

THE MONTANA POST.

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

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WHOLE NO. 202

The Montana Post.

JAS. H. MILLS, - EDITOR.

THE CAMPAIGN OF 1868.
National Union Republican Ticket.

FOR PRESIDENT,
GENERAL U. S. GRANT,
OF ILLINOIS.
FOR VICE-PRESIDENT,
SCHUYLER COLFAX,
OF INDIANA.

Union Republican Tickets.

Lewis and Clarke County.
For Council—3d District,
RICHARD MCNEIL.
For Assembly—3d District.
SOL STARR CHAS. HENDRIE
CHARLES RICE FRANK GETCHELL
CORNELIUS HEDGES
For Commissioner.
JOHN KINNA.
For Assessor.
JOHN A. NELSON.
For Justice of the Peace.
MAT. MCGURK, (Helena Precinct.)
JOHN POOL, (Nelson Precinct.)
For Constable.
GEO. F. COWAN, (Helena Precinct.)
JOHN BELL, (Nelson Precinct.)

PLATFORM.
We do, with one accord, most heartily endorse the platform adopted by the Union Republican Convention at Chicago, and recognize in the nomination of Ulysses S. Grant for President, and Schuyler Colfax for Vice-President, the true principles of the great Union party and feel confident that they, as standard bearers, will lead the party on to victory, and secure for the Nation harmony and prosperity.

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A CHANCE FOR GAIN.

There appears to be at least a few capitalists in the United States who are willing to venture their ducats on Alaska, and think it not a bad bargain for \$2,000,000. Mr. Mungen of Ohio, in reply to Mr. Washburn's two hour speech in opposition to the expenditure, said:

"In order to relieve the apprehensions of the gentleman from Wisconsin, [Mr. Washburn], as well as others who may honestly, perhaps, think as he does on the subject of this appropriation, I am authorized by gentlemen abundantly able to fulfill it, to make the following proposition, provided such an arrangement can be legally effected, of which I have but little, if any, doubt. The proposal is:

That a company of gentlemen will, within twenty days from and after the date when Congress assents to the proposition, pay into the Treasury of the United States the sum of \$10,000,000 in gold for the Territory of Alaska; these gentlemen taking the fee simple therein, and leaving the right of eminent domain in the government of the United States.

So it appears if the government desires to speculate and pocket \$2,000,000 by the operation the opportunity is now open. Perhaps the recollection that California was considered and declared valueless at the time of its purchase, and has since added \$2,000,000,000 to the wealth of the country may influence Congress to hold on for an advance in north west real estate.

THE IDAHO CAMPAIGN.

We have gratifying intelligence from Idaho, concerning the coming election of Delegates to Congress. It is regarded there as a settled fact that Thomas J. Butler, the Republican nominee will be elected by a large majority, and Idaho be redeemed from the demoralizing influence of so-called Democratic misrule, that has even disgusted the respectable members of that party and placed in the field, Col. May as Independent Democratic candidate. The popularity of Mr. Butler, the strength given the party by the Chicago platform and nominees, the corruption of Democracy and the split in their ranks, will accomplish the triumphant election of the Republican candidate, although E. D. Holbrook, Democrat, carried the Territory by 350 majority in 1866. Mr. Butler has held various responsible positions in the State of California; was an uncompromising unionist during the war, and was elected by the Union party to the State Legislature in 1863. His personal friends here speak in the highest terms of his integrity, ability and faithfulness to his political principles. In his election, Idaho will have a thorough gentleman, and a live man to represent her in Congress. We shall chronicle the event with pride, as a Republican triumph and for the gratification of Mr. Butler's many friends in Montana.

TOWN SITES.

