

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

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Andrew Johnson is a thorough Bourbon.—*Washington Chronicle*.  
Thoroughly saturated at last.

THE highest sporting authorities in New York declared all bets off on account of the frauds in New York City

THE Government has purchased the lower extremity of Broadway, known as the Battery, and will occupy it with Custom and War Departments.

The *Commercial and Financial Chronicle*, a sound authority, says in discussing the recent Wall Street spasm:

"We shall never have approximately settled business until we get back to specie. We ought by the 1st of January, 1870, to be firmly planted on that basis."

After a large portion of the people of this town, who do not print newspapers had retired last night, we commenced receiving here the President's message delivered to Congress yesterday. That it might be presented to our readers this morning, we necessarily have to present less than the usual quantity of matter in our Daily, but trust our citizens will be well satisfied with the enterprise of their morning papers.

The clarivari is not wholly given up to those of the fourth estate. Rev. Dr. Breckenridge being married in Danville, Ky., recently, heard of an intended tin horn serenade and engaged a police force for protection. The rabble arrested the police, locked them up, and gave him a merry concert. The rabble included every clergyman of Danville and every Professor in the Theological Seminary. "A little folly now and then"—

The proposition of the *New York Times* to increase the pay of the President from \$25,000 to \$100,000 has elicited a negative response from the leading Republican papers. The incidental expenses paid by the government cover nearly all requisite expenditures and cost the people fully \$25,000 more. It is not desirable for the President of the Republic to make ostentatious display and especially to aspire to economic equality with the President-elect and Buchanan all saved next little margins while in office. Mr. Lincoln saved some \$60,000 in four years, and Andrew Johnson will get away with as much. Gen. Grant is wearing a \$20 overcoat. Gen. Jenkins says, has no boys big enough to play billiards and will do comfortably without any increase on the salary of his predecessors.

**\$700.**

That Pollard of Montana, the irrepressible "rebel" of the *Independence*, who fought shy of the Union "Iron clads" in '65, but "foraged" \$700 off the enemy last winter, roars at us gently as a sucking dove in the last number of the *Dear Lord Magazine*. We are very sorry we have his feelings by alluding to his getting \$700 for doing nothing, and are satisfied now that he would not, have taken it if the people had not insisted upon him until forbearance ceased to be virtuous. It is true, he was not sworn in, and did not vote, but \$700 is not much—for a Democrat. He voted against extra compensation at the next session, and received it, but he was not sworn in and only yielded to the request of "many citizens" in permitting his name to be used \$700 worth a year over. But when you talk of a Radical Governor, you are recalled to the fact that your Democratic Legislature passed an act giving negroes, Chinese and Indians larger privileges as citizens than white men, and that Radical Governor vetoed it. It was a noble act, and it was noble but Napoleon said blunders were worse than crimes. Mr. Rogers in another article, apologizes to his Democratic friends for a very sensible article which appeared the week before last. He says: \$700 worth of good advice to his Legislature, and retired late on Friday night to dream of scuttled "iron clads" and cornucopias "loaded" by traitors in Confederate gray small clothes and serried wings numbered "700".

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"What tiny nothing dreams are made of."

It is a singular fact that no President of the United States, up to the present time, has had a child born in the White House. It is understood that the fact will not exist long after the 4th of March next.—*New York Commercial Advertiser.*

The *Independent*, prematurely, as we link, discharges its blunderbuss on the Capital question, and, in tutoring the Deer Lodge and Missoula members, brings a question that had better be deferred a back seat until legislation more generally and generally afflicting the people had been disposed of. Deer Lodge is the penitentiary located there by act, although that Act is subject to repeal. Discretion should induce a reliance on the part of the *Independent* to temper with the Capital question, and suggest combinations and measures that may result injuriously to its locality. The Capital is not, in many respects, as good a place as the penitentiary. We

In yesterday's issue we presented a paper from Professor W. S. Keyes, ably presenting his views on the present United States Mineral Act, as opposed to those presented by us in a former issue. Our second proposition, "that the Mineral Land Act gives an inalienable title," is the only one he controverts, asserting "that if the law of 1866 does, *de facto* and *de jure*, give an inalienable title all the other propositions of the editorial follow, as a matter of course."

