

# THE MONTANA POST.

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

VOL. V, NO. 23.

HELENA, MONTANA, FRIDAY, FEBRUARY 12, 1869.

WHOLE NO. 232

## The Montana Post.

JAS. H. MILLS, - EDITOR  
GEO. M. PINNEY,  
Associate Editor and Manager

FREIGHTS are run directly through from New York City to the end of the U. P. R. R. The famous "Red Line" cars are in the Wasatch mountains, within seventy-five miles of Salt Lake City.

THE editor of the Salt Lake Reporter seems inclined to bestow what are called "political rights" on women. We are inclined to believe the most and better of them are satisfied with *hymenial rites*, and advise our bachelor Gentle Brother to give the point consideration.

GREELEY has thrown the force of the Tribune against the proposed Government Postal Telegraph system, on the ground of economy. It is another evidence that Greeley means better and does worse than any other journalist in the United States.

In these days of concentrated paragraphs and abbreviated brevities, would it be admissible for a Chicago balladist, instead of singing in his sweetest throat:

"I'm leaving this in sorrow Annie—  
To sing  
"I'm leaving this in sorrow—Sis?"

EACH Senator, Representative and Delegate receives ten dollars worth of packing boxes per annum, and in lieu of boxes are permitted to commute the amount in money. The most of the boxes will be needed this year, as quite a number, including Mr. Cavanaugh, will have to "pack" themselves off from Washington about the 4th of March.

THREE FORKS IN CONGRESS.—Under a call of the States and Territories in the House of Representatives, Jan. 18th, 1869.

Mr. Cavanaugh introduced a bill (H. R. No. 1731) to authorize James Gallagher and his associates to construct and maintain a bridge across the Missouri river, at the three forks of the same, in the Territory of Montana; which was read a first and second time, and referred to the Committee on Roads and Canals.

MR. HORATIO SEYMOUR will be remembered by many able-bodied citizens as once a candidate for the Presidency, and the author of several "skim milk" speeches. He was not elected President of the United States, it will be recollected, but the speeches evidently had good effect, as he has been elected President of the American Dairyman's Association, and a few days since delivered an address on the all-absorbing topic—Cheese.

PRESIDENT JEFFERSON during his administration removed but thirty officials; Mr. Madison five; Mr. Monroe nine; John Quincy Adams but ten. What a glorious thing it would be for the forty thousand incumbents, and what a mortification it would be to the half million aspirants, if Grant should see wisdom in the course of his predecessors. On the principle of the greatest good to the greatest number, he will probably rotate some of them.

Post Master General Randall is aggrieved at an article in the Boston Traveller, saying that a few years ago he was a bankrupt and is now worth \$200,000. He says "he was not a bankrupt a few years ago, and that he is not now worth \$200,000, nor a tenth part of that sum. If any fool who writes for the sensation newspapers will pay him \$12,000 and pay his little debts, he can have what little property he has."

Accounts differ as to the climate of Montana. While some say it is too cold to be endurable in winter, others say it is a district of broad and deep valleys, not colder than Northern Illinois, and deserves to be called the Vermont of the Pacific slope.—Rochester Express.

Accounts need not differ. We venture the assertion that there is not in the United States an equal extent of surface to the settled portion of Montana, where there has been so mild, unchangeable and healthy weather this winter. Sunshine by day and glittering stars by night have become monotonous, and we hear of the snows and chilly blasts of the Central States with a sympathetic shudder for the unfortunates of that hyberborean clime.

THE Deseret News congratulates itself on the remarks of the Post regarding the Salt Lake National Hotel project. As the delusions of the Post were that their grand hotel project was, like nearly all such schemes, destined to benefit the city and bankrupt the stockholders for the amount invested, we do not see from what particular expression the News asserts "so much comfort. We may not understand the Mormons, or their movements," but would like, bluntly, to be inside the Church ring, and take chances on getting a "home stake" from that "stake of Zion."