That the inhabitants of cities and towns upon public lands of the United States, might be afforded opportunity to pre-empt or purchase and secure full titles to their property, the Congress of the United States passed a bill, approved July 1st, 1864, giving them authority individually to procure titles from the General Land Office at Washington. In a subsequent act, approved March 2d, 1867, corporations, or, in towns not incorporated, Probate Judges, were empowered, under the rules and regulations prescribed by the Legislatures of the several States and Territories, to enter at the proper Land Office, at the minimum price, and hold in trust for entry and purchase at public sale by its occupants, land thus occupied. This was intended to expedite entry and the issue of U. S. titles to citizens. Under it, the Legislature of Montana passed an act, approved Dec. 12, 1867, "relative to the pre-emption of Town Sites upon public lands and the disposal of trusts created thereby." As Helena has made further progress under this act than any other town in the Territory, it may be interesting to those following in her footsteps to know what progress she has made; and the present situation and prospects. Nineteen hundred and twenty acres have been entered by the Probate Judge. This, when divided into lots of 4,200 square feet each, makes nineteen thousand nine hundred and seventeen lots. For each of these, claimants must deposit with the Probate Judge \$10, and pay him \$4 additional for a deed. This, if all the lots were entered or purchased, would amount to the nice round sum of \$278,838, besides which he receives the same fees in contested cases as allowed in Justice's courts. Of this, he is authorized to deposit \$199,170 with the County Treasurer, and there the law stops, making no provision for the security of such deposits, or their further disposition. Of course no one would object to that. The law also restricts each claimant to the entry of two lots; and although he had improvements valued at thousands of dollars on a third, there is no saving clause to prevent an outside party from jumping the lot, and throwing it into expensive litigation, if not wresting from him the title. This, although the General Land Office under the provisions of the former act was specific in instructing that when improvements had been made on other than two lots, the Department would take care that no such interests should suffer by the intrusion of an adverse claim, or purpose to purchase to the prejudice of the owners of such interests. The U. S. Town Site law, contemplated the public sale of lots, but the Legislature of Montana made no provision whatever for such sale, and the fulfillment of what has been commenced is to give into the hands of the Probate Judge the title for 1920 acres of ground in and immediately about Helena, which no one can pre-empt unless making affidavit that he actually "possesses and occupies such lots," or "that the right to such occupation is in the claimant, if such lot or lots are occupied by another." He must pay \$10 for the lot he occupies, but in no portion of the act is any provision made by which a party can pre-empt or purchase any one of the 19,217 lots now surveyed, unless it is actually possessed and occupied. If he fails to do these within six months after the publication of the notice of entry, the statute bars any further claims, actually thereafter turning the unoccupied lots of Helena out to grass, while the Probate Judge holds the title to the pasturage. This is a pleasant feature of the bill—for stock owners. Thus we have a Town Site act conflicting with the intent of the United States act; paving the way for trouble and interminable law suits; giving the money of its citizens up to individuals, without specifying to what purpose it should be devoted, further than paying the expenses of survey, etc.; stifling itself and all entries under it in six months; building a statutory fence about the present occupied town lots, and prohibiting further purchase; and finally leaving the surveyed site with a heavy interest accumulating on the expenses, and the Probate Judge caught up by its provisions, not, if he wishes to avoid the serious consequences it would entail, daring to proceed further than he has now gone. And no town in Montana could do better. The act is the most horrible bungle imaginable; very explicit on minor points, yet entirely neglecting or injuriously determining those more important, and leaving property holders who desire titles to their lots very much in the situation of the man who drew the elephant. The responsibility of this act and others equally prejudicial, rests wholly with

the democracy. It is more than they can bear. The Republicans of Montana generously propose to assume a portion of the responsibility of next winter's Legislature and have nominated for the Legislature men of experience and ability; business men with practical ideas, and property owners who will give attention to legislation. It requires some effrontery for democratic candidates to ask to be returned, but they have it, and it is the duty of property owners to see that better legislators are sent in their place on the 3d of September, if they do not desire to be swamped in law suits, and deprived of their just rights. Business men do not employ irresponsible and unsafe persons, simply because they are of the same party, and having tried their servants once and found them unfaithful; even Democrats will scarce be so blind to their interests as to endorse them at the polls, and send them back again to endanger their property by such ruinous, and stupid or corrupt legislation.

THE FIRST COUNCIL DISTRICT.

The Platform adopted by the various Union Republican Conventions of Montana have the ring of true metal. They betoken an intense earnestness in supporting men who represent the manly noble, and patriotic resolves of the platform adopted at Chicago, and a determination to redeem Montana from the reproach brought upon it by Democratic officials and Democratic legislation. There is no half-way, milk and water, pusillanimity in their declarations; there is no stalling the party in the back by half assent to some of its principles and a denunciation of others. That cowardly, skulking cut throat, fratricidal meanness has no sympathy, encouragement, or endorsement in the Republican ranks. The platform of the Madison County Republicans furnished the Post by the Secretary, and which we publish in another column, is not only a worthy endorsement of worthy principles and men, but a model of high resolve and eloquent expression, and we recommend it to the consideration of our readers. Dr. Leavitt, the nominee for Council is one of the best citizens of the District, and will faithfully represent its interests. The selections for the House in both Beaverhead and Madison, will call forth the full strength of the party and should stimulate our friends to unremitting effort for success. As opposed to the knock kneed Democratic ticket in Madison the Republicans should run ahead two hundred at least, while Beaverhead is good any day for the election of every Republican named. The situation in the 1st Council District, is defined and the Republicans are masters of it. In the certainty of success it is gratifying that able, honest and true men have been named for the various offices. Nothing but a lethargy that would be inexcusable, can prevent their election, and we hope that with a quick, sharp, rattling, earnest campaign they will drive the Democracy to their holes, and enable us to publish two counties at least where every man on the Republican ticket was elected by a big majority.

EMANUEL LEUTZE DEAD.

The telegrams announce the death from apoplexy, of Emanuel Leutze, one of the most gifted artists of this country or the world. He was born in Gmund, Wurtemberg, in 1816, and came to America in childhood, his parents residing in Philadelphia, where his talents for drawing first found employment while attending at the sick bed of his father. His first successful picture was the representation of an Indian gazing at the setting sun, now so familiar in its infinitude of reproductions on wood and steel. His success enabled him to visit the art schools and galleries of Europe, where he attained much celebrity as an historical painter, but his American fame rests principally upon a series of historical paintings of Revolutionary events, the principal of which is "Washington crossing the Delaware." He returned to the United States in 1850, and we believe painted the magnificent fresco in the Capitol at Washington, illustrative of Bishop Berkeley's familiar utterance, "Westward the star of Empire takes its way." He is lost to Art while in the very zenith of his fame, and those fortunate enough to possess canvases which his skillful hand has imbued with almost life, will prize it the more highly that the brush and palette lie idle by the easel, for the light of genius has faded from the studio—the master is dead.

THE JUDGESHIPS.

The telegrams of last night report the confirmation of H. L. Warren and H. Knowles as Justices of Montana. We are also informed that the *Deerfoot News* of July 17, contained a telegram stating the confirmation of L. P. Williston. This would make a full bench of new Judges, but the dispatches, as yet, are indefinite. Mr. Knowles is of Keokuk, Iowa, formerly of Nevada, and a resident some time in Deer Lodge, the attorneys of which place it is said unanimously asked his appointment and confirmation. He is reported a thorough republican, a jurist of eminent abilities, and in the vigor of life. Mr. Warren we are informed is a Democrat. Personal dispatches to-day, will probably give fuller information.

THE CONVENTION AND ITS WORK.

In another column we present the proceedings of the Lewis and Clarke County Convention. The platform adopted, and ticket nominated meets with our hearty approval, and, with whatever ability we have, will maintain the one and labor for the election of the other. Having for six months had the name of U. S. Grant for President, at the head of our columns, and endorsed the Chicago platform fully from its adoption, the unqualified declaration, in their favor by the Convention is gratifying assurance, that the platform has no "objectionable features" in the eyes of Montana Republicans; that it is not regarded as a "sectional ticket," and is a stinging rebuke to those recreants and sore heads who have sought to bring confusion and disaster to the party in Montana. Although the Convention neglected to censure those heretofore republican journalists, who have publicly and repeatedly proclaimed themselves "entirely independent of all political parties in the Territory," and who have asserted that it was "their firm belief that the drawing of political party lines by the people of Montana was unequalled for, unwarranted and eminently injudicious," we are disposed to consider it an inadvertency, caused by limited time and the multiplicity of what was considered higher duties devolving upon it which they do "unanimously" and "enthusiastically" disposed of. We do not consider it necessary to individualize the nominees at this time. The choice for the council, house and subordinate county offices will meet with the heartiest support from the Republicans of this District and County. So far as we are acquainted with them, and as we are informed by others, they are men of ability, good character, integrity, unswerving Republicanism and personal popularity, and in urging their election, we are confident we have a ticket worthy of most earnest support, and that will commend itself to triumphant election on the 3d of September. In the action of the County Convention in condemning the conduct of the Executive Board of the Territorial Committee, and resolving to request the Committee to call a Territorial Convention, in failure of which the said County Committee of Lewis and Clarke County, are instructed to call the convention on Saturday, we believe did more than its cool judgment would approve, inasmuch as a movement of that character would seem to require that the instances of misconduct of the Executive Board should have been specified, or, at the least some, case shown where its action has created "dissension and distrust in our ranks." We are confident that all fair minded, honest Republicans, who have been inflexibly true to the principles of the party, demand that its representatives should be able at all times to present a clear record, and would unhesitatingly condemn any known action on their part, prejudicial to the welfare and interests of the Republican party of Montana—and that is the campaign under their management was conducted with vigor, and the Democratic majority made less than ever before in Montana, and that the committee never expressed displeasure with the Board: it seems that this action should have been substantiated by the best of evidence, ere a series of resolutions of that character were passed, even if it was within the province of the convention. More than this there were forty-five delegates called to the convention, and thirty-six were present; while less than one-third voted for these resolutions. We are satisfied from this, and the sense of right which Republicans possess, that with the least consideration, neither the convention or the party would endorse any such action; that it was precipitated upon the convention, and rushed through by interested parties, from improper motives and for evil purposes, and that as it stands on the records, it is a disgrace to the Republican party. This is not alone our view but that of all Republicans, and they are many, whom we have heard speak of it. We hope however that whatever feeling there may be in this matter will be subordinated to a united and vigorous effort to elect the persons nominated by the Convention, and when that has been accomplished as the great object, these other matters can be disposed of without prejudice to the party.

Hole-in-the-Day was an illustrated and talented Chief, and his death is very much regretted.—St. Joe Union.

Probably an unintentional pun, but true as he had numerous cuts in his person.

THE NEW AMENDMENT.

At fourteen several times since the framing of the original constitution and its final ratification and adoption as our great governmental bond, March 4 1789, it has been found necessary to amend that instrument, "in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." Not the least important of these is the last. It was originally drafted by Mr. Stevens, and submitted to the House April 30th, 1867. It passed, yeas 128, nays 37; was amended in the Senate June 8th, by a vote of 33 yeas to 11, nays; again returned to the House and as amended passed June 13th, by a strict party vote, yeas 138, nays 36. It was forwarded to the Secretary of State, and by him submitted to the Governors of the several States, for ratification or rejection by their several Legislatures. President Johnson, as usual, sent in a message of disapproval. It was however quickly ratified by the requisite three-fourths of the States then represented in Congress, and it was held by eminent Statesmen that that ratification rendered it a portion of the Constitution. The question was agitated in Congress but no definite action taken, and in February 1868, Democrats having in the meantime acquired the ascendancy in those bodies, the Legislatures of Ohio, and New Jersey, in which States the amendment had been previously ratified, passed resolutions rescinding the ratification and asking the return of the papers from the office of the Secretary of State. Mr. Seward declined, and the opinion of the highest authorities given that the ratifications could not be withdrawn from the State Department. No further action has been taken, until with the re-admission of the Southern States under the reconstruction bill, the amendment has been ratified by three-fourths of all the States and it is officially declared a portion of the Constitution of the United States. Although it has met with strenuous party opposition and some delay has occurred, it has been ratified in half the time, by far larger majorities, and with less popular and legislative opposition than was the original Constitution, which was not ratified by the requisite two-thirds, until two years after its submission to the States; some of the Legislatures not ratifying it until a year and more later. Whatever may be the party opposition to the fourteenth amendment, it is undeniably founded upon the new order of things that had their birth in the slaveholders' rebellion. Both parties have declared that slavery is dead; that the debt of the nation must be paid.—This is the groundwork of the amendment, and when objection to it will no longer make party capital, democracy will acknowledge its justice, recognize its necessity, and deny they ever opposed it. The amendment now incorporated as a portion of the Constitution is as follows:

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the law.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of Electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof is denied to any of the male inhabitants of such State being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection and rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations or claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

"To Salt Lake by Christmas," is the motto of the Pacific Railroad.

We understood that it was coming by Green River and Weber canyon.

ENLARGED.

The Daily Post is presented this morning, enlarged. This has been contemplated for some time, but was delayed by the detention of the Steamer Silver Lake, on which the Post material was shipped. The encroachment of advertisements on the space devoted to reading matter has compelled the procurement of paper a few days in advance of the arrival of our material from Benton. The Post will be continued the present size until, with the arrival of additional supplies now ordered, it will be still further enlarged, and presented in a new dress. Publishing for some months the most diminutive sheet in Montana, on a poor quality of paper; our old types all returning to the States, and their places not fully supplied, we have labored against adverse circumstances, regretted but unavoidable. For the generous patronage extended, continued, and rapidly increasing, we are indebted to the good will of our friends, and a charity

"To all our virtues very kind,
To all our faults—a little blind."

The circulation of the Weekly Post, the pioneer paper of Montana, has increased nearly five hundred copies since our removal to Helena; has a larger circulation than any paper in the Territories, and we speak that which we know in saying the circulation of the Daily Post largely exceeds that of any other Daily in Montana. Not desiring to enter the arena of Gasconade, to contend for its bauble prizes of vanity and conceit, we leave our readers to "judge the tree by what it bears." If we can add to its interest or merits, it will be seen in fulfillment, not heralded by oft repeated promises. We gratefully acknowledge the confidence, good words and liberal patronage has extended to the paper, and hope its enlargement and future conduct will meet with approval.

THROWING OFF THE YOKE.

A train of 23 wagons, filled with Josephite families (anti-polygamist Mormons) left Malad valley, and the Mormons May 29d, bound for Missouri, Iowa, and Illinois. They reached Cheyenne safely, July 8th.

The Leader says: "They assert that the portion of those who acknowledge Brigham are not true Mormons but Brighamites; and that he is not a true prophet, or the legitimate successor of the Church; but an imposter who, in the name of the Church, makes arbitrary laws for his own worldly advancement and gain."

The following is an extract from a letter addressed by the Captain of the train to the editor of the Leader.

JOSEPHITE EMIGRANT TRAIN,
Cheyenne, July 8, 1868.

"We are often asked where we are from, and where we are going; in answer to which questions please say for us, we are from the land of Brigham's oppression, and that we are seeking homes where we may enjoy civil and religious liberty. We have long expended our time and labor, and exhausted our energies in enriching the so called President of the Mormon church, and have at length determined to leave that fountain head of falsehood, and endeavor to establish homes where our earnings may be applied to making ourselves and our families comfortable, and providing our children with liberal educations. Believing Brigham Young to be wrong, and having faith in good results of our honest convictions and purposes, we left Deseret, and now find ourselves in a land of equal civil and religious liberty."

WM. WOODHEAD,
Capt. of Train of Josephites,
P. S.—Deseret News and Salt Lake Telegraph please copy. W. W.

WHAT IT COST.

We notice the Demi-Johnson papers refer to the expenses of the impeachment trial as approximating to millions, and the same highly figurative language has been used by Democratic stumpers in Helena at their meeting in ratification of the impeachment, Seymour, the bond candidate, and the section of the New York Platform declaring the Rebellion is dead, which ex-Gov. Vance a sterling Southern democrat says is a lie. It may not be amiss to quote the remarks of Senator Cragin in offering an amendment to the expense bill providing, \$6,000 or so much thereof as might be necessary for the expenses of the trial. We quote from the Globe of July 2d. He said:

"I desire to state that heretofore Congress appropriated \$10,000 to pay the expenses of the President. This amendment proposes \$6000 more. The entire expenses of the impeachment, including witnesses, furniture, printing, and the fees of officers for summoning witnesses will not exceed \$16,000, and will probably fall a little short of that amount; but it is necessary that something more should be appropriated. I make this statement in relation to the expenses of the impeachment trial, and hope Senators will hear what I say, that the entire expenses will not exceed \$16,000.