

The Montana Post.

D. W. TILTON, BEN. R. DITTES, D. W. TILTON & CO., Publishers and Proprietors.

Office at the City Book Store, corner of Wallace and Jackson Streets, Virginia City.

Terms of Subscription: One copy, one year, \$3.00; do, do, six months, \$2.00; do, do, three months, \$1.50.

Rates of Advertising: Business Cards, 5 lines or less, 3 months, \$6.00; do, do, do, 6 months, \$10.00; do, do, do, 1 year, \$15.00.

Local Notices—One dollar per line for three lines or less; 75 cents per line for ten lines or less; 50 cents per line for eleven lines or more.

MONTANA LEGISLATURE

FOURTH SESSION.

COUNCIL.—Met 10 a. m. A communication from the Governor, through Mr. Cummings, his private secretary.

EXECUTIVE OFFICE, Territory of Montana, Virginia City, Nov. 23, 1867.

Hon. C. S. Bagg, President of the Council.

SEN.—The joint resolution to make an appropriation of fifty-five hundred dollars to pay for and complete the arsenal now in process in this city, is before your body.

This is my personal obligation, and if the Legislature does not make the appropriation, I must and will pay it.

It requires fifteen hundred dollars more to complete the work by placing an armory over the magazine. The arms of the Territory cannot be taken care of without it.

The small arms are now in an indifferent cabin, liable to rust and rendered useless; the artillery is out in the weather, and must be ruined before spring unless housed.

The artillery could not be purchased for less than one thousand or twelve hundred dollars apiece. There are four of them to be taken care of.

The small arms are worth thirty-five dollars apiece, and there are twelve or fifteen hundred here, with six hundred thousand rounds of ammunition. The Territory cannot afford to lose this valuable property, therefore I hope the Council will pass the resolution, as the debt must be paid December 1st, and the armory ought to be completed at once.

Most respectfully your obedient servant, GREEN CLAY SMITH.

Referred to committee on Ways and Means.

Rand, Judiciary, reported C B No 27 with amendments. Referred to committee of the Whole.

Corum, Towns and Counties, reported C B No 37, favorably.

Rand, Judiciary, reported C B No 35 favorably.

H B No 15, read and referred to Judiciary.

C B No 37—final passage; ayes, 7; nays, 0, passed.

H B No 12—indefinitely postponed.

C B No 35. Final passage—ayes, 2; nays, 5. Lost.

C B No 14. Final passage—ayes, 2; nays, 3. Lost.

C B No 22. Indefinitely postponed.

Ayes, 5; nays, 2. Recess until 2 p. m.

AFTERNOON.—A communication from his Excellency, the Governor, through Mr. Cummings, his private secretary.

EXECUTIVE OFFICE, Territory of Montana, Virginia City, Nov. 23, 1867.

Gentlemen of the Council.

In accordance with an act entitled, "An act to divide the county of Gallatin," and by which the county of Meagher was reorganized, I have the honor to present the following nominations for the various offices of said county, as required by law:

For Probate Judge—A. J. Hunter. For Clerk and Recorder—W. T. Richardson.

For Sheriff—Edward Lovelock. For Treasurer—Frank H. Woodson.

For Assessor—J. F. McIntock. For Commissioners—John Barnes, W. Davenport and Henry Ramspeck.

To which I ask the advice and consent of the Council.

GREEN CLAY SMITH, Governor of Montana. Appointments confirmed in executive session.

lation to continuances in civil and criminal causes," read and referred to the same.

Corum, committee of the Whole, reported C B No 39, that all except the enacting clause had been stricken out; report adopted; ayes, 4; nays, 3, and the bill indefinitely postponed.

Corum introduced a resolution to appoint a joint committee of inquiry concerning the authority to erect an arsenal, from whom derived, and to whom it belonged; resolution lost; reconsidered; carried; and Messrs. Corum, and Cullen appointed on the committee from the Council.

Adjourned. C B No 33. Final passage—ayes, 5; nays, 2. Passed.

Watson, Ways and Means, reported H J R No 1 favorably. Bill laid over until Monday.

In committee of the Whole. Resumed and adjourned until Monday, November 23.

HOUSE.—Morning. Prayer by Chaplain. Boswell, select committee, reported C B No 3, with amendments.