## TERRITORIAL ELECTIONS.

The bill to preserve the purity of elections in the Territories, for which a substitute was reported from the Committee on Territories, after being fiercely contested by Mr. Cavanaugh, Mr. Chilcott of Colorado, Mr. Bashford of Arizona, Mr. Barleigh of Dakota, and Mr. Chanler of New York, and slightly amended, passed the House Jan. 19th, by ayes 61, nays 56. Ashley then moved to reconsider and to table the motion, which latter was agreed to and the bill went to the Senate. It is too voluminous for publication until it is finally amended and becomes a law, but we cite the following leading features as it passed the House:

SEC. 1. All elections in the Territories for Delegate and Territorial and county offices, shall be held under this act. The Governor at least 120 days before elections shall appoint a board of canvassers, four citizens of each county to act as such canvassers.

SEC. 2. Two members of the board shall be members of the dominant party, at the last preceding election, the other two of the minority party; if there are two minority parties, one from each, that all parties may be represented.

SEC. 3. Members of the board shall within 30 days after appointment signify acceptance, and be sworn, elect one member President and one Secretary, and all official papers shall be issued over the signature of such officers, and be sanctioned by three members of the board, a majority constituting a quorum for the transaction of business.

SEC. 4. If any or all members appointed on any of the County Boards, fail to accept within 30 days, the Governor shall notify the electors of said county by proclamation, to be published in one newspaper in said county, or in a paper published at the capital, or in writing in three of the most prominent places in the county. The County Committee of such party as the persons declining are members, may then recommend persons for the vacancies, whom the Governor shall appoint, or failing to recommend within 30 days the Governor may appoint any qualified elector of any party to fill the vacancy.

SEC. 5. The board shall, after organizing, sixty days before the election, appoint four well known and competent citizens for each ward, township, or voting precinct in such county, to act as an Election Board,—two from dominant party, two from minority party, etc., as in sec. 2.

SEC. 6. Members of these election boards shall, within fifteen days, signify acceptance, and, taking an oath prescribed by the Governor, shall file the same with the Board of Canvassers. In failure to accept, the Board of Canvassers fill vacancies from the same party as the person declining, and if there are no other members of such party who will accept, then from such party as they may choose. The names of members of election boards shall be published ten days before the election in each leading party newspaper in the county, if there be such papers; if not, then in any paper in the county.

SEC. 7. Provides for the filling of vacancies in election boards, by County Canvassers.

SEC. 8. If the election boards or any members of them in any voting precinct fail or refuse to meet and organize, and proceed with the election, on or before eight o'clock A. M. on the day of election, then the qualified electors present at the polls shall select a person or persons to fill the vacancy due regard being had to the same party representation as before provided.

SEC. 9. A failure to comply with the provisions of this Act, as to organization of the election board, or the manner of conducting the election by County Canvassers, election board or qualified electors, shall vitiate the election in that precinct, and if two or more responsible citizens shall within ten days after said election, appear before the County Canvassers for the county, and make oath that this Act was violated as regards the election board, or that the election was otherwise improperly and unlawfully conducted, either by the rejection of legal votes, or by the admission of illegal votes, or by making false returns, or for any violation of law, specifying particularly the provisions of this Act or the laws of the Territory which have been violated, the Board of Canvassers shall furnish at least two members of the election board with a copy of the charges and specifications, and notify the election board to appear before the Board of Canvassers within ten days to answer such charges. The Canvassers may require other testimony than the election board, and in case of the refusal or neglect of such board, or one or more members to appear, and by the testimony of other witnesses, if required, to satisfy the Board of Canvassers, the entire vote of that precinct shall be thrown out.

SEC. 10. Provides the polls shall be opened at 6 A. M., or as soon thereafter as possible, and closed at 6 P. M. The election board shall designate two of its members, each of which shall keep a separate poll-book, in which shall be recorded the name of each person voting. Each book shall be certified by each member of the board, and each book shall show the number of votes cast and the number for each person. One book shall be retained by the election board until after the next general Territorial election, the other transmitted by mail or messenger, as safety and celerity may require, within ten days to the board of canvassers at the county seat, the election board remaining in possession of the ballot boxes and poll books until the ballots are counted and certificates given, which shall be done within twenty-four hours after closing the polls. All questions arising before

any election board thus appointed, touching the qualifications of an elector, and all questions relating to the conduct of the election, shall be decided by a majority of such board when all the members are present, or by the affirmative vote of three members of the board.

