THE MONTANA POST.

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The Montana Post.

D. W. TILTON & CO., - - - - PUBLISHERS

JAS. H. MILLS, - - EDITOR.

With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle, and for his widow and orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all Nations.—ABRAHAM LINCOLN.

CONTENTS OF THIS NUMBER.

PAGE 1—The September Treaty; The Ebb Tide; Book Notice; "The State of Montana;" An Officer Punished; Montana Legislature; Pen and Scissors.

PAGE 2—Montana Legislature.

PAGE 3—Poetry; From Flint Creek; Annexation of Northern Idaho; A "Growing" Item.

PAGE 4—Telegraphic; Mining Matters; Capital Question; Meagher's Apostrophe on the Sword.

PAGE 5—Trial of Prof. Hodge; Public surveys; Virginia and Helena Market Reports.

PAGE 6—From Butte City; Telegrams are not Private Property; Josh Billings' Papers.

PAGE 7—Report of Prof. A. K. Easton; Pen and Scissors; General Items; Personal; Humerous.

PAGE 8—Virginia and Helena Locals; Letter List.

THE SEPTEMBER TREATY.

A great deal has been said about the "September Treaty," under the provisions of which Victor Emanuel doubtless was compelled, in direct opposition to the better impulses of his nature, to afford armed protection to the Pope and destroy the liberating army of Garibaldi. We find in the Washington *Chronicle* a history of the events preceding the treaty of September 15, 1864, and the provisions under which Napoleon has exacted of the Italian King the suppression of the patriotism of his own people, from which we condense the following. Gregory XVI died in June, 1846. His successor was Pius IX, then Bishop of Imola, and in his fifty-fourth year. The assassination of his Prime Minister in 1848, frightened the Pope and he fled to Gaeta. The Italians, whose republican spirit was aroused by the French Revolution, organized a Republic in February, 1849, at the head of which was Mazzini, Garribaldi and other brave spirits. The Pope issued a manifesto declaring all their acts null and void; but this was treated with contempt, and he applied to France to restore him to Rome and power. Napoleon, recently elected President of France, succeeded in inducing the National Assembly to authorize an expedition to Italy, nominally to restore order to Rome, really to restore the Pope. General Oudinot was placed in command, landed at Civita Vecchia (the port of Rome) in April, attacked Rome, was repulsed, but finally compelled the surrender of the city, June 30, 1849. The Pope returned in 1850, and has since retained his temporal sovereignty in Rome, sustained by French troops until the latter part of 1866. The expense of maintaining a large force in Italy induced Napoleon to make a treaty with the King of Italy, which was signed Sept. 15, 1864, whereby it was agreed that the entire French army should be withdrawn before the expiration of three years, which was accomplished as agreed. The substance of this treaty of four articles was as follows:

1. Italy undertakes not to attack the present territory of the Pope, and even to prevent by force any attack proceeding from the exterior.

2. The French troops to be soon withdrawn, at latest within three years.

3. The Italian Government to make no protest against the organization of a Papal army, sufficient for protection and defense, provided that this force did not degenerate into a means of attack against the Italian Government.

4. Italy to assume a proportionate part of the debt of the former States of the Church.

On the outbreak of the insurrection, Victor Emanuel asked Napoleon not to insist upon the first article of the treaty, and although arresting Garibaldi, made no serious attempt to suppress the out break. Napoleon insisted upon the faithful execution of the treaty, and to make assurance doubly sure, landed an army of French troops at Civita Vecchia to aid the Pope. The Papal army consisted of 9,588 men; the French expedition, 10,000 men, and the Italian army as many more. Before these the 6,000 patriot volunteers were swept like chaff before the wind, and Garibaldi lies in a prison cell, without a home, save the asylum the American Republic has offered him, and the hearts of his enthralled countrymen.

A Mr. Traux, while digging a well on F. street, below the plaining mill in Denver, found at the depth of ten feet, a sack of corn in an almost perfect state of preservation. It is supposed to have been deposited there by the great flood of 1864.

THE EBB TIDE.