C B No 3, considered in committee of the Whole. Resumed.

Comly, Committee of the Whole, reported C B No 33 with amendments, and recommendation that the bill be recommended to the Select Committee. Concurred in.

A petition was presented from the citizens of Gallatin county, asking for a special election to change the county seat.

Was referred to a select committee of three—Gallagher, Word and Weston.

C B No 37, an act to authorize the people of Gallatin county to locate the county seat of Gallatin county.

Read and referred to a select committee of three, Word, Gallagher and Weston.

Recess until 2 p. m. AFTERNOON.—Kennerly, Towns and Counties, reported on petition of citizens of Jefferson county, asking for the permanent location of the county seat, recommending it be laid on the table for future consideration.

C B No 21, read and referred to committee of the Whole.

C B No 33, read and referred to select committee—Patton, Gallagher, Word.

Mr. Cummings, Private Secretary, gave notice that the Governor had signed H B No 4, 5 and 14.

In committee of the Whole to consider H B No 20 and 21.

Resumed. Adjourned until 10 a. m., Monday, Nov. 25.

HOUSE.—Morning. Gallagher—Special, reported C B No 37 with amendments.

Anderson—Territorial, reported H B No 26, recommending it be indefinitely postponed. Received.

Comly—Committee Whole, reported C B No 21 with amendments.

Gallagher—select, reported C B No 37 with amendments. Motion to lay the report on the table, lost. Amendments adopted, and motion of Word bill referred to select committee. Word, Anderson, Gallagher, committee.

Amendments to C B No 21, adopted. Word offered amendments and substituted. Lost.

Gallagher—Agriculture, reported C B No 10, and recommended its reference to committee of the Whole. Adopted. Recess.

Afternoon. On motion of Comly H B No 36 recommended to select committee. Comly, Word, Weston.

Mr. Cummings, gave notice that the Governor had signed H B No 13.

Communication from the Governor recommending the re-enactment of sec. 4 of the funding act approved Dec. 14, 1867, authorizing the Governor to have the bonds printed, as the same have been printed in Washington city and are ready for delivery.

Tennant introduced H B No 27 to provide for organizing and disciplining the militia of Montana. Read and referred to printing committee.

In committee of the Whole. Resumed.

Weston—Committee of the Whole, referred C B No 10, recommending its reference to committee on Territorial affairs. Concurred in, and referred.

Resolution of Council appointing committee of inquiry concerning Arsenal, received and on motion of Comly a committee of three appointed from the House. Comly, Word, Stewart.

C B No 31. Read and referred to Judiciary. Adjourned.

Nov. 26. COUNCIL.—Morning.

Davis introduced C B No 42, to amend the act to incorporate Nevada City. Referred to "Incorporations."

Bagg introduced C B No 43, relating to fires, and the protection of grasses and timbers. Referred to Committee of the Whole.

C B No 21.—Taken up. House amendments read, and tabled until Saturday.

In committee of the whole. Resumed, and recess until 2 p. m.

AFTERNOON. In committee of the Whole. Resumed.

Orr introduced C B No 44, an act for the relief of E. Lovelock and W. K. Roberts. Read and laid on the table. Ayes, 4; nays, 3.

Adjourned until 10 a. m. November 26.

HOUSE.—Morning. Prayer by Chaplain.

Word, Judiciary, reported H B No 26, recommending its reference to committee of the whole. Received.

Comly, Judiciary, reported C B No 26, relative to attorneys and counsellors, recommending it be indefinitely postponed, as an almost similar law exists in the Bannack statutes. Received.

Weston, Incorporation, reported H B No 23, favorably.

Weston, Incorporations, reported H B No 16, favorably.

Word, select, reported C B No 37, recommending it pass without amendment. Received.

Rhodes introduced H B No 30, regulating the fees of officers, jurors and witnesses, and repealing act of February 9, 1865. Ordered printed.

C B—on final passage as reported by committee. Ayes, 7; nays, 3. Absent, 3. C B 31 referred to committee of the Whole.

C B No 26 indefinitely postponed.

H B No 23—final passage. Ayes, 10; nays, 1; absent, 2.

On motion of Boswell, H B No 16 referred to select committee, Boswell, Word and Tennant.