SEC. 11. Provides for filling vacancies that may occur from any cause in the election board after the election has commenced, the same regard being had to party representation.

SEC. 12. Provides that any member of any election board, duly accepting and taking the oath, who shall willfully disregard this act, or the Territorial election laws, or shall officiously attempt to deprive a voter of his legal right to vote or to defeat the fairly expressed will of the electors, by refusing to sign and certify the poll books or other act designed to defeat the expressed will of the people, shall be deemed guilty of misdemeanor, and if convicted before the courts be fined from \$1,000 to \$3,000, and be imprisoned from one to five years.

SEC. 13. Within 30 days after the election the board of canvassers of each county shall open all poll books returned to them and declare the result, transmitting to the Governor certified returns as at present to the Secretary.

SEC. 14. Provides that canvassers accepting and qualifying and afterward disregarding this act of the Territorial law, to the same purpose as defined in Sec. 12, shall if convicted be fined from \$5,000 to \$20,000 or imprisoned from five to ten years.

SEC. 15. Authorizes the Legislature to enact laws designating the courts for contesting elections, and the manner of hearing and determining the cases.

SEC. 16. Provides that each Legislature at the next session, after the passage of this act, fix the compensation and provide for the payment of members of Election and Canvassing Boards.

SEC. 17. The Legislature are authorized to enforce this act by appropriate legislation.

SEC. 18. All United States or Territorial acts or part of acts in conflict with this act are by it repealed.

Such is the bill. We do not like it in its present form. It is expensive and cumbersome; centralizes too much power in the Executive—crowds too much duty into a few hours, and does not reach the root of the evil. To give unrestricted power in the hands of the Executive to appoint the persons in each county who shall finally canvass the vote of the county, may be readily put beyond by a tyrant. It provides for the representation of both of all parties on the Board, which is an equitable measure. If the Governor's appointees decline to accept, then the County Committee have privilege to appoint, but they are not to give them the privilege of naming persons at first from whom the Governor shall select? Possibly Mr. Ashley expects to be Governor of a Territory, and does not intend to give the whole authority to decide upon the qualification of voters is vested in Election Boards, of four members. Three of them are required to affirm any order, and their decisions must all be made within twelve hours. If a legal vote is rejected or an illegal vote admitted, the entire vote may be declared vitiated. Does any one suppose such a law will work smoothly when practically tested? Containing, as it does, some good features, it is, as a whole, inadequate to the reform needed, unless in addition, a registration law be passed, when the certificate of the Board of Registration presented to the Board of Electors would enable them to at once decide qualifications. That, and a modification of the Governor's authority would materially improve it. It is a matter of importance to the Territory, and our readers will look with interest to its fate in the Senate.

ASHLEIGH'S BOUNDARIES.

The following are the new boundaries of Montana that would be established were Ashley's Utah dismemberment bill to become a law.

"Commencing at a point formed by the intersection of the one hundred and eleventh degree of longitude west from Greenwich with the summit of the Rocky Mountains; thence in a easterly direction along the summit of said mountains to its intersection with the one hundred and tenth degree and thirty minutes of longitude west of Greenwich; thence due east to the one hundred and tenth degree of longitude west from Greenwich; thence north along said one hundred and tenth degree of longitude to its intersection with the forty-fifth degree of north latitude; thence east along said forty-fifth degree to its intersection with the channel of the Missouri river; thence up the channel of said river to its intersection with the one hundred and second degree of longitude west from Greenwich; thence north along said one hundred and second degree to its intersection with the northern boundary of the United States; thence west along said northern boundary line to its intersection with the one hundred and fourth degree of longitude west from Greenwich."

