upon by committees, hounded by crowds of bullies in the public streets, and although heroically and determinedly refusing to be driven from the country, the Government eventually moved Harding and Waite to less hostile localities.

In the above synopsis of historical events, we have sustained fully, we think, our former position. It embraces within the limits of the United States a theocracy in which Brigham Young assumes to be the Prophet of God, in resisting the Federal troops and the action of their leader during the late war; defiance of law, in the assertion of Brigham Young, "I am above all law and so are this people;" criminality in persisting in the practice of polygamy after the act of Congress forbidding the same; in the Mountain Meadows massacre and the order of Wells, locally legalized abominations, in indiscriminate intercourse, or marriage of the man to mother and daughter at the same time, sanctioned by the head of the church; a relic of barbarism, as the doctrines enunciated by the head of the church, that women have no souls and can only be saved through man's intervention, are degrading dogmas to enforce obedience through religious fanaticism, and satisfy the lecherous propensities of their lustful beastiality at the sacrifice of every moral principle. Through the imbecility of Buchanan's administration, the trials of rebellion during Lincoln's, and the difficulties attendant upon Johnson's, these things, while held in utter abhorrence by all American people, have not been forcibly dealt with. It will assuredly receive the attention of the nation within a twelvemonth; be embodied as an obnoxious and odious feature demanding immediate destruction in every political platform during the campaign of '68, and unless these practices are expunged from the Mormon Church, the entire institution will be wiped out, root, stem and branch. Their leader is less crafty and cunning than he has been credited with; if he does not have it "revealed" to him, he will be better to abandon his polygamy than his possessions. The Telegraph gets up a leader on our assertion that "they must come down from the status of saints to that of American citizens." We mean all that the language implies. You will find that "must" is our reading of the inevitable logic of events, and you "must come down," not from any admitted superior position, but from that mountain of vain-glorious pride and consummate folly you have builded under you; from that assumed position "above the laws" which it is unsafe for any people to attain. Commending these facts to our cotemporary, we assure them that at any future time we will be pleased to continue the course of instruction, having many interesting details of the more recent and fully culpable and perfidious actions, promulgated as the inspirations of Deity, but stained with blood that cries to Heaven against you."

OUR ANSWER.

The Herald makes an issue with us on the modified apportionment act of Gen. Meagher. In regard to the apportionment, we have this to say only. It is the sincere desire of the voters of Madison county that the Territory shall be represented in House and Council, on a fair, just and equitable basis, this they desire and no more. Moreover, we have reliance in the acts and statutes of this Territory, believing that all good citizens should submit to them. The Herald advocates representation "on the basis of actual population." That is not a debatable point at present. Sec. 4 of the Organic Act, says it shall be made "in the ratio of its qualified voters, as near as may be." In the Act Amendatory, the Governor is required to "base this apportionment upon such an enumeration of the qualified electors of the several legislative districts as shall appear from the election returns in the office of the Secretary of said Territory, and from such other sources of information as will enable the Governor, without taking a new census, to make a fair apportionment." If it appears from the votes cast at the September election that Edgerton has double the number of "qualified electors" that Madison has, then we will concede the present apportionment between these counties to be equitable and right, and not until then. Having consulted gentlemen who were qualified to speak advisedly, men of both parties, we believed that the original apportionment, with the exception named, was at least closely approximated to a correct basis. We shall see in the ides of September, regarding the legality of the modification, gentlemen much better qualified to decide upon a point of law than either the editors of the Post or Herald, like-

wise representing both parties, and different districts, were, and are still, decided in their convictions of its illegality, as the act of the Acting Governor when the Governor was in the Territory. They also questioned his power to modify an apportionment after it had been proclaimed. If the same opinion is not, in part, at least, entertained by Governor Smith, why does he issue an approving proclamation. The Herald also has a feverish anxiety about the Capital. Governor Smith, according to it, is about to assume the Dictatorship of Montana, and remove the Capital to Helena, whether or no. We do not believe Gov. Smith has any such idea. If he has, he will probably have "cogent reasons" for abandoning it ere it culminates in official action. The Herald has hitherto paraded itself as a conservator of the laws, now it advocates their violation, else what does it mean by urging that Governor Smith shall issue a proclamation ordering the people to vote on the location of the Capital, at the first of September elections, and have their decision ratified by the next Legislature? The idea is as ridiculous as the Bannack Legislature defining the duties of Territorial Auditor, Treasurer and Superintendent of Public Instruction, and failing to create the offices; or as the Democratic Committee proposing to dictate to the Governor, who he shall nominate to Territorial offices, a prerogative vested in him alone. If we are to sneer at the Organic Act as a "princely record," what deference is due to the Constitution, or any statute not enacted to suit the whims of sensational editors. As a local paper the Herald is expected to advocate the claims of Helena, but Virginia has just as little right to seize on this money designated by Congress for the erection of public buildings in Helena, and build them here as Governor Smith would have to issue such a proclamation. It is the most preposterous, childish, or stupidly ignorant proposition yet made in the campaign. We are not likely to be admitted into the sisterhood of States until sufficient time, according to the Herald's theory, will have elapsed to sneer again at the act removing the Capital. If you have the position for it, abide in peace, submit gracefully to the laws, and the Capital will be added unto you. The provisions of the Organic Act and the Statutes are so plain on the question urged by the Herald that we submit them without comment.

ORGANIC ACT.

Sec. 12. And be it further enacted, that the Legislative Assembly of the Territory of Montana shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint direct; and at said first session, or so soon thereafter as they shall deem expedient, the Governor and Legislative Assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible: Provided, That the seat of government fixed by the Governor and Legislative Assembly shall not be any time changed except by an act of the said Assembly, duly passed and which shall be approved after due notice at the first general election thereafter by a majority of the legal votes cast on that question.

