

The Montana Post.

FRIDAY MORNING, NOV. 13th.

The democratic "organs" are improving—they see more and blame less the last day or two.

VINDICATED AT LAST.—"God bless you but your President I cannot be"—Seymour at N. Y. Convention.

Rome, the capital of the Christian world, has but one newspaper. Then it is doubtless set up exclusively in "Roman Capital."

Brigham Young has entirely completed his grading contract.—Denver News.

He has several de-grading contracts. How about them.

The greatest blunder the Democrats ever made was in the nomination of Seymour and Blair.—Exchange.

We think the greatest blunder they ever made was in being Democrats.

THE Foreign Missions expenditures for the past year were \$530,885 65. This money was expended for the conversion of heathen in foreign countries. The vote in New Jersey would indicate the work is not a success.

The crops of Ohio for the present year is estimated, wheat, corn and oats 141,000,000 bushels, or 23,000,000 more than 1866. The estimated crop of these grains for the United States is 1,000,000,000 bushels.

The women of the Serovis stamp are to have a national love-feast in Washington, in December next. The call concludes "Arouse, women of America! Sleep no more while your sisters suffer."

And the echoing snore is—*non cum amore.*

THOUGH we have missed victory this time let no Democrat despair of the Republic.—Democrat.

Of course they should not. The "despair" would have come in had you been successful.

Gen. Frank P. Blair, late of the Union army, declared Grant would never enter the White House as President, alive. Almanac makers will take due notice and insert, "about these times look out for assassination," in their March remarks.

"I have sent my Adjutant to Washington to stop the draft."—Seymour to Rioters.

If his "dear friends" had to have that draft stopped, won't the present one make them "hunt their holes?"

William Claflin is Governor elect of Massachusetts; his father Lee Claflin, is a member of the State Senate. Should he be returned, as he undoubtedly will, it will be the first instance of the kind in the history of the State.

Otis P. Lord was the Democratic candidate opposed to Ben. Butler and Dana, in the 5th Massachusetts Congressional District. Why don't the Gazette say quick that he was crucified between two thieves? Don't leave all the dirty work for Brick Pomeroy.

THE Gazette had a leading article yesterday on quartz crushers, where manufactured and how transported to Montana. The best "crushers" for the Gazette, are the election returns manufactured throughout the length and breadth of the loyal land and transported by telegraph. They made Democracy "come down with the stamps" lively.

It is said the wife of a cross husband in Hartford, Connecticut, recently provided him with whisky enough to make him helplessly drunk and then took him in hand and administered a fearful thrashing.

There are a number of husbands who could stand a good deal of the first part of that punishment.

THE President's Proclamation recommending the observance of the 26th day of November as a day of Thanksgiving, is published in another column. During President Lincoln's administration this was a National day, and it was hoped the observance of it as such would be perpetuated. This year an effort is being made to have the several State Governors recommend that day designated by the President, and two or three have already done so. We believe it is the intention of Acting Governor Tufts to issue a Proclamation for Thanksgiving. We suggest that Montana do her part towards making Thanksgiving Day a national.

THE following are some of the lecturers for the present winter, prices, etc: Olive Logan, "stage struck" \$125 to \$250; Prof. C. F. Hitchcock, \$25 to \$50; Theodore Tilton, \$125 to \$150; Col. T. W. Higginson, \$50; E. P. Whipple, Henry Nichols, Rev. G. H. Hepworth, and Prof. Youmans, \$75 to \$100; T. W. Knox, \$75; C. Oscanyan, \$75 to \$150; J. O. Miller, Rev. E. H. Chapin and W. B. Callis, \$50. What is to prevent Helena from having a series of first-class lectures? Think of the eloquent and scholarly gentlemen in our Territory; Professors Swallow and Keyes; Bishop Tuttle; Messrs. Toole, Claggett, Sanders, Thoroughman, Hosmer, Woolfolk, Chadwick, and others, whose lectures would be a pleasure and profit. Let us have a series of lectures this winter. Organize your club; the Post Publishing Company proffers a Hall, rent free.

THE EARTHQUAKE.