Relaxation follows tension as naturally and as surely as the ebb of the tide follows the flow. The hour of zealous activity is but the predecessor of one of rest and calm indifference. It is a law governing all nature. The elements are not more the exponents of the principle than man. The sea and the years have their tidal breathings and recurring seasons. Yet the waters are not exhausted or the elements destroyed. Truth is eternal. Its Alpha was God, its Omega will only be written when eternity is ended. Yet it has remained unsought and unfound by man. Grains have been gathered slowly on the shores of Time, and they were gathered by brave adventurers beyond the portals of prejudice, superstition and inhumanity. Sown in the hearts of men; cultured and guarded from the oppression of tyrants and carried in dauntless bosoms through martyr flames, or builded into the great temple of Life, and the world has grown wiser and better. Yet the crusades against error have not always been successful or the crusaders undismayed. There have been halts on the route and defeats on the field. Centuries have settled down upon the graves of conquered sires ere conquering sons have piled the monuments of victory upon the olden fields of defeat, and changed the low requiems to anthems of rejoicing. Still, progression marks the epochs; science, art and civilization fly their banners over wider realms, and the centuries grow brighter. The Pilgrims brought the seeds of tolerance and freedom to the western world, but it took three centuries for tolerance to spring up through witch fires, and another ere human freedom, born on the battle field, and baptized in an ocean of blood, was a legitimate child of the Republic. America has made rapid strides in later years in all that pertains to the advancement of art and science, the perfection of government, and the elevation of humanity. She demonstrated the inherent power of the people to perpetuate their government in a war unparaleled in modern history, and suppressed rebellion with a grasp of iron that would have destroyed any government in the world. Yet twice, in '62 and '64, the hold relaxed, the loyal hand was weakened, for the tide was out and the people were breathing. Loyalty conquered, finally. The principles of the Republic were established on victorious fields; her statutes, written by the sword upon the brazen, prostrate front of rebellion. It only remained for the representatives of the people to inscribe upon the books the resolve of the nation. With careful diligence they set about the task and while stern Justice guided the pen, Mercy followed its tracings and in forgiving charity erased the harsher lines. The loyal people laid down the instruments of war and a listless hour of rest followed the excited struggle with arms, from which they were awakened by another convulsive movement of disloyalty, and not until reconstruction was established in accordance with the principles tried and proven pure in the crucible of revolution were their arms stacked or ranks broken. The Democracy has made a night raid, they have even gone around our camps as Stuart rode around McClellan at Sharpsburg, and captured a few straggling out posts while the Republicans were slumbering. We will cross the river, shortly. We know our commander is treacherous, but he is to be relieved by universal consent. We will take no more chances on political Burnsides, Hookers or Meades, but in the contest of '68 the Republican party will go into action with every man for duty, to make final and complete the restoration of the Union; the abolishment of the prejudices that were born of servitude; the protection of those who were true to the country in its hours of danger, and the curbing of its enemies, and with Grant as our leader, brave as discreet, and enduring as determined, we will fight it out on that line, and conquer too, on the full flow tide of American progression.

BOOK NOTICE.

Lectures of General Thomas Francis Meagher—104 pp. Compiled by John P. Bruce. Published by Bruce & Wright, Virginia, M. T., 1867. Price $2, currency.

The above work contains a brief biographical sketch of General Meagher, a synopsis of his lectures, messages and speeches delivered in Montana, the public action of officials and citizens in reference to his untimely death, and the eulogy of Richard O'Gorman, Esq., delivered at Cooper Institute, New York. It is just such a work as the friends of the late Secretary will desire to procure and preserve; is gotten up on clear white paper, well printed, and we are happy to hear is selling rapidly.

FORMS AND USE OF BLANKS.—2 Vols. 8 vo., 1044 pp., H. H. Bancroft & Co., Publishers, San Francisco, Cal., March, 1867. Price, $15. Bound in sheep.

We have received from the publishers copies of the above work. It is doubtless what it purports to be, "the most important and valuable work ever published on the Pacific Coast," and is invaluable to business men, professionals and officers. It contains a system of blank forms—deeds, mortgages, leases, bonds, powers of attorney, agreements, wills, etc., and all blanks required by the statutes until 1867. The printing is done in the best style of the art, and on the best quality of paper. The work has been carefully revised and compared with the statutes by first class lawyers, and is accurate in all its details. Copies can be ordered by mail or express from the publishers.