An inalienable title, in the connection used, is a complete and perfect title from the United States to the miners, and in the possession of which they will be maintained by the Government. This is as inalienable title as any mineral land owner would wish. We refer to the second section of the Act, which, prescribing certain conditions, adds that on compliance with them

"It shall and may be lawful for said claimant or association of claimants \* \* \* to enter such tract and receive a patent therefor, granting such mine, together with the right to follow such vein or lode, with its dips, angles and variations, to any depth, although it may enter the land adjoining, which land adjoining shall be sold subject to such conditions."

If in that it does not recognize, provide for, and *grant* perfect title to mine, what then can be said of the title to surface lands, which are to be sold subject to the mine owner's right to follow his vein, though it totally destroys the land it enters? Patents for lands are deemed complete titles, and in the Supreme Court decisions of California, patents for mines are considered final evidence of ownership, except in case of fraud shown in the procurement, and fully, as perfect, as those of agricultural lands. This, as the thoughtful disposition of the Protectors objections to our second proposition "and the others follow as a matter of course" for patents are provided for, and the right to obtain granted in the law, and such patents are, as nearly as any titles, indefeasible, which word is perhaps more applicable as applied to individual titles.

One of the best propositions at the session of Congress was that to abolish the Electoral College, and elect the President and Vice-President by the best popular vote. It is certainly in accordance with the design of a Democratic Government to institute a machine whereby, three times out of four, the President is elected by a minority of the voters. It was born of Concession, the lesser of two evils, and it needs to be lopped off. Now, when the political blood is cool and the popular heart is regular, is the time to remedy the evil, and not again risk the possibility of the repudiation of a minority President. We find in an exchange the following fair exposition of its workings in practical illustration:

Let us imagine a situation which might arise four years from now, or at time • Say there are 37 States, and 37 votes in the Electoral College. There are 37 States, and there are ten States which might cast a majority vote in New York, Pennsylvania, Ohio, Illinois, Michigan, Indiana, Ohio, Kentucky, North Carolina and Georgia. Suppose, now, that one party should carry the States named by a small majority—say an average majority of 10,000,000. The other party should carry all the other twenty States by very all the other twenty States by very majorities—an average of 20,000,000, for example, in each. In that very case, the majority of 30,000,000 in the majority of 340,000,000 in 27 States, and a majority which was in the minority by more than half a million would become the majority. This is the result of a miscellaneous system of election. Would it be easy for the majority to insist in such a case? Is there not danger in the possibility of its losing?

There seems to be a fatality connected with the name Johnson. A. J. apologized wonderfully and wickedly, and illustrious name-sake has made a consummate John-horse of himself in England. A Senator of marked ability, strong integrity, and large experience, Reverdy Johnson was honored with the appointment to the Cabinet of James, the first complimentary office of our Government, and, as an additional mark of respect, confirmed by the Senate without reference of the appointment to committee, although a personal opponent to the vast majority of the Senate. He was loved and would justify this confidence, and his conduct, if he has "dropped over" discreditable to himself and disastrously to the Government. He has toadies, and, indeed, trucked; and, worst of all, ingrained himself, and disgusted his best friends, by seeking out Alabama Land, and playing sycophant to the worst element of the State, and making no distinction for the settlement of the Alabama claims can be contemplated as a crime. They were not crimes simply because our government is so easily deceived, but because it is well understood that Mr. Seward has urged his rail, but met with an obstinate refusal from the President. This will perpetrate a crime, and it is the only crime from an alliance that has done him discredit. We see Mr. Morrill has created a resolution of censure and requested his recall. The committee will report that it is the only resolution of the American people.