Word, Judiciary, reported H B No 28, favorably. Received and concurred in. On final passage—ayes, 12; nays, 0.

Word, Judiciary, reported H B No 24 with amendments. Received. Recess until 2 p. m.

AFTERNOON.

Rhodes and Kennerly, select, gave majority report on C B No 34, favorably. On final passage of bill—ayes, 11; nays, 0; absent, 2.

Gallagher gave notice he would move a reconsideration of the vote at 2 1/2 p. m., Nov. 27.

The following communication was received from the Governor:

EXECUTIVE OFFICE, Territory of Montana, Virginia City, Nov. 26, 1867.

Gentlemen of the House of Representatives:

You will allow me to call your attention to an important matter not included in any law I can find in the Territory. It is, requiring the Auditor, Treasurer and Superintendent of Public Instruction to enter into bonds with approved security for the faithful discharge of their duties, to be taken and accepted before some competent person and filed in the office of the Secretary before entering on their duties. I suggest this matter respectfully, that you may take immediate action to amend the law so deficient in this regard.

GREEN CLAY SMITH. Referred to the committee on Finance. In committee of the Whole to consider C B No 31.

Resumed. Boswell, committee of the Whole, reported C B No 31, favorably; received.

C B No 31 on final passage; ayes, 11; nays, none; absent, 2.

Gallagher introduced H B No 31, an act to re-enact an act entitled, "an act to authorize Chas Francisco and D. Abbot to construct and maintain a ferry across Sun river," read and referred to select committee, Gallagher, Edwards and Patton.

Word, Judiciary, reported H B No 23 unfavorably; received, and bill tabled for further consideration.

Edwards offered:

Resolved, That hereafter, upon the final passage of a bill that the call of the roll shall be dispensed with, unless the ayes and nays are demanded.

On motion of Word, the resolution was laid on the table.

November 27.

HOUSE.—Morning.—Prayer by the Chaplain.

Boswell, select, reported C B No 3, with amendments, report received.

Motion of Word to amend, and to consider in committee of the Whole, lost.

On motion of Weston, bill referred to select committee; Weston, Comly and Patton.

Recess until 2 p. m. AFTERNOON.

H B No 24; final passage; ayes, 11; nays, none.

Edwards, Mines and Minerals, reported H B No 29, favorably.

H B No 29, considered in committee of the Whole. Resumed.

Mr Cummings notified the House that the Governor had approved H J R No 1, authorizing the Auditor to pay for an arsenal and magazine.

Comly, committee of the Whole, reported H B No 29, recommending it be recommitted, received and concurred in.

Mr Boswell, select, reported H B No 16, recommending its committee to committee of the Whole; concurred in.

Tennant introduced H B No 32, an act to re-enact an act to authorize Thomas A. Holmes and Luther M. Brown and others to establish a ferry across the Missouri river, referred to committee of Incorporations.

Adjourned till 10 a. m., Friday.

November 27. COUNCIL.—Morning.—Rand offered a joint resolution appropriating \$25 for the arsenal lot; lost.

Orr moved to table the resolution; tabled, ayes, 5; nays, 2.

H J R No 1, taken from table, and Corum of select committee, reported that the authority to erect an arsenal building was not conveyed to the Governor by the general government or department commander, but was necessary for the preservation of the arms.

Resolution adopted; ayes, 4; nays, 3. H B No 28, read and referred to Judiciary.

H B No 22, taken up and read first time; Rand objected to second reading; bill not sustained; read and referred to Incorporations.

In committee of the Whole. Resumed.

AFTERNOON.—Davis, Education, reported C B No 28, favorably; not adopted and on motion of Rand, bill indefinitely postponed; ayes, 4; nays, 3.

Bagg introduced C B No 45, to establish a system of common schools; referred to committee on Education.

Watson, Mines and Mineral, reported C B No 5, with amendments.

H B No 24, read and referred to committee on Agriculture.

In committee of the whole. Resumed. Adjourned until 10 a. m., Friday.

MINING MATTERS.

HOT SPRING DISTRICT AND SURROUNDINGS, MADISON COUNTY, M. T.

WM. Y. LOVELL.

THE MILLS.