SYNOPSIS OF BILLS.

The following bills have reached the Governor's hands and will doubtless become laws: Council Bill No. 1 locates the county seat of Missoula county at Missoula Mills. Council Bill No. 7—Provides that hereafter the Legislature of Montana shall convene at the Capital on the first Monday of December, at M. each year. Council Bill No. 11—Provides that County Assessors shall, at the time of collecting poll tax in the year 1868, take a census of the Territory, ascertaining the name, age, sex, color, place of nativity, occupation, and whether married or unmarried, of each inhabitant of their respective counties. The same to be certified by the County Clerks and forwarded to the Territorial Auditor, who shall file the same in the Secretary's office on or before Nov. 1, 1868. Assessors to receive a compensation of five cents for each person on their lists. Council Bill No. 2—Provides for criminals performing labor. All persons sentenced to imprisonment for any crime, or length of time, by any legal tribunal in the Territory, may be compelled to labor during a portion or the entire term. The County Commissioners have authority to enforce this act. Sheriffs, deputies or constables to superintend the labor of such criminals. A refusal to perform labor may be punished by solitary confinement on bread and water. Labor may be compelled for the payment of any fine or penalty imposed by the tribunals. The benefits of such labor to revert to the counties or corporations under which the labor is ordered.

"THE STATE OF MONTANA."

Under the above caption the *Democrat* of this week has a lengthy article presenting *in extenso* the arguments in favor of a State organization "at the earliest day possible." The most glarring omission in the article is in its neglect to mention that several very able gentlemen are now willing to assume the responsibility of shouldering all the burdens of office connected with a State organization if the people of Montana would pay the expenses instead of the general government. It needed that point made clear to complete the argument. Of the resultant advantages of State sovereignty, the assured permanancy of its laws is the chief argument used, and an increased immigration claimed as the result. California, Nevada, Iowa and Nebraska are referred to as examples of the prosperity attending States after emerging from Territorial dependence. Taking the first named State, there were many arguments in favor of its admission not applicable to Montana. It was a newly acquired possession, containing a very large percentage of native inhabitants not citizens of the United States and constantly attracting large numbers of foreigners. Remote and isolated from all other States, its erection into a State Government was demanded by considerations of paramount importance not presented in this Territory. The *Democrat* says the vote of Nevada when admitted as a State in 1864, was 9,659. This is an error. It was 16,420. It argues that since then that Nevada has materially advanced in population and the same result would occur in Montana. Unfortunately for the *Democrat's* argument the entire vote for Governor in Nevada last year on a full poll was only 9,162, a decrease of 7,258 votes and upon the *Democrat's* basis of computing population a decrease of 50,806 in population. This totally upsets its theory of the attraction of taxation. The *Democrat* also asserts that Nevada after disbursing $60,000 last year had $51,000 remaining in the Treasury. Now, under a State organization, that amount must have been collected from the people by taxation. Are the 1,100 voters of Montana desirous of assuming an additional yearly tax of $111,000. The *Democrat* alludes to the "Sovereign power" with which California "took hold of the Central Pacific Railroad and "pushed forward the stupendous enterprise" In another paragraph it claims that California has 500,000 inhabitants, while an exhibit of the State for 1866 shows a property valuation of $197,133,345, quite enough population and capital to give any commonwealth influence. Montana has not over 25,000 population to day, on a most liberal estimate, and her property valuation is $6,308,118; neither men or money sufficient to build the North Pacific Railroad. Besides, the Union Pacific Railroad was a company project. It received an appropriation of $64,300,000 from Congress and a donation of 12,800, acres of land for each of the 1332 miles between Omaha and San Francisco, in all 17,049,600 acres, the most magnificent endowment ever bestowed on any enterprise. California as a State has never given any material aid to the U. P. R. R., that we are aware of, the only donation being $400,000 by the city of San Francisco and 39 acres of land by Sacramento city. California has a State debt of nearly four million dollars, and has not seen fit to add to it by "taking hold" of a railroad estimated to cost one hundred and fifty millions. We do not mention these statistics as an argument against State organization, but merely to show the fallacy of the *Democrat's* argument. When we have the population to sustain a State organization without an oppressive tax upon the people, our voice will be for the "State of Montana;" but it is unwise to cut our leading strings before we are able to walk, and equally impolitic to agitate a measure that has no hope of present success and is not warranted by existing circumstances. What assistance we can obtain from the general government, in the way of appropriations for public buildings and the assumption of the governmental expenses of the Territory, we would forfeit as a State, and by the general government the young commonwealths must be sustained. The obedience of our people to the laws we are proud to concur in asserting; and more than this, in honor let it be said, the Commissioner of Internal Revenue has stated that there was no district in the Union where the United States taxes were so promptly and fully paid as in the Territory of Montana. Let these things be in our favor while soliciting favorable appropriations from the government as a Territory. With the building of the Union and North Pacific Railroads; the development of our mineral veins; the better navigation of the Missouri, and the suppression of Indian difficulties, will come a flow of immigration large enough to entitle us to the sovereignty of a State, and bear its expenses without excessive taxation. We deem it unnecessary to refer to the vexatious delays and legislation in regard to other territories seeking admission under parallel circumstances. There are many advantages accruing from a State organization, but the preponderance of evidence is against it. Better to labor with diligence and wait with patience until time and circumstances have reversed the situation, and we can knock boldly at the doors of the Union, and in the full strength of vigorous manhood, say, "I am of age let me speak for myself."