This would merely give us a little patch half as large as Lewis and Clark county, from Wyoming where it projects a pan handle towards Virginia east and the Yellowstone Lake country. It, however, gives us nearly two degrees from Dakota, taking in all the country West of the Missouri river, between the mouth of Little Cheyenne river and Fort Berthold. Immediately above the Fort the line strikes due north to the British possessions. We roughly estimate the total addition to the area of Montana at one-fifth its present area, and a linear addition of over one hundred miles on the route of the Northern Pacific railroad.

## TAXATION WITHOUT REPRESENTATION.

The Cheyenne Argus forwards us a marked article under the above caption. The argument is, that the Territories, paying a revenue to the Government, are entitled in principle to representation in Congress by vote as well as by voice. The Argus is Democratic, and Wyoming belongs at present to the untried, yet this does not effect the question, for although, were the Delegates allowed a vote it would give Wyoming, Idaho, Montana, and New Mexico Democratic votes, they would be balanced by the Republican votes from Arizona, Colorado, Dakota and Washington, while Mr. Hooper, of Utah, would represent the unclassified political element that exudes from Mormonism. The Argus is in error in assuming that it has originated an issue. The appeal for practical representation by the Territories has been frequently made, and the arguments offered in its favor have never been successfully met. The exclusion is a wrong, and exists, as many other wrongs do, simply from the fact that the injurer is powerful and the injured helpless. Were representation based on the amount of revenue paid to the general Government there might be a showing, but it is not. The Senatorial representation is arbitrary, Delaware, with its 18,507 votes having as many Senators as New York, with its 849,766 votes, but the Representatives are apportioned according to the number of voters. If, then, the qualified electors are the only apportioning basis recognized, what justice is there in this?

STATE.		SENATORS.		REPS.	
STATE.	1868.	1868.	1868.	1868.	1868.
Oregon	22,265	2	1	1	1
Rhode Island	15,255	2	1	1	1
Delaware	18,507	2	1	1	1
Nevada	9,244	2	1	1	1
TOTAL	65,271	10	4	4	4

  

1866.		1868.		1869.	
TERRITORIES.	1866.	TERRITORIES.	1868.	TERRITORIES.	1869.
New Mexico	18,628	1	1	1	1
Utah	12,000	1	1	1	1
Colorado	8,167	1	1	1	1
Idaho	5,240	1	1	1	1
Washington	4,500	1	1	1	1
Arizona	4,000	1	1	1	1
Montana	12,004	1	1	1	1
Wyoming	2,372	1	1	1	1
TOTAL	63,977	8	8	8	8

Here, then, we have five States with 80,544 voters sending ten Senators, nearly one-sixth of the entire number, and six Representatives to Congress, their power felt in every branch of legislation, while eight Territories, with 63,977 voters have eight Delegates, who are mere "country cousins," permitted to speak only on matters of local interest, and excluded from all rights of citizenship, is it not justice, and justice only, to accord us representation in Congress, even though it be by the vote of one Delegate from each.

Before the Territories were required to pay Government revenue, the axiom, at the head of his article, did not bear upon the case, but it does now. It is fully as vital a principle of our government, as imperative and as good language as the much vexed term "a Republican form of government." There is but one objection of weight—the incentive to cut up Territories by the dominant party will increase strength, which might be readily provided against. We are satisfied that the subject properly presented, the judgment of the people and Congress would be: the Territories are entitled to full representation, and their duly qualified electors to vote for President and Vice President of the United States. May it have consideration in the liberal councils of the nation.

## THE INDIANA SENATOR.

The telegrams, after inspiring quite an interest in the Indiana contest for the Senatorship, by relating the charges of Governor Baker, and the opening ballots, rather strangely neglected to inform us who was the successor to Mr. Hendricks. The choice fell upon Hon. Daniel D. Pratt, Mr. Cumback retiring from the field, and throwing his influence for Pratt. Cumback's friends regret his defeat, but unite in approval of Pratt. He was born in Madison county, New York, in 1814, and is a graduate of Hamilton College. He came to Indiana in 1832; was nominated for Congress by the Whigs of the Ninth District in 1847, but declined; and in 1851 and 1852 was elected to the Indiana Legislature. In 1856 he was candidate for District Elector, and in 1869 was Delegate at large to the Chicago Convention. In 1863 he was candidate for Senator, but the Democrats had the majority. In 1868 he was elected to Congress from the Seventh District by 5,287 votes over his competitor, and has succeeded to the Senatorship. He is a lawyer of fine ability, and a gentleman of irreproachable character. The Indianapolis Journal says: "With two such Senators as Oliver P. Morton and Daniel D. Pratt in the Senate of the United States, it is not likely that any point of influence and ability to no other State."