We awoke at early dawn under the roof of the whole souled and hospitable Superintendent of the N. Y. & M. M. & D. Co.—E. L. Pratt, and with a breath of the pure and invigorating air of early morn, proceeded to put our thoughts in shape for the readers of the Post.

The mill of the New York and Montana Mining Company was one of the first built and located in the district. The Company's affairs were then, as we learned, under the supervision of Prof. A. K. Eaton, and the mill was designed to be operated by water power; the machinery to be driven by a wheel of novel structure, and thought to be of capacity sufficient for the object sought, that was, driving 20 stamps. From a lack of water or want of adaptativeness of the main wheel, the power was proved insufficient; to remedy this, a ditch of three miles or more, was constructed to increase the volume of water that could be used, for the desired increase of power. This too, from breaks, leakages and other causes, proved to be unsuccessful. So that after the expenditure of large sums of money in the hope to be able at some day to obtain the cheapest motive power, the cherished plan had of necessity to be abandoned, as is fully attested by ditches, flumes, and in cases of the musical splash of water we now have the screech of the steam whistle.

On the 31st of October, 1867, Mr. Pratt fixed up and started his 20 stamps with a 60 horse engine. The engine is of sufficient power to run these stamps at a cost of about \$25.00 for every twenty four hours; and each battery of stamps will crush 8 tons per day, giving an average for the mill of 32 tons, or a cost of 75 cts per ton, for wood and fireman. The experiment of power by water, as we have stated, was tried and the cost as near as ascertained, when in the Spring a sufficiency could be obtained, was estimated for the 20 stamps at \$5.00 per day at a cost of 15¢ cents for crushing alone. We give these results, to inform our readers of the relative cost of steam and water as a motive power in Montana. That a large per cent should be added to the cost of water as a motive power all will concede, from delays, stoppages, breaks, and uncertainties that are unnecessary and seldom occurring in steam power. We were so well satisfied with our investigation in this case, that had not the Company seen fit to apply the latter power, we should have pronounced the mill a failure.

The mill is situated a short distance below the Midas, on the same stream, and more in the open or bottom ground. The building is 42x75 feet, of wood, and substantially built, with an engine house 24x30 feet, also frame. The stamps, as stated, are 20 in number, and seem in perfect order, running smoothly. The appliances for saving the gold are the common tables—sluice and settlers, which it is claimed are in good working order, and that the gold is well taken up by the process used, little if any being left in the tailings. The ores to be stamped by this mill are taken from several lodes near by and owned by the company. We did not learn the lodes most relied on, but predict that the mill the coming winter will be well supplied, if not by company ores, from custom work. The Superintendent is a man of energy and perseverance, having the confidence of the miners of the district, both as to capacity and integrity. Indeed we heard but one expression: that of confidence and good will towards E. L. Pratt, by all who knew him. The mill had but started at the time of our visit, and results were unknown. We have been promised the good and bad, from our friend, when it will be our pleasure to give them to the readers of the Post.

THE CLARK AND UPSON MINING COMPANY'S MILL.

This mill is situated immediately below the N. Y. & M. M. & D. Co's. mill, and presents a fine appearance. The mill and engine houses are of stone—mill house 80x30; engine, 30x25, enclosing engine—12 stamps—one arastra and one settler. The mill is now closed and will not likely be started before spring. The company started more than a year ago with patent machinery, which proved a failure. It is to be hoped that after the large expenditures in the trial of patent machinery, that the second effort will be a success that will at least reimburse them for previous outlays, and demonstrate that with suitable appliances and tried machinery, the ores of Old Mortality and others of the Company must pay and in time prove that the investment will, and can be made profitable. Leaving the mill we sped our way over a large plateau north some four miles to the Alpha mines in Norwegian district, and on what might be called a tributary of Norwegian creek. Our visit was most unfortunately timed, as Messrs. Conner and Cope were each absent, from this fact we were unable to give many circumstances and figures that would interest the reader. The buildings and mill seemed of late to have been thoroughly repaired, and though not at work, could have been started as soon as "steam could be raised." The old man in charge, kindly opened the mill for our inspection, and discoursed learnedly upon the advantages of this or that improvement that seemed to have been made. The Alpha is a fifteen stamp mill, with ample steam power. The saving apparatus consists of sufficient length sluices, blankets, and two excellent arastras. The tests that have been made at this mill in the last eighteen months, warrants the conclusion that the mill is not of "imposing grandeur," is at least successful in the treatment of ores. The large number of leads near the mill owned by the Company, and the known value by mill process of many of them induces this belief, that the Alpha will prove both a beneficial and paying investment, equal to any that has ever been made in the district; for the amount of capital expended. We hope to hear that the energetic Superintendent has again started a mill that has been operating from Nov. 1866, until a few days before our visit and has never made a run that did not pay. The Company have now a good shaft, and house on the Esbo with a full shift of active miners. This, with the Boonville and Pony