The California papers have detailed accounts of the great earthquake on the morning of October 21st. The shock lasted thirty seconds. The confusion was indescribable, and millions of dollars in property were destroyed. The Vanguard reports eight men killed, eleven men, five women and two boys wounded. The gas works were completely destroyed, and Donohue's Union Iron works seriously damaged. Garratt's Brass Foundry was demolished. Union Hall is broken in all the walls, and the Mechanic's Moulding building a complete wreck. The Pacific Iron Foundry, Eagle Brass Works and the California Bank are seriously injured. The block of buildings extending from Sansome to Battery street will have to be demolished. Van Winkle's iron ware house and the Boston Works, on the corner of Market and Sansome streets are ruined. The stores of R. S. Raymond and J. Funkenstein, the Calvary Church, Alhambra and Metropolitan Theatres were damaged. Hayward's earthquake-proof building and the Livingston block are destroyed. The Custom House is abandoned, and the Internal Revenue Building used in its stead. Wm. Strong, William Best, and Mansfield, are among the killed. Oakland, Stockton, San Jose, San Leandro, Petaluma, and other southern towns, suffered severely. The Deaf and Dumb Asylum at Oakland was destroyed, and every chimney in the town will have to be torn down. Twenty-six shocks occurred at that place. J. W. Josselyn, Deputy County Clerk, was killed at San Leandro. Fifty dollars will cover the damage in Sacramento. At San Jose the Auzerri House, Presbyterian Church, Masonic Hall, Moody's mill and Lena's storehouse were considerably damaged.

ATTILA.

Theology, Logic, Anatomy, Physiology and Philology United. To establish the Truth that WOMAN IS NO HUMAN BEING. She is not the image of God. She has no soul. She is no part of Creation. She is not created to work. The world does not claim her, nor can she claim anything of the world. She is not made to be of any use for the world, nor is anything in the world created for her use. She will not resurrect nor have part in the Kingdom of Heaven. The Bible was not given for her, etc., etc.

Dedicated to their Majesties, Victoria and Isabella, and a challenge to Anna Dickinson, and all advocates of Female Suffrage.

We acknowledge the receipt of a work of which the above is the title page. We have read it. Our advice to the author is to wash his anatomy, dry up his logic, hide his physiognomy and beg forgiveness of his mother, whose chief sin was in giving birth to such a being. After that, die. The grave is hungry for him.

Defeat but knits the (Democratic) party closer together; the Radicals will find it ever in the field. Human liberty and constitutional government depends upon its final success, and that success it surely will obtain.—Gazette, 6th.

The above is most exquisite irony. Half outspoken rebel, the other half pretending loyalty, it would be as easy to "knit" water and oil. Its back-bone was slavery, and for its perpetuation the destruction of the Government was attempted, and a Confederate States Constitution adopted. Slavery was a denial of the principles declared to be the very foundation of the Government. Rebellion and so called Democracy lie dead on the same field never to rise again, and the world is the better. For the Gazette to talk about "Human Liberty," in that connection, is the height of absurdity.

The following is the estimated expenses of the Surveyor General of Montana, General Sol. Meredith, for the surveying of Montana for the year ending June 30th, 1869. We extract from the report of the Commissioner of the General Land Office.

For the extension of the base, principal meridian and standard parallels, 702 miles at \$15 per mile ..... \$10,530 For exterior township lines, at \$12 per mile, and subdivision lines at \$10 per mile ..... 89,470 Compensation of Surveyor Gen. 6,000 Chief Clerk ..... 2,500 Draughtsman ..... 2,500 Assistant Draughtsman ..... 2,000 Two Transcribing Clerks, each \$1,800 ..... 3,600 Office rent, fuel, messenger, books, stationary, furniture and incidentals ..... 3,000 Total ..... \$119,600

This it is believed will cover all the expenditures of the Surveyor General's office for the current year.

Cuba is in a condition of anarchy; revolution threatens. Our Government has, since the acquisition of Florida, regarded it with envy; Southern papers urge a proffer of annexation; in case of refusal, conquest. Mr. Polk offered Spain \$100,000,000 for it in '48; Buchanan, Knox and Mason, at Ostend, even recommended seizure, in certain contingencies; Slidell offered a resolution in the Senate in '58, to purchase it for \$30,000,000. But Cuba yet belongs to Spain. It has about the same area—42,000 square miles,—and about the same number of population as Tennessee—1,200,000. It would be a fine acquisition, but if the Liberals are successful, as they will be, Cuba will be better fitted for an American dependency in a few years. We have no spare money to purchase it, and it would seem cowardly to seize it. Cuba is our natural possession; we wish the Liberals success, and in due time to register it as one of the American States.