LAWS OF THE FIRST SESSION.

An Act to locate the Seat of Government of Montana Territory. Approved, February 7, 1865.

Sec. 1. The seat of government of the Territory of Montana be and the same is hereby located at Virginia City in the County of Madison.

Sec. 2. The actual site of the Capitol building shall be within the corporate limits of the City of Virginia.

Sec. 6. This act to take effect and be in force from and after the adjournment of the present Legislative Assembly.

SHOT.

There have been numerous rumors of the execution of the ill fated monarch, Maximilian, and many of our Eastern cotemporaries have been boguiled at sundry times into editorial obituaries, perhaps afterwards read by the subject. The dispatches at hand seem to have no doubt that Mexican blood-thirstiness has at last demanded his sacrifice, and all that remains of the dupe of Napoleon is mouldering in the inhospitable soil of Mexico. He has had a strange, eventful career, born to kingdom and shot like a dog ere he had reached his thirty-fifth year. Ferdinand Maximilian Joseph was born at Schomburg, Austria, on the 6th of July, 1832. His father was Francis Joseph, Archduke of Austria, and his mother Sophie Dorothea, daughter of Maximilian I. King of Bavaria. Ferdinand, Emperor of Austria, abdicating, the crown fell to the Archduke, father of the late Emperor of Mexico, who renounced his right of succession in favor of his eldest son, Francis Joseph, the present Emperor of Austria. The Emperor in abdicating, however, did not divide the power equally, giving an advantage to the Archduke Maximilian over his eldest brother, and from this resulted the unhappy differences which subsequently estranged them. Entering the navy in early years he attained the command of the Austrian marine at the age of 21. In 1857 he was appointed Viceroy of Lombardy and Venice, but attaining a popularity displeasing to his brother, he was removed two years after. He retired to private life until 1863 when the French Emperor offered him the crown of Mexico, which he formally accepted

on the 10th of April, 1864, renouncing his right of eventual succession to the crown of Austria, which renunciation was to be void if he resigned the crown of Mexico within six years. He also made an unconditional renunciation of his share of the family estates, amounting to twenty million florins. Sailing across the Atlantic under the auspices of three great Powers, two of whom abandoned him upon the threshold of his Empire, he set up his imperial standard in the land of the Aztecs, and surrounded by French bayonets, offered terms of submission to the adherents of Juarez, which they refused. In October of 1865 he issued the infamous decree against all opposers of the Empire and sentenced all to be tried by a court-martial of the capturing officers, and if found guilty to be put to death within twenty-four hours after their capture. From this time the inhuman warfare was waged unrelentingly, and the last act in the tragedy shows the squadrons of the insurgent landing upon their native shores and the victim yielding up his life as a sacrifice. Maximilian is represented to have been a gentleman of noble instincts, brave, generous and charitable, and a devout member of the Roman church. He became popular with the masses wherever they had an opportunity of knowing him, and the cruel edicts which have heaped infamy upon his name, are said to have been solely instigated by Napoleon and Marshal Bazaine, and his endeavors to remit the fierce cruelties of the latter, led to the open rupture between them. Whether the Emperors of Austria and France will submit to the execution of the brother of one and the protégé of the other, without retaliating, remains to be seen.

TO WHOM IT MAY CONCERN.

There is a class of men who never can find work. They are the same identical men who never try to find it, or having it thrust upon them, run away from it. A man just arrived from the Muscleshell, reports that he met two hundred of these constitutional growlers "on the way to Fort Benton to work their passage down the river, being unable to find anything to do in Montana." Now we happen to know that at the time they must have left Helena, there was a letter there, sent from the Bear creek region, signed by a number of the most substantial men in that section, offering eight dollars a day in clean dust for a large number of men—if we recollect right, one or two hundred, and stating that the number of laborers was totally inadequate to the work that should be done. At the same time, parties visited the troops on the Yellowstone and offered work to all, some 250 or 300, at \$6 per day in dust, to go to Emigrant gulch. It is but a short time since we had a letter from Butte City, stating that men could find ready employment there at \$6 per day; and Smith and Graeter, at Bannack, have been giving work to all who applied, on the ditch at that place, on fair terms. These are but a fraction of the places in the Territory where men were applied for. There is no scarcity of work; there may be men who are idle in some of the duller camps, or arriving from east or west, who do not know where to go to obtain employment. For the purpose of assisting them and distributing labor to camps in need of it we request our agents and correspondents in camps where more men are needed to give information of the probable number in their respective localities, which statements should be signed by several reliable persons, and transmitted at an early day for publication. We believe this to be a desirable plan for the good of all, and offer the columns of the Post as a means of communication.

VOX POPULI.

From different sections of the country we learn of intense dissatisfaction at the modified apportionment act of General Meagher. It is looked upon as illegal and unjust, and in Deer Lodge county all parties have united in a formal protest and petition to Governor Smith. The opinion is held by able jurists that the apportionment once made, the power vested temporarily in the Governor ceases, and that the subsequent proclamations of General Meagher and Governor Smith are null and void of effect. Taking this view of the case, it is proposed to elect under the original apportionment proclamation of General Meagher, and claim representation in the Legislature on that basis. Deer Lodge county claims to have as large a number of qualified electors as Edgerton or Madison, and is indignant at the apportionment as it now stands. It is a new issue sprung in the campaign, and is likely to become a vital question if the modified apportionment is insisted upon.