ores will not only give a supply but must prove if actively worked during the winter a source of profit to all interested. The Alpha was the last mill built to day, and fatigued with the exercise of body and mind, we gladly went to bed and board, to be prepared for the duties of the coming morn, the last day of our visit to a district which will in time, be made famous in history and song for its beauty, grandeur, wealth and the hardy enterprise of men whose watchwords are, development and truth.

PEN AND SCISSORS.

The West.

The Colorado Transcript says: As an earnest of what is in contemplation for this town and Territory by the association of eastern capitalists known as the Golden City Mineral Land Association, we are happy to state that bids are now being received for the running of an immense tunnel through what is known as the "Hogback" near the Pottery, for the purpose of more easily working the various veins of material required in their future operations here. The specifications are for a tunnel starting on the east side of the hill, upon a level with the plateau on which the town stands, to run through the hill, some 800 to 1,000 feet, and to be, when cribbed and completed, six feet wide and seven high. This tunnel will cut through the various out-cropping veins of fire and pottery clay, iron, limestone, coal, silica, etc., at a depth of from twenty to seventy-five feet.

The Walla Walla Statesman, of Nov. 1st says:—Our fellow citizen, Philip Ritz, Esq., starts this morning for Montana, taking with him a lot of fruit and fruit trees, from his well known nursery. Mr. R. will travel by way of the Mullan road which he will carefully examine and report the result of his observations to the authorities at Washington, with a view to procuring an appropriation toward opening the road. It will be recollected that this question was up at the last session of Congress and only passed over for want of time. Mr. Ritz is also in correspondence with the heads of the Northern Pacific Railroad Company, and will communicate to them all the facts he is able to obtain in relation to the merits of the proposed route.

The Cheyenne Argus of Nov. 14th says: Yesterday afternoon we went out, with everybody else in Cheyenne, to bring in the track, and we brought it. We walked out to the curve, about a mile from town, at about four o'clock, where we met the track layers, and in less than an hour, track-layers, and all the curiosity hunters in town were at the freight depot. The speed with which the rails were laid was astonishing to all who witnessed it, even the bay horse which hauled the "bar" truck from the construction train, on before the men with mauls and pikes, seemed imbued with the same spirit of determination to have the track laid to Cheyenne before sunset as was exhibited by every man employed on the track, as well as the people of Cheyenne, who walked, men, women and children, miles out along the grade to meet the long-looked for RAILS.

The Reese River Reveille of the 16th says:—As Thomas Jay, a miner at work in the Trojan mine, was yesterday descending the shaft in a bucket, the hook became disengaged and he was precipitated to the bottom, a distance of fifty feet. He is attended by Dr. Swicom, who reports that two ribs are broken, the right shoulder and muscles of the back much bruised, and the scalp considerably lacerated.

The R. R. Reveille of the 16th says:—We have been shown an authoritative statement of the shipment of bullion from the Florida mine, from November 17th, 1866, to November 12th, 1867, inclusive. The aggregate of shipments is \$106,563 35, and is a good answer to the croakers who were always crying "Reese River razor-blades."

The Mountaineer (Oregon) says: Henry Kirsting, of Cluckamas, charged with the murder of Mr. Riciale last spring, has been found guilty of murder in the second degree, which insures him a sentence for life in the State prison.

The Oregon Press announces the sudden death of Rev. John Tindall at Umatilla on Friday evening, 1st instant. Mr. Tindall was the circuit preacher of the Methodist persuasion for the district of Umatilla, Birch Creek and the Meadows.