AN OFFICER PUNISHED.

The following appears in one of the official papers east, published by authority of the department:

Second Assistant Engineer George F. Sawyer, United States navy, tried at Portsmouth, N. H., by a court martial, has been found guilty of disrespect to his superior officer in declaring that the President ought to be impeached; and, by order of Secretary Welles, he has been suspended from duty for one year, on half pay.

He was tried on the charge of using disrespectful language towards the President, and it was proven on trial that he said "the Senate would probably impeach the President, and he ought to be impeached." In a conversation with two other officers, who denounced Congress as "tyrannical," "usurping" and "unconstitutional," the remark was drawn from Mr. Sawyer by an attack upon a personal friend. He was reported to the Secretary of the Navy, a court martial convened, and being found guilty, sentenced as above. If we remember aright, an officer has as much right to speak disrespectfully of the President as of Congress, and if Democratic officers are entitled to the privilege of condemning Senators, the rule should apply to Republican officers who do not look with loving eyes upon the great Egotist.

To give the public an idea of the extent of the telegraph business of Chicago, it is but necessary to mention the fact that *forty-six telegraph wires* now centre in this, coming in from different directions. A collection of the many messages, private and public, that are sent over these wires to and from Chicago, each day, would prove a first-class sensation for the columns of a newspaper or the pages of a book.

MONTANA LEGISLATURE.

FOURTH SESSION.

Eleventh Day.

November 14.

Council, 10 a. m.

Mr. Rand intraduced C B No 27, an act to regulate the proceedings and define the jurisdiction of probate courts. Referred to Judiciary.

H B No 10. Read and referred to Judiciary.

C B No 9, final passage. Ayes 5; nays 2.

C B No 24, to locate penitentiary; on final passage. Ayes—Corum, Cullen, Rand, President; 4. Nays—Davis, Orr, Watson; 3.

Recess until 2 p. m.

Resumed. Communication received from Judge Wm. Y. Lovell, placing his collection of minerals, ores, fossils, etc., at the disposal of the Legislature for a Territorial cabinet.

Mr. Davis, by permission, introduced C B No 28, to provide a system of Common Schools throughout the Territory. Ordered printed, and referred to committee on Education. Adjourned until 10 a. m.

Eleventh Day.

November 14.

HOUSE—met at 10 a. m.

Mr. Anderson, Territorial Affairs, reported H B No 7, Removing Capital to Helena, and recommended it pass without amendment. Received.

Mr. Boswell, Indian Affairs, reported C B No 15 and recommended its passage. Received.

Mr. Weston, Select Committee, reported C B No 17, and recommended its passage without amendment. Received.

