

# THE MONTANA POST.

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

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WHOLE NO. 238

## The Montana Post.

JAS. H. MILLS, - EDITOR

GEO. M. PINNEY,

Associate Editor and Manager

The Port Townsend Message is urging the admission of Washington Territory as a state, and bitterly opposes the project of Oregon to annex the Puget Sound District to that State.

Mayor Fox, of Philadelphia, gives every couple married by him a Testament and his photograph.—*Exchange.*

Fox's Book of Martyrs would be more appropriate.

The Democratic prediction has been verified. All the leading Republican papers say, Grant has turned out the worst President we ever had—that's Johnson.

The President nominated, on Tuesday, J. Bancroft Davis as Assistant Secretary of State to succeed Frederick W. Seward. Several revenue appointments were also made.

BOUTWELL believes the Treasury Department can be so conducted as to bring our bonds to par in foreign markets at an early day. All indications point to a speedy advance in U. S. bonds.

W. H. SEWARD served longer as Secretary of State than any other man in the history of the Republic. Mr. Madison has alone served a full term in eighty years.

The Department of State has been officially notified that American citizens travelling or residing in France, will not, hereafter, be required to show Passports. This is a very friendly courtesy of the Grand Empire, but our Secretary of State still recommends the procurement of passports, to prevent possible inconveniences.

It is said the Cushing Canal Company will import Chinese to perform the labor on the great Darien project, the cost of white labor being so excessive, and the fever rendering it almost certain death to fifty per cent. of the employees. A line of steamers to China to import laborers is projected. Whether greenbacks and quinine will safely carry through the project and the Mongolians, remains to be seen.

A dispatch dated Washington, Dec. 22 says, "the President is highly incensed at the conduct of some of the Senators, and is determined to make no further appointments unless the Tenure-of-Office Law is repealed." We do not believe Grant said anything of the kind. It would be a very unwise remark, and be an unanswerable argument against the repeal.

The Washington Chronicle of Feb. 19th says: "The United States Commissioners of the Sioux City and Pacific Railroad have been instructed by the Secretary of the Interior to inspect and report on the last section of that road, 22 1/4 miles in length. This road is now completed from Sioux City, Iowa, to Fremont, Nebraska, where it connects with the Union Pacific Railroad."

The Montana Post, now published at Helena, by Capt. Mills and Marshall Pinney, shows all the ability in its editorial management that you can find in the first journals of the East.—*Rocky Mountain Herald.*

Goldrick is acknowledged the most inveterate wag on the mountain trips, and we can therefore excuse him this time for "twitting on facts," if so he believes. Live on, thou gallant Greek! Make hay while the sun shines, and thy glorious harvest turn into a gold-reek, whose shadow may never grow less.

SOL SMITH, actor, author and humorist, whose death in St. Louis, recently, was noted in the telegrams, dictated the following as his epitaph, to be engraved upon a plain stone, in Bellefontaine cemetery, St. Louis.

SOL SMITH,  
Retired actor,  
1801-1869.

"Life's but a walking shadow; a poor player,  
That struts and frets his hour upon the stage,  
And then is heard no more."  
"All the world's a stage,  
And all the men and women merely players."  
EXIT SOL.

The Legislature of Wisconsin has passed a resolution giving the assent of that State to the formation of a new State, to be called Superior, from a portion of Wisconsin and Michigan.

Wisconsin gives all the territory, some seventeen thousand square miles, lying north of a line drawn from the mouth of the Menominee river up its centre some distance, and thence west to the Mississippi River nearly opposite Stillwater, Minnesota. The Upper Peninsula region of Michigan is to be added to this, which will make a State about the size of Indiana. It is stated there is no violent hostility to the movement in either State.