A Topeka (Kansas) court has announced two new rules of evidence; that the lawyer shall stand up when questioning a witness, and that it too dangerous to stand he cannot practice.

## WHILE THERE IS YET TIME.

Helena is liable to be destroyed in an hour. It has so far escaped, almost miraculously, but every wooden building in the town is the prison of ravenous fire dragons that an unlucky spark will liberate, and whose red tongues are blighting with fierce thirst for the unprotected prey. Take the business part of the town, with its crowded shell houses, the numerous liquor stores and saloons, lodging houses, drug stores, livery stables, etc., filled with combustibles, and on a stormy night, with a few minutes start of fire, what would be the position? Think of the recent fires, and while congratulating yourselves on their quick extinguishment, consider whether the probabilities are in favor of continued exemption from a disastrous conflagration. There is not in the mountains a city so exposed to destruction, with such inadequate means for protection, with so much property at risk, or the proportion in fire proofs or unexpunged localities smaller. In the recent Town Site investigation it was testified that we have three millions four hundred thousand dollars worth of improvements in only a portion of the town. On Main street many buildings worth \$8,000, \$10,000 or \$12,000 have double and treble that value of goods in them. It is not an excessive estimate to place the amount of property constantly imperilled by a fire in any portion of the gulch, at five million dollars. Upon at least four-fifths of this no good insurance company will take risks, leaving \$4,000,000 of property, the owners of which have constantly suspended over them a more desperate peril, by a lesser threat, than the sword of Democles. While the few might endure the loss, to the many it would bring utter impoverishment. What precautions have we? Except the presence of citizens in their daily pursuits, and the accidental notice of nocturnal stragglers, and an insurance of not exceeding \$200,000, None. What facilities for extinguishing a fire? The good will and energetic efforts of a few persons, a limited number of hydrants, a few hooks, the whereabouts of which nobody ever has any knowledge during a fire, and such pails as can be laid hands upon by the impromptu firemen. When the horse is stolen it is too late to lock the stable. The property in this town is certainly worth preserving. It is an object to all, for aside from the local suffering that would ensue, the destruction of the Main street sections would be injurious to every interest in Montana, in the check it would give to other investments and the double price it would place on necessary commodities of life, of which it is the territorial storehouse. The immediate precaution should be during this mild weather, clean the stove pipes that have accumulated four months soot; have a cask of water by every building, and a ready means of reaching every roof. Further than this, procure a steam fire engine, have it arrive by steamer, place it under the charge of the police, excavate three or four places for reservoirs along the gulch, and the town will be safe. The engine may cost \$6,000 or \$7,000—say fifty dollars from each firm—and the destruction of more than two or three buildings by any fire would be an imposition, for in twelve minutes it would be throwing more water per minute than all the men and hydrants in town could in an hour. We urge upon property owners consideration of these things. The chances are many to one that the day will come when it will be too late for precautions; it is not now.

THE income of a Crown is quite pleasant. The royal family of England receives \$213,838, or over \$2,000,000 per annum. The Prince of Wales has £1,500 as Colonel of the 19th Hussars, £40,000 for being a Prince and £90,000 from the Duchy of Cornwall. The Queen has £110,000 per annum—lays by nearly two-thirds of it, and is worth in her own private right nearly \$10,000,000. Old King George III. had \$10,000,000 per annum, and still managed to get in debt nearly \$17,000,000, his salary of \$5,000,000, the revenues of the Crown domain—\$2,400,000 more, and from all sources about \$8,400,000 per annum,—and still he is in debt about \$16,000,000. Considering all these things, we couldn't expect Andrew Johnson to do his best for \$25,000.