Patton introduced C B No 11, an act to amend the act to incorporate the city of Virginia. Read and referred to committee on Printing.

C B No 6, read and referred to Judiciary.

C B No 15, on final passage. Ayes, 11; Nays, 0.

C B No 17, on final passage. Ayes, 11; nays, 0.

Mr. Anderson moved to consider H B No 7 engrossed, and put it upon its final passage.

Mr. Word moved to lay the motion on the table. Lost. Anderson withdrew the motion.

Mr. Word offered the following:

Amend section one by striking out the words "Helena, Edgerton County," in the second line and inserting the words "Deer Lodge City, Deer Lodge County"

Amend section three by striking out the words "city of Helena," in the first line, and inserting the words "Deer Lodge City."

Ayes and nays called, which resulted as follows:

Ayes — Edwards, Gallaher, Patton, Word and Weston—5

Nays — Anderson, Boswell, Comly, Rhodes, Tennant and Mr. Speaker—6. Lost.

Mr. Word offered the following amendment; upon which the ayes and nays were called:

Amend section two by adding after the words 1868, the following: Provided, that the qualified voters of this Territory shall not by any provision of this act be prevented from voting for any point for the location of the seat of government that they may desire, and that the point designated by a majority of the votes shall by proclamation be declared the seat of government.

Ayes — Edwards, Gallaher, Patton, Word and Weston—5.

Nays — Anderson, Boswell, Comly, Rhodes, Tennant and Mr. Speaker—6. Lost.

Mr. Gallaher moved to adjourn to 2 p. m. Ayes and nays called.

Mr. Gallaher moved a call of the House.

Roll called — Kennerly and Simms absent.

Sergeant-at-Arms sent for the absentees.

Sergeant-at-Arms reported Kennerly in his seat.

On the motion to adjourn the ayes and nays were called, which resulted as follows:

Ayes — Edwards, Gallaher, Patton, Word—4. Nays, Anderson, Boswell, Comly, Kennerly, Rhodes, Tennant, Weston and Mr. Speaker—8; and the motion was lost.

The previous question was then put with the following vote:

Ayes — Anderson, Boswell, Comly, Kennerly, Rhodes, Tennant, Weston and Mr. Speaker, 8; nays, Edwards, Gallaher, Patton, Word, 4; and the question was then put, "Shall the bill be considered engrossed for a third reading."

Ayes and nays called.

Ayes—Anderson, Boswell. Comly, Edwards, Kennerly, Rhodes, Tennant, Weston, and Mr. Speaker, 9; nays, Gallaher, Patton and Word, 3; and the motion passed.

The bill was then read for information.

H B No 7, an act to amend an act entitled an act locating the seat of government, was read the third time and passed by the following vote:

Ayes—Anderson, Boswell, Comly, Edwards, Kennerly, Rhodes, Tennant, Patton, Weston and Mr. Speaker, 10; nays—Gallaher and Word, 2; absent, Simms; and the bill passed and the title was agreed to.

Mr. Patton gave notice that he would on to-morrow at 10 o'clock a. m., introduce a motion to reconsider the vote by which H B No 7 was passed.

Recess until 2 p. m.

AFTERNOON—resumed.

Communication from Judge Lovell tendering collection of minerals, Referred to committee on Territorial Affairs.

Mr. Kennerly introduced H B No 12, conferring citizenship on Joseph Kipp. Referred to committee on Territorial Affairs.

C B No 19, read and referred to committee on Ways and Means.

C B No 24, read and referred to committee on Territorial Affairs.

H B No 5, final passage. Ayes, 10; nays, 0.

On motion Anderson, C B No 9, taken from table, amended, and on final passage, ayes 7; nays 3.

Mr. Word, by consent introduced H J R No 1, authorizing the Territorial Auditor to pay for an arsenal. Read and referred to committee on Ways and Means.

House adjourned.

PEN AND SCISSORS.