## MUTTERINGS OF DISCONTENT.

The stalwart sons of Mars and Neptune are rather disrespectful in their feelings toward the heads of the respective arms of service, if the telegraphic reports are correct. Army officers are "dissatisfied with the bluff manner of Sherman," and the Navy, from Admirals to Middies, are dissatisfied with Borie. It is this administration to economize and retrench, the disaffection will not be limited to the army and navy. We, of the North-west, felt the blow in the known hostility of the administration to subsidizing Pacific Railroads; the army officers are not prepared to be pleased with General Sherman, whose ideas of economy extend to pronouncing unnecessary a Chief of Staff with his retinue, the retiring of all supernumeraries, and the army under canvas instead of in costly residences or allowing enormous commutation for rents, and probably Borie is sinning before the same gods. Extravagance makes admirers—retrenchment, enemies. Grant was probably aware of this before he accepted the trust or made the appointments, and is not disposed to remove officials for results whose causes he dictated. He could not expect to turn the rivers of reform into the Auvgean stables without raising considerable odor while they were being cleansed. It is true, as we surmise, that this is the cause of discontent, those who await the removal of Borie had as well possess themselves with patience.

## PAY IN ADVANCE.

The war of the Roads, if not as sanguinary or important as the War of the Roses, is at least assuming an interesting phase. The Union and Central, while obstinately fighting all rival enterprises, are evidencing an equally bitter spirit toward each other in the endeavor of each to get possession of the ground between the approaching ends of the respective roads. There is reason for this; there are thousands of dollars profit in every mile. Not long since, the President of the Central Pacific Railroad appeared before a Congressional committee and testified that "the Union Pacific Railway Company is not making what the law requires, a first-class road, but is constructing a road with a view of getting as many bonds as possible." Probably upon this representation, the issue of bonds to the Union road was stopped, and by some means the Central ingratiated itself sufficiently into the affections of Mr. Johnson to procure the order to issue it two and a half millions of bonds for road not yet built—sufficient to cover all the route to Ogden, over which the Union Co. is now laying track. Mr. Washburn recently asserted that half a million dollars had been spent in Washington to influence legislation. It looks very much as though some very potent influence had been brought to bear upon the Executive, as the President, by the law, can only issue bonds after the road has been completed and accepted by the Government Commissioners. Whichever company is entitled to the subsidy, the country will approve the course of Grant in stopping the premature payment of subsidies. The investigation which will ensue will not be to the credit of somebody.

## BUSINESS.

Our readers will have noticed the liberal presentation to Capt. Parkinson by the Travis Brothers for the spirit evidenced and success achieved in the development of the Parkinson lead. It has been denominated "generous." It is, in this instance, but the principle if general would be square, considerate and up-and-up business. The trouble that this country labors under is penny wisdom and pound foolishness among her business men, especially merchants. There are few merchants who came here in good circumstances. The means they have were principally accumulated here in Montana, and the greater part from selling goods to miners. Our placers are depreciating in product; to what must they next look to sustain trade? In some measure to placers and ranchmen, but eventually and principally to the mill men and quartz miners. Every mill in operation; every lode being developed, every wood cutter and teamster is a source of revenue to our merchants. There are not leads enough developed to maintain the prosperity of the country; there are not mills enough to employ a population sufficient to render trade lucrative. It is so, it is a sorrow, prudent business transaction to encourage every effort made to develop the mines. Few quartz owners are men of means, and those owning a large proportion of the best leads are men from the Pacific coast where every encouragement is offered to men developing mines. They do not find here that disposition to assist them, on the part of merchants, that they were accustomed to on the "other side," and complain of the lack of the proper spirit manifested by them. We deem it more owing to the fact of our merchants being from the east where the circumstances and business education are different, than from any lack of public spirit or good will, but those who propose to remain here and maintain themselves as prosperous houses, must look farther ahead than the collection of bills on Monday morning. One man's liberality will not accomplish the purpose, if the hundreds of others fail to second it. The twelve, fifteen and eighteen millions of bullion annually produced does not remain with the miners, and if they are to go on and open another stream of wealth to flow into the coffers of the merchants, bankers, livery and Hotel keepers, machinists, and artisans, there must be aid rendered

them. If it is true that they will derive great individual benefit, it is not less true that they are almost universally circumstanced so that development is impossible without assistance. In many instances men would willingly develop, giving their labor—all they have—if merchants would furnish provisions, and give a large proportion of the mine as compensation; but compelled to pursue some avocation to pay up their board bills weekly, the leads of the Territory lie undeveloped, and unless there is a different policy pursued the effect will be felt ere long in every branch of industry. We make these suggestions, merely, asking our merchants who have established business here to take a look ahead and around them to-day, and determine whether it is not to their interest to retain the population now here; to encourage it to the development of our quartz mines, and to cast bread upon the waters. There are two sides to this question. The west coast has chosen one; the eastern side is so far on the other. Choose which is best.