THE CORPORATION LAW.

The first section to the "Act amendatory to an act to provide a temporary government for the Territory of Montana," provides "that the Legislative assemblies of the several portions of the United States shall not, after the passage of this act grant private charters or special privileges, but they may, by a general corporation act, permit persons to associate themselves together as bodies corporate, for mining, manufacturing and other industrial pursuits." That we may understand the reasons for the passage of this law, it is only necessary to glance over the index of "Private Acts" granted by the Bannack Legislature. We there find that thirty-two charters were given to individuals for roads, ferries and bridges each of which authorized enormous rates of toll, which daily laid the industrial population of the Territory, and immigrants, under contribution to private monopolies, that could not be evaded. These charters were exclusive, prohibiting all competition, either of a public or private character. The provision was made for their ultimate absorption by the Territory or by counties. In less than six months after the adjournment of the first Legislature, every traveled road in the Territory was converted into private property, every stream over which it passed, was spanned by a toll bridge or ferry, and every traveler or citizen, who was obliged to go from one town to another, or to travel ten miles in any direction from his starting point, had an oppressive tax to pay, which was to be continual. These improvements, which in other countries were, except in special cases, provided by taxation as conveniences, were here by legislation made promotive of private gains. Complaint of course was unavailing—there was no remedy but submission. When this, among other enormities of legislation, reached the ear of Congress, they promptly provided by law against its repetition, and gave the Legislature, in lieu thereof, the right to pass a general corporation law by which bodies corporate might be created for "mining, manufacturing and other industrial pursuits." This was intended to prohibit all private monopoly in public improvement. Such is the meaning in the common acceptance of the language. The words, themselves, give expression to the influence under which the act was passed. No court would say that "mining, manufacturing and other industrial pursuits" embraced toll roads and toll bridges, wherever a necessity existed for them. Our wise legislators thought, or pretended to think differently. Road making and bridge building being *per se* "industrial pursuits," it was perfectly logical to incorporate them, with the incidental privilege of toll, and that would save money in the Territorial Treasury to pay extra compensation. Hence they passed a general incorporation law, which in all its parts is a wholesale manufactory for all those public calamities, which Congress intended it should prevent. The law is wholly unrestricted, as to the character of the pursuits which may be monopolized by it. There is nothing of a public nature which may not be transformed by it into a private monopoly. All those improvements, which it belongs to counties, townships, the Territory and people to provide, and which bespeak more than any others, the liberality, thrift and enterprise of a people, may under the provisions of this law, become the perpetual property of any three men, in each case, who are disposed to appropriate them. This is one great objection to this corporation law. It is not honest. It does not regard the interest, honor or dignity of this great Territory. It subjects it to the merited reproach of every stranger who visits it, and to the indignation of every honest immigrant who for the first time feels the weight of its oppressive impositions. In its present form, it is every way more objectionable than the power to grant private charters, because it provides means, by which private privileges may be obtained at public expense, to an illimitable extent. With that class of people, the hard fasted, honest, yeomanry and miners, to whom, more than any others, we are to look for permanent settlement and development of our Territory, nothing has so injured the Territory more than this wholesale disposition of the people's privileges. They have felt it, not only a hardship, in the powers it conferred, but in its infringement, upon what they had elsewhere been taught to regard as their own right. We need a general incorporation law, and if this one were shorn of these objectionable features, with a very few other changes, it would meet with the necessities of the people. Whether the next Legislature will give the matter attention, of course remains to be seen, but if they do not, they must not blame the people if their omission to do so is remembered and treasured up against them.

General McClellan is spoken of by the California papers for the Presidency of the University of the Pacific. The Democratic papers favor his appointment, and the Union papers oppose it. Because General Lee and other noted rebel Generals have been made Presidents of Southern Colleges, it does not follow that we should have a General at the head of every Northern College, simply because he was a General. McClellan has had considerable engineering experience. He has some knowledge of railroads. There are more of them to be built.