N. A. Baker, of the Cheyenne *Leader* introduces his assistant so:

"We take pleasure in announcing to our readers the name of Dr. D. W. Scott, whose pen contributions will from this time, assist us to render the *Leader* doubly acceptable to our patrons, and increasingly effective for the advancement of the interests of our growing city. In presenting the Doctor to our readers, it is proper to say that we retain the character of managing and "fighting editor" of the institution, and are responsible for all that appears in our columns. We will ever be ready, personally, to render satisfaction either by way of redressing grievances, or by defending the causes we advocate." The Doctor talks morality, etc., in his salutatory. Baker evidently believes in the divinity of Derringers.

The Salt Lake *Vedette* says Lieutenant Wells, with a detachment of 50 men, killed and scalped 7 Wallapi Indians in Arizona on the 6th ult. The Lieutenant's motto is, "whenever you see an indian, go for his scalp." He wears his shoulder straps with honor to himself and his country.

Judge Cummings of Idaho, has decided that the specific contract law of that Territory is in conflict with the Act of Congress of Feb. 25th, 1862, and is therefore null and void, in so far as it discriminates between the different characters of legal currency with reference to the fact simply of its being gold, silver, or legal tender notes. He orders that all judgements upon contract for money shall be in dollars and cents only, without specifying any particular kind of currency, or denominations of legal tender treasury notes or pieces of coin.

A San Francisco telegram to the *Reveille*, dated Nov. 5th, says:—The Western Union Telegraph Company's bark Onward, arrived from Geghigar, Siberia, last evening, bringing all the operators employed by the Western Union Extension from that section. This arrival completes the entire abandonment of the telegraphic enterprise overland, to St. Petersburg, for the present. The country is represented as barren and worthless for the purpose of civilization. The party enjoyed good health, and suffered but slightly from the extreme cold, The thermometer sunk to sixty degrees below zero at times.

The Colorado *Times* says the Excelsior Reduction Works of Krauss, Reese & Bruckner have lately treated the following parcels of ore: Forty-two tons of Pewabic yielded 61 50-100 ounces gold; three tons of Bobtail ore, 10 50-100 ounces, and four and a half tons from the Wautaga lode, 7 60-100 ounces. The "California process," keeps steadily at work, and its success as a paying method of treating refractory ores is undoubted.

The Salt Lake *Vedette* of the 4th, says: A very distinct shock of an earthquake was felt in our city last night about half past eleven. The shock was preceded by a noise like distant thunder, followed immediately by rumblings like those caused by heavily laden wagons or artillery passing over a bridge. We have not as yet heard of any damage.

The Omaha *Republican* says the entire vote of Omaha in 1866 was 1095. This year the legal registered vote was 2334—or more than *twice* the vote of 1866. So rapid an increase as these figures exhibit has no parallel in any other city in the United States. For President in 1868, Omaha will poll *four thousand votes!*

The Cheyenne *Leader*, says:—The average grade of the U. P. R. R. from Omaha to this point, is thirty-three feet per mile. Upon the ascent of the Black Hills a grade of nearly ninety feet to the mile is encountered.

William Barton, M. D., has copyrighted a book in San Francisco entitled "Sulphurets:—What they are, How Concentrated, How Assayed, and How Worked; with a Chapter on the Blow-pipe Assay of Minerals."

The Denver *Tribune* of Oct. 27th, says Paul Coburn left yesterday morning, in charge of an officer, for Pueblo, where he is to be tried for the murder of J. W. Hammer in this city in April last.

The Virginia *Enterprise*, (Nevada,) says:—The total shipment of bullion from this city and Gold Hill for the past week was 5,972 pounds, valued at $129,842 39. The total amount of bullion received for assay during the same period by offices in both towns, was 75,259 ounces.

The San Jose *Mercury* announces the death of Hiram O. Miller, and adds that he was one of the rescuers of the celebrated Donner party, whose terrible sufferings in the snows of a Nevada winter, in early times, have become a part of California history.

The Corner Stone of the Masons and Odd Fellows Hall was laid in Austin Nevada, Nov. 2d, with imposing ceremonies.

The Salt Lake *Telegraph* talks very pretty to Lisle Leslie.

The bridge timbers for the U. P. R. R. are brought from Michigan.

The Telegraph along the line of the U. P. R. R. will be completed by Dec., 1st.