## LEGALIZATION OF GOLD CONTRACTS.

The recent decision of the Supreme Court touching on the validity of gold contracts, is of importance to business men. We give the following review of the issue and the points of the decision from the *Pittsburg Chronicle*, the most concise article on the subject we have seen.

We have now the full text of the decision rendered by the Supreme Court of the United States in the case of Frederick Bronson, executor of Arthur Bronson, deceased, against Peter Rodes. The case came before the Court on a writ of error from the New York Court of Appeals, and the facts are thus stated: In December, 1851, one Christian Metz, having borrowed of Frederick Bronson, executor of Arthur Bronson, \$1,400, executed his bond for the payment to Bronson of the principal sum, borrowed on the first day of January, 1867, in gold and silver coin, lawful money of the United States, interest also in coin until such repayment as the yearly rate of seven per cent. To secure these payments according to the bond at such place as Bronson might appoint, and in default of such appointment, at the Merchants' Bank in New York, Metz executed a mortgage upon certain real property which was afterwards conveyed to Rodes, who assumed to pay the mortgage due, and did, in fact, pay the interest until and including the first day of January, 1864. Subsequently, in 1865, there having been no demand of payment, nor any appointment of a place of payment by Bronson, Rodes tendered to him United States notes for the amount of \$1,507, a sum nominally equal to the principal and interest due upon the bond and mortgage. At that time one dollar in coin was equivalent in market value to \$2.25 of United States notes. This tender was refused, whereupon Rodes deposited the United States notes in the Merchants' Bank to the credit of Bronson, and filed his bill in equity, praying that the mortgaged premises might be relieved from the lien of the mortgage, and that Bronson might be compelled to execute and deliver to him an acknowledgment of the full satisfaction and discharge of the mortgage debt.

The bill was dismissed by the Supreme Court in Erie county, but on appeal to the Supreme Court in general term, the decree of dismissal was reversed, and a decree was entered adjudging that the mortgage had been satisfied by the tender, and directing Bronson to satisfy the same of record, and this decree was affirmed by the Court of Appeals.

The question before the United States Supreme Court was whether Bronson was bound by law to accept from Rodes United States notes equal in nominal amount to the sum due him as full satisfaction of an obligation which still stipulated for the payment of that sum in gold and silver coin, lawful money of the United States. It is worthy of notice in this case that Chief Justice Chase did not pass directly upon the question of the constitutionality of the legal tender act, but maintained that contracts to pay in gold or paper were equally sanctioned by law, and that every contract must be enforced according to its terms. He therefore held that the tender of United States notes in payment of an obligation made payable in coin, was not sufficient, and that when two descriptions of money are sanctioned by law, both expressed in dollars, and both current in payment, it is necessary, in order to prevent ambiguity and to prevent a failure of justice, to regard this regulation as applicable alike to both, when, therefore, contracts made payable in coin are sued upon, judgment may be rendered for coined dollars and parts of a dollar, and when contracts have been made payable in dollars generally, without specifying in what description of currency payment is to be made, judgment may be entered accordingly, without such description.

The result of this case therefore, is, that there is no necessity for Congressional legislation to give validity to gold contracts entered into before the passage of the Legal Tender act, but possibly leaving still open the question as to whether parties can enforce contracts to pay in coin made since the passage of that act. Mr. Justice Davis took particular care to announce that this question had not been affected by the decision of the Court.

The Legislature of Illinois, which recently, by way of a "joke," ceded Chicago to Indiana, has passed a bill vesting all political, civil and social power in the State in "the female portion of the population above the age of sixteen years." It is made unlawful for any male over twelve years old to be out after dark, unless protected by a woman qualified to vote. This, it is supposed, is another legislative joke.