PLACER MINING LAW.

Thus far mining has been the leading pursuit in this Territory. It was that which led to its first settlement, and built its first cities. What would Virginia and Helena be to-day but for the rich placers of Alder and Last Chance gulches? Both of these towns and many others of minor importance sprang into existence long before it was thought necessary to legislate upon the subject of placer mining. The miners made their own laws, settled their own difficulties, and built their own towns. It was a branch of business which they understood better than the law makers, and our courts have only been troubled with their controversies in cases of extreme difficulty. They could divide their claims, apportion them, and reward the discoverers, and settle their disputes more to their satisfaction in their own way, than any legislative assembly could do it for them, and in making their own laws for their purpose, they followed a precedent, which has had the sanction of all governments for ages. This did not suit the wisacres of the last Legislature. Notwithstanding they had seen the first operation of mining law, the peace and harmony that prevailed among miners, the economy of their management, and the steady growth of the Territory under their achievement, for want of something more mischievous to do, they passed a law, qualifying and restricting the rights and jurisdiction of the miners, and transferring them to the legal tribunals of the Territory. What benefit has been derived from it? It is a mere dead letter upon the statute book, so far as law is concerned; but it serves to illustrate the spirit which animates law makers. The miners, of course, regard it as an infringement upon their rights, but in every instance of the discovery of a valuable placer, they take advantage of the provision in it which enables them to make their own legislation. This was the case a few years ago when it was ascertained that Hamshorn Gulch was a rich placer. The notice was given, and the statutory number of miners assembled and adopted their own laws. This they will continue to do, regardless of this useless and mischief-making statute, whose principal office is to stir up litigation and embroil an honest and peaceable community in legal difficulties. What interest of the Territory was promoted by the passage of those laws? Our Courts had always been accessible for miners, when their own Courts failed to reconcile their difficulties, but in nineteen cases out of twenty they preferred the adjudication of their own fellow miners to that of the higher courts. It is a principle with them never to go to law until all other remedies have failed. Now, unless they can assemble to the number of thirty, and adopt their laws, no difficulty concerning their claims can be legally settled without the interference of the Courts of the Territory. Fortunately for them, a good discovery will always summon the requisite number to avoid this resort, otherwise the passage of this law would be one of the greatest outrages perpetrated by our outrageous law makers. There is necessarily more trouble in a large placer mining camp than in almost any other community. The appropriation of water, the sinking of shafts, the digging of ditches, overlapping of claims, and contested rights, are few only of the many questions which keep miners constantly in a ferment. If they have their own laws, they can settle their difficulties as they arise, but if they are to depend for settlement upon the action of courts, it comes a perfect array of chancery bills, injunctions, receivers, orders, and the poor miners are inundated with law and lawyers, and the cause of their strife is absorbed in court, jury, and attorney's fees.

Was it ignorance of these results, or was it a desire to increase legal business that led to the passage of this law? In either case, the motive is equally reprehensible. A time may come when the evil effects of the law will be felt by that large portion of our population against whom it is directed. They complain of their power through the ballot-box. Miners are nowhere such ardent politicians as to vote against their own interests, and if a party deserve success in this Territory it must have their aid.

Since the organization of courts in the Territory, all the questions of the legislation have been on the settlement of questions arising from placer mining. In the meantime, probably not one in twenty of the questions which have disturbed mining camps have been carried into the courts. The miners have settled them by their own laws. Had this law existed from the time of the organization what would have been the result? Apply it to any placer mining district that commenced operation with less than thirty miners. The legislation would have been increased ten fold. We may confidently ask, what would have been the fate of Virginia, Helena, and other settlements in the Territory, which owe their growth to the successful pursuit of placer mining, had this law been in operation. Take the instances, almost without number, of the miners who have been ruined by going to law—many with the brightest prospects for success. If this had been the case with those questions which were voluntarily carried there, what must it be with those innumerable questions which, under this law, would be forced to go there for settlement. The subject is one which appeals to the good sense and judgment of our citizens. We sincerely hope that, for the comfort and convenience of mining communities, and the economical pursuit of one of the most important and productive occupations of our inhabitants, the next Legislature will see the folly of this act, and extirpate it root and branch from the statute book.