THEY are well posted in Paris on American affairs:

"Gallignani's Messenger says 'Gen. Costas has seized on the village of Cheyenne.'"

Francis Joseph, Emperor of Russia, is said to speak with the greatest ease and fluency every language spoken in his checked Empire.

## THE FRANCHISE.

The Senate has made a radical alteration in the proposed Constitutional amendment. In addition to the House provisions, the Senate amends that there shall be no discrimination among citizens as to the right to vote or hold office on account of property, nativity, education or creed. The insertion of the word "education" will raise a mighty and earnest host against the amendment, who might otherwise have approved it. While this nation believes in impartial suffrage, a vast and rapidly increasing element believes in intelligence—education—as a basis. An intelligent use of the ballot is essential to the welfare and perpetuity of a Republican Government. To attain this, two means are proposed, looking to the same ultimate result, but reaching it by different approaches. The one by establishing an educational qualification, placing it at first at a nominal requirement, and by regular and easy gradations raising the standard until we shall have a nation of intelligent voters, inspired to attainment by the incentive of a great privilege held out as a prize. The other is by universal suffrage and compulsory education. This latter, although in operation in some European countries, is pronounced by eminent liberal statesmen inadequate, and is of an arbitrary, despotic character, not in accordance with the spirit of our institutions. Believing the former the true and proper theory, and that which experience and circumstances will yet impel Americans to adopt, we should regret to see the amendment go before the country as it stands, involving in its defeat the defeat of the great principle of impartial suffrage, and in its adoption an eventual retrogression to the point we now hold, that the United States may have an impartial suffrage, in which alone will be required the qualifications—citizenship and a knowledge of what he is doing.

## THE MINORITY REPORT.

The report of the Minority of the Pacific railroad committee, although assailing the subsidy system, has something of good in it. The proposition that each road should stand upon its individual merits is right. The friends of the Northern road have nothing to fear in such an event. The declaration that the scheme involves the paying out of \$270,000,000 in the next thirty years and that the security for repayment is insufficient, is simply absurd. The transportation of supplies for troops west of the Missouri, if at the rate paid in 1865 and 1866, will amount in thirty years to \$420,000,000 which the government reserves. The troops will be located on the lines of these roads, or, if the troops are not required it will result from the building of these roads. Besides, the government has 10 per cent. of the gross earnings and first mortgages on the entire roads for the full amount of what it only guarantees interest upon. These facts will be pressed upon the attention of Congress, and we cannot believe but that the signs are hopeful for subsidizing of at least the principal roads named in the Omnibus Bill.

## EX-GOVERNOR SMITH.

EX-Governor Smith figures in the Congressional Globe of Jan. 21st, in a letter exculpating himself from alleged complicity in the Binkley-Rollins imbroglio, concerning whiskey frauds. Mr. Fitch had stated to the Committee that Binkley, Mr. Yeaton, Captain Lewis, Green Clay Smith, Senator Fowler, and a lady in Washington, were present in the President's room, and that he had assurances from them that certain charges against Mr. Courtney and others would be sustained, and the President would stand by them. General Burbridge was, in that case, to be Commissioner. In reply to this, Governor Smith states that Mr. Fitch presented the affidavit, which he had drawn up as an assistant of Binkley, and said he could sustain all the charges, when he (Smith) suggested he make it known to the President. After further disclaiming complicity, he adds: "I will say here that I had my preference for Commissioner of Internal Revenue, and did recommend General S. G. Burbridge, of Kentucky, for that place. For this I have no apology to offer, as he was a fellow-officer with me in the service of our native State, and had always been my personal friend; and in presenting his name I did not deem it necessary to reproach any officer of the Government."

I must say in conclusion, that the President of the United States, as far as my knowledge extends and as I firmly believe, was actuated in all he did alone by a just sense of duty, and whatever he said, or did, made no charges or spoke unkindly or spoke disparagingly of any of the officers under him.

I have the honor to be, most respectfully, your obedient servant,  
GREEN CLAY SMITH.

A Bible class in Santa Clara, Cal., is attended by twenty-six Chinamen.