It is true that this law is subject to repeal, but so are all laws. The same objection might be taken to the homestead law, and the good faith of the government in granting its agricultural lands: Why should they in this? A repeal of this law would destroy vested rights, and the same objection would be made to the passage of the government. On the passage of the act, a Justice of the Supreme Court pronounced it a surrender on the part of the government to the ownership of the mines. An act that would re-assert them would be retrospective and is not an occurrence to be considered in the law. The question of such important amendments are probably not to be made. The first general pre-emption law was passed in 1830, and although it was intricate system, every few years it has been marked by amendments. The same administration will there have been none destroying the vested rights of citizen occupants who in good faith were holding and using lands. The law is partially understood even by its adherents. It will take many years, if it is not possible, to perfect a patent system that will work smoothly and unerringly. The present law, or the good faith of the American government.

The Solons have assembled, organized, and have proceeded to the consideration of the Governor's communication, and the Legislature will be ready to give and the selection of Mr. Russell for President of the Council, they have a leader of all nervous energy, quick determination, positive, self-reliant and with clear business ideas. He will soon accept of his duties, and the Council will be an active body. Mr. A. E. McLean, Speaker of the House, is undoubtedly the best parliamentarian in the Legislature, with simple experience and adaptiveness for the position. He is calm, systematic, versed in law and legislation, and has secured this Speaker's position by an able discharge of the same duties in the session of 66-67. Mr. C. C. Cullenagh, Chief Clerk of the Council, has had experience in the same duties last session, and is well qualified. Mr. R. E. Jones, we expressed a preference for a few days since, and believe he will make an efficient officer. In all these considerations we have in mind the reservation of the Governor's prerogative. Upon the suggestions of Acting Governor Tufts, are allusions to defects in the enactments recognized by the Legislature as requiring essential amendment, and are doubtless well considered in the matter. The institution of a more complete and beneficial common school system, with larger facilities and of more extended benefits, would have precedence, earnest consideration is now being given to the subject, where are cultivated the best elements of a free government. The recommendation for a memorial for an industrial appropriation for the penitentiary is proper, as the Legislature has no authority withholding the appropriation until Congress has appropriated sufficient to warrant the commencement of a good building. In regard to a geological survey, we are not in favor of any appropriation, but will give publicity and that may be of service. The Branch from the U. P. R. R. one of the especial local crochets of origin from which even its Government cannot exempt. The suggestion for a public dietetic kitchen, and a public bath, for consideration and the congratulation of the Legislature on the success of the Union party *but not* of exquisites is worthy. We shall look with interest for the results of the meeting and may perhaps seem to have discussed many practical and important themes for the benefit of our legislators.

The *World* and the *Tribune* have lain out together: not the lion and the lamb, but two lions. The proposition is advanced by the *World* that the present system of representation is unjust, that minorities have no voice, and the *Tribune* has concurred. The *World* cites Massachusetts, where 128,742 voters have no representatives in Congress, while 75,745 voters have none, and the *Tribune* cites New York City, where the political complexion of the representatives is to be reversed. A remedy for this was proposed in the N. Y. Constitutional Convention, but lost. The theory, which seems sound, can better be explained by a local illustration. Supposing Lewis and Clarke county to cast 2000 votes, and have five representatives in the Legislature, and that 1200 voters are Republicans and 800 Democratic. Each vote should be allowed to vote for all five, and to cast five votes for one person, or five votes for another, or for another combination he chose. If the 2000 Republicans should cast their vote for all five, and the Democrats their vote for two nominees, on the three-man vote the result would be—  
 1200 free Republicans, 1 average, 1200  
 800 Democratic, 2 votes, 2000  
 1200 free Democrats, 3 votes, 1600

As some of the five Republicans could have less, and others more, than the twelve hundred, the two Democrats who would have an average of 200 could be elected over the two lowest Republicans. In this manner the mi-

**The Gathering—The Republicans Hold the Balance of Power—Street Scenes—The Election of Presiding Officers Believed to Decide the Capital Question for Virginia.**