Lowell's new volume of poems is entitled "Under the Willow." It ought be dedicated to the Democratic party.

ACT RELATING TO FIRES.

From the frequency with which fires have occurred in the mining and agricultural portions of the Territory, and the damage by them, it was wisely thought at the last session of the Legislature that the subject was a proper one for preventive legislation. It called for action. Punishment should be visited upon the heads of all persons, whether innocently or otherwise the cause of damage by fires. Hence a law was passed providing "that any person who shall wantonly or carelessly set fire to any timber or grasses, except for useful or necessary purposes, or who shall at any time make any camp fire, or shall light any fire, for any purpose, without taking sufficient steps to secure the same in spreading from the immediate locality, where the same may be used while using the same, or shall fall in any instance to put out or extinguish every vestige of said fire or fires, before leaving or abandoning the same, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction, shall be fined in a sum not less than twenty-five, nor more than five thousand dollars, in the discretion of the Court, and in addition shall be imprisoned in the county jail or territorial prison for the term of not less than one nor more than five years, and shall be liable for all costs and damages accruing from said act."

No one would complain of any law upon this subject, which could be enforced. A law punishing all wanton acts of this kind as arson in the second degree, and all careless acts with an exemplary fine, would not be objectionable. But a law which affixes a penalty reaching as high as five thousand dollars fine, and five years imprisonment, for an act of carelessness, or a mere act of omission in neglecting to extinguish every vestige of a camp fire or a fire for any purpose, cannot, in this enlightened age, be enforced in any court of justice. The very severity of the act, and its want of discrimination as to the origin or magnitude of the offence, makes it a dead letter upon the statute book. This piece of extravagant legislation gives us some idea of the characteristics of the men who composed our last legislature. The day before this act was passed, they passed one punishing with not more than one hundred dollars fine, nor more than six months imprisonment, every person who should cut, break, injure or destroy any bridge, mill dam, canal, flume, aqueduct, reservoir, &c. Three days after the act was passed, they adopted another, in which a man who drew hostile weapons in presence of two or more persons, in an angry and threatening manner, should be fined not more than one hundred dollars, or imprisoned not more than six months. An assault was punished with not more than fifty dollars—an assault with intent to commit murder, with imprisonment not more than two years, or fine not to exceed one thousand dollars—assault and battery with a fine of not more than one hundred dollars, or imprisonment not more than six months. These laws all appear in the same statute book. Property, in the opinion of the legislature, is at least six times more valuable than human life. A crime aimed at the destruction of life, originating in malice, is surpassed in enormity, in the proportion of six to one, by a wanton or careless act, or an omission to extinguish a camp fire. The order of crime and punishment under our code, is reversed—and the principle thus avowed, if carried to its ultimatum, would applaud the murderer and hang the good citizen. This is very ingenious, we admit, and our Legislature is entitled to notice for its discovery. Think of the discretion entrusted to a court which can fine a man five thousand dollars, and imprison him five years, for omitting to extinguish every vestige of a camp fire! No matter whether the fire has occasioned damage or not, here is the law authorizing the court to do it. Fancy, for a moment, two criminals convicted before his Honor the Judge awaiting sentence—one for committing assault upon another with intent to kill him, and the other for omitting to extinguish a camp fire. We imagine his Honor thus addressing the first: "You have been tried and found guilty of a violent assault upon your neighbor, with intent to kill him. The law has provided a suitable punishment for this offense. It is not so enormous in its character as many others in the statutes. You may be thankful that you have not been found guilty of the act of which the individual seated by you is convicted, the unparalleled enormity of which exceeds yours in six-fold degree. The sentence of the court is that you be fined one thousand dollars. I have it in my power to sentence you to imprisonment two years, but this is not obligatory, and I will not enforce it." Now comes the prisoner, who has omitted to extinguish a camp fire.