## TO BE MODIFIED.

The indications are, that the tenure of office law will be modified by amendments but neither repealed or suspended. This is as it should be. The essential qualities of that law are in strict harmony with the Constitution, letter and spirit, and in consonance with the principles of a democratic government. The Legislative and Executive branches are not independent but coordinate in the creation of officers as well as in the creation of treaties and laws. The President can only by the constitution appoint officers by and with the advice and consent of the Senate, except when Congress empowers him or the courts of law, or the heads of departments. When officers are impeached the Senate is the High Court that tries them. Thus, it is seen, if there is any precedence in power it is with Congress, not the President. It is a part of the President's right to destroy without shown cause or the consent of the other. We hold that every assumption by the President in this direction is a move toward absolutism, and this Tenure of Office bulwark was not erected a day too soon. As governments tend to centralization of power in one man, just so far they drift away from the moorings of Republicanism. The government may not be less strong, but the principles of it are changed just to the extent that one branch encroaches on the other. A Republican government can do without a President, and an absolutism without a Congress, but a Republic has its safety in its Congress. President Jackson was the first Executive to encroach on the prerogatives of the Senate. He was a good President with a Congress, but he would have been a better despot without one. Believing our form of government superior to all others we like to see our legislators jealous and tenacious of every right and privilege they are endowed with, and hail their adhesion to the main principles of the Tenure law.

Withal, the law although a general one, was partially enacted for a specific and abstract purpose, under provocations and threatnings that are apparent in its defensive features. It is susceptible of modifications, demonstrated to be desirable by its workings. Amendments relaxing its stringency, in some respects, and circumscribing its scope in others, can be made, without impairing its virtue.

By the 1st section, Mr. Johnson's Cabinet could not have been removed without the consent of the Senate for one month after Grant's incumbency, nor can Grant remove any of his present Cabinet during his term without the consent of the Senate. In the choice of heads of Departments, the personal advice of the President, he should be allowed all possible latitude, as he is held personally responsible for their action. The 2d section provides that officers, except Judges, may be suspended by the President, during a recess of the Senate, but not removed, until the Senate convenes. This we infer is what the President desires repealed. Grant doubtless would act as wisely as the Senate, but this proviso is the life and vitality of the law. If it is repealed, the remainder is an empty nothing.

Sec. 3 limits the appointing power to filling vacancies occasioned by death or resignation during a recess, the commissions to expire at the next session. He cannot make vacancies by removal. This is plainly the intent of the Constitution by the words "he shall have power to fill up all vacancies that may happen." These are the main features of the law; the remaining sections specifying the penalties of violation and regulating proceedings under the act. With it in force, the President is naturally more cautious in making appointments than if it were repealed, as it requires the acquiescence of another party to succeed where it they prove injudicious, but it is better to go slow and sure than to be hasty and fall. We can conceive how either a good or bad President would wish these restrictions removed, but we cannot conceive that it would be for the good of the Republic. It is not wisdom to tear down the walls of a rich city, even in times of peace, but the gates may be opened.

## HOPEFUL.

The Montana Post is among the number of those of our cotemporaries who think it all right to pitch into Mormonism heavily and savagely upon every convenient occasion. We have endeavored, in our humble way, to set the Post a more kindly and Christian example, and it does seem that the seed we have sown has not fallen upon wholly barren soil, but that like bread cast upon the waters, it is seen after many days.

The Post has got into an inquiring frame of mind, and now it wants to know, "respectfully and squarely," if polygamy is a part of the Mormon religion, and if so, since when and by what authority?

So we proceed to answer those important queries. Polygamy, or the righteousness of one man having more wives than one, is a part of the Mormon religion, and has been such part ever since the Lord revealed the principle, and it is so by His authority. We hope that is satisfactory.—*Salt Lake Telegraph, 12th.*

That is about as clear as mud. If language is an invention to conceal thought, the *Telegraph* has met with a decided success in its philological entertainment. Having endeavored to obtain a theoretical knowledge of the institution by inquiring of those who ought to know and failed to receive any more sensible information than a Pagan could give for worshipping a spotted

bull, we have but one alternative—to try it practically. Please inform us how many Zion's Co-operative Mercantile Institution" charges for Utah jeans, marriage ceremonies, China and common ware, baptismal operations, feathers, pew rent, dried apples and things, coffins, catnip, furniture, and—and paragoric; also, which is most trying a saint in full bloom, "tithings" or "teethings"; also, whether it is as easy to get out of entangling alliances as it is to get into them, and any other information of a useful character you may see fit to throw in. All communications on this subject strictly confidential. The *Telegraph* having shown itself incompetent to give any definite information on the other points, we trust this will be within its comprehension.

## THE NEW IDEA.

There is