The Meadow Lake Sun announced at its last appearance, that it would set on that day to rise no more until the mines of that region were better developed.

The Council Bluffs Nonpareil says:—The U. P. R. R. Company is constructing a huge snow plow for use on their road the coming winter.

Rev. Norman McLeod, who first organized the Congregational church in Denver, and afterwards spent two years in Salt Lake, building a church, and editing the Vedette, has returned to fill the vacancy occasioned by the resignation of Rev. Mr. Goodrich.

Thomas Jefferson Taylor of Spring Valley, Colusa County, Cal. has filed a petition in bankruptcy. His liabilities are \$142,000; assets, about \$700.

T. B. Lewis has purchased for a company, two blocks of ground, near University Mound, San Francisco, for a public pleasure garden.

The proposed silk factory at San Jose, Cal., has been abandoned, and the machinery offered for sale.

The Denver News says the Cheyenne Leader has succumbed, and the Argus monopolizes the business.

A Sylvester, a merchant of Belmont, Nevada, was found dead in his bed on Thursday, Nov. 14.

John O'Hearn was caught in the machinery of the Atchinson mill at Washoe city, and killed, a few days since.

The shipments of treasure from San Francisco, this year up to Nov. 20, amount to \$84,766,397—which is \$20,000,000 more than was shipped during the same period last year.

The Cheyenne Argus says that by actual count there are 300 houses completed and in course of erection in that city contains at least 3,000 souls.

Dr. James Reardon died in this city on Friday night, the 9th inst., says the Marysville (Cal.) Appeal, aged 71 years, 10 months and 6 days. The deceased was an old and highly respected citizen of Marysville.

Ira A. Washburne, of Nevada County, Cal., has been sent to the Insane Asylum.

A large hotel 132x132, three stories high, is going up in Cheyenne, for Conzens, the great hotel keeper.

Alaska Possessed.

The following dispatch to the Boston River Reveille, dated New Archangel, Alaska Oct. 18th, gives the circumstances of the official delivery of the new acquisition of Alaska to the United States officials:

The formal transfer and delivery of Russian America to the United States Government took place to day, October 18th, Capt. Peteschuroff acting as Commissioner on behalf of the Russian Government, and Maj. Gen. Rousseau on behalf of the United States. At 3 o'clock p. m. a battalion of United States troops under command of Major Charles Wood of the Ninth Infantry, were drawn up in line in front of the Governor's residence, where the transfer took place. By 10 o'clock a large concourse of people had assembled, including Americans and Russians of all classes, Crookes and Indians, who were eager witnesses of the ceremonies. Precisely at the last named hour, the Russian forts and fleet saluted in honor of the lowering of the Russian flag, but the flag would not come down. In lowering, it tore its tire width close by the balyards, and floated from a cross-tree some forty feet from the ground. Three Russian sailors then attempted to ascend the inch and a half guy ropes, supporting the flag staff, but each failed to reach their national emblem. A fourth ascended, and threw it in a direction directly before him, but the motion of the wind carried it off. This singular incident created quite a sensation among the spectators. Five minutes after the lowering of the flag, the Stars and Stripes went up and gracefully up, floating free and handsome. George Lovell Rousseau, son of the General and a member of the staff, had the honor of flying the American flag to the breeze. The United States steamer Osceola and Rossica at the same time hailed the event by firing salutes. As the Russian flag was lowered, Capt. Peteschuroff stepped forward and addressed Gen. Rousseau as follows: "General, as Commissioner of the Imperial Majesty the Emperor of Russia, I now transfer and deliver the Territory of Russian America, ceded by His Majesty to the United States." Gen. Rousseau said in response, as the American flag ascended: "Captain, as Commissioner on behalf of the United States Government, I receive and accept the same accordingly." The speeches were uttered in low conversational tones, and were only heard by Governor Madsen and General Jeff. C. Davis, Commander of the District of Alaska, Captain Kamin, and a few others who formed the troops. Several ladies witnessed the ceremony among them the Princess Madsen, Mrs. General Davis and Mrs. Major Wood. The Princess wept audibly as the Russian flag went down. The transfer was conducted throughout in a purely diplomatic and business like manner, neither banquets nor speech making followed. The entire negotiations were transacted in a few hours