Editorial Post: "The Legislature and Senate have been so busy attending to sessions today, I have been told that for more than a week past the effect has been to make this place a centre of considerable attraction. Every stage has been crowded with a dozen political expectants, intermingled with lawyers and legislators, until the old Capital has assumed a show of population similar at least to that of '63. The peaceable citizens, accustomed to quiet surroundings, every time a person of consequence is either let up with hope, or cast down with despair. The office-holder and the office-seeker are easily distinguished in the crowd, now anxiously awaiting the organization of the third Legislature. Each man at least four applicants for each subordinate station, from fireman up to Chief Clerk of each body. And as many hopeful expectants looking on as spectators to take up the office numbers are all here in battle array. For three days past combinations have been forming for divers important purposes. Outsiders, governed by their personal predilections, have been at work to secure the majority of the office, and how to the office of Speaker of the House. It seems to be generally believed that this contest is to determine whether the present session is to be a session of compromise or of compromise developed the fact that the two Republicans hold the balance of power on the question, the Democrats being equally divided. Wilson and Wentworth have been alternately bored by each faction, and have been unable to get any help from interested persons outside. The battle promises to be a warm one when it begins, but appearances give no indication of the result. Now, as the assembling of forces, anxiety is on the increase. Countenances lengthen, and squads hold potential consultation on the street corners. Low talking, loud talking, and vociferousness are the order of the day. The air is thick and badly contorted, gets the ear and eye. Angry words, emphasized with a good deal of original profanity, break suddenly from some of the crowd, and, as if by arm, by complex, walk quickly, and in a moment are gone. One demonstratively upon the sinister palm. Some faces indicate conviction, others distrust, others again shrewd calculation. Even an exciting dog fight has been held on the steps of the building, atmosphere does not cool the heat with in. One feels, in view of it all, as if some momentous event was on hand, involving the uncertainty perhaps of an earthquake, or a great battle, or a great flood, or a great crisis of some kind—their faces are grave, thoughtful, and their general air indicates conscious importance. Even the passing urchins look at them with the awe of open mouths and disordered eyes. It feels as if some thing, or crisis, or event, or unfinished narrative to survey the gathering of the elements.

12 o'clock m.—Both Houses assembled—crowd pressing—lobbies and aisles full. In the council Major Watson, of the army, and temporary Chairman, C. M. Menaugh, Clerk, Major Edwile, of Deer Lodge, Sergeant-at-Arms. Committee on Credentials appointed and adjourned until 2 p. m. After the adjournment the excitement was on the increase. Republican members were surrounded by a throng of persons. Numerous conversations and conversation turns on the weather, crops of past season, and mining resources. Note was made about Mayhew or Stewart, though parties in interest of both cast distrustful glances at the crowd. Corner canvassing on the increase. A festive air pervaded the hall. Numerous persons talking at once. Parties stop suddenly to discuss important suggestions, and go on, and return to renew the argument. Mayhew and Stewart both passive. Neither wants the office but the "good of the people," you know, overcome the scruples. The crowd follows the friends, etc., etc., etc. Each is followed and engaged in conversation by his sympathizers. Long faces among aspirants for Clerkship and Sergeant-at-Arms, who regard temporary appointment as indications of popular favor. Lawyers mix with the crowd, but their part in the mystery in their communications. Something is to be fixed up "Go to my room with me, I have something important." Members follow "Come down to our office, I will converse with you. Republican, arm in arm with the great old man, and the crowd, the accomplished, doubt and uncertainty hang over the result. We will report anon.

Two o'clock, p. m.—The agony is over. Council elected Col. Samuel Russell of Madison, President; the House, Mr. A. E. Mayhew, Spenser, and other officers as telegraphed. Both bodies adjourned to hear the Governor's message to-morrow. More disappointed than satisfied persons left the halls, but such result was inevitable. And now, just at nightfall, quiet reigns in the Capital. The Virginians regard the great question of *removal* settled, and seem well pleased with the day's work.

MORE ANON.  
 Va. City, Dec. 7, 1868.  
 The Rev. Dr. Blank once told a little anecdote of James Harper, the New York publisher. "I asked the Mayor," said Dr. Blank, "what he did? I said to him I knew that John Harper attends to the business; Wesley Harper looks after the literary correspondence; Plafche Harper receives authors and looks after the books; and the *Magazine*—but you Mr. Mayor, I have never been able to discover what you do." "I'll tell you," answered the Mayor in a whisper, "but you must not let out." "I entertain the ladies."