"You sir," says the Judge, "are convicted of the most grievous offense, next to murder, that is known to our laws. The evidence shows that you entered our Territory with your family—that you, for the convenience of providing yourself and family with a suitable meal, and with warmth and protection against frost and snow, had the temerity to build a camp fire—that you and your family sat around it, and enjoyed its comforts. This was all well enough; but when you left that fire to pursue your onward journey, you omitted to extinguish every vestige of it—some sparks were left. Here was your great crime. You did not put it out, as the law requires. The harm was in leaving them unextinguished. They were vestiges of your fire. They remained there long enough to testify against the wickedness of your offense. Our Legislature, with great wisdom, with unparalleled sagacity, have made this an enormous offence, and the sentence of this court is, that you pay a fine of five thousand dollars, and be imprisoned five years in the Territorial prison."

Gough says he has lectured during his 26 years of public speaking, 250 times in New York city, and 350 times in Boston, and yet he never came before an audience without trembling at the knees and huskiness of voice. The dramatic people call this "stage-fright," and remark that the actor who does not feel it always, seldom reaches a high professional position.

and he might add, "May the lord have mercy on your soul!" Would not our citizens be proud of such a record to send abroad, as evidence of the wisdom of Montana legislation? We take leave of the subject. It speaks for itself.

THE MONEY PANIC.

The dispatches indicate that some of the Wall street brokers, upon whose shoulders, for the last few years, has rested the burden of depreciating the credit of the Government, have met their deserts and come to grief. The effect of it may reach beyond them, and injure the guiltless, but we incline to the belief that the disaster will be principally confined to those speculators who were holding heavy amounts of gold in anticipation of the election of Seymour and Blair, and its consequent appreciation. A month ago, before the Central State elections, gold was firm above 140. Many operators invested largely, expecting a Democratic victory, and hypothecated stocks and government bonds as security. On Saturday gold touched 132, the lowest figure in many months. Its decline has been so steady and rapid that holders had no opportunity to get out without tremendous loss. And so, holding over, they were caught by the decline in gold succeeding Grant's election, and their margins exhausted, the bonds were thrown on the market in a flood producing the depression, which resulted in the panic. It is not probable it will extend beyond the money brokers. The evil has its own antidote and gold will stiffen up, perhaps advance. The latest dispatches show more confidence and money easier. It is the old story over, a heavy decline in gold after a Union victory.

THE Mormon people are believed to be almost unanimously Democratic. The Deseret News, however, in a recent issue sharply reviewed Gen. Blair's Indianapolis speech, and bestowed upon the muddled candidate and his twaddle, some caustic criticisms, pronouncing him a "demagogue" and his speech "incoherent clap trap, not worth five minutes attention." The article, evidently written by Mr. Cannon, concludes: "For ourself, we much prefer a Republican who openly declares it to be his principle to war against polygamy, to a man, who, while professing to be a Democrat, is recreant and false to every principle of Democracy." The News is incensed because the Democratic candidate, adopting all the vicious posterity born of the prolific harlot slavery, ignored the claims of the "twin relic." It is a redeeming feature in Frank's otherwise profligate course.

We are indebted to the Gazette for the following abstract of the Treasurer's report of Lewis and Clarke county, M. T., for quarter ending November 1st, 1868:

Table with financial data for Lewis and Clarke county, M. T., for quarter ending November 1st, 1868. Includes sections for COUNTY FUND, CREDIT, DEBIT, POOR FUND, CREDIT, DEBIT, and SCHOOL FUND, CREDIT, DEBIT.

THE Gazette of Sunday, purports to publish a double headed editorial from the New York Tribune of Oct. 26, regarding the New York elections. In view of the proposal to contest the city elections, and the interest attaching thereto, we supply that portion of the Tribune editorial which the Gazette through some inadvertency neglected to publish. We think it very interesting. The triumph of Hoffman means the transfer to Albany of the worst "Ring" of political thieves that ever preyed upon the people; the election to the Governor's chair of a man who is the creature of Tammany Hall; the surrender of this great State to the most degrading influences. The city of New York is the worst governed city in the country. Vagabonds administer justice, rowdies are among its members of Congress, ignorant and greedy jobbers are its representatives in the City Councils and the State Legislature; and the great city, with its wealth, its majesty, its renown, its vast resources, its royal strength and beauty, its ever growing enterprise, and its sublimely magnificent future—this metropolis of the Western World is now leased out to knaves and adventurers, "like to a tenement" or "pelted farm." The election of Hoffman means the extension of this shameful misrule—the election of Griswold an earnest attempt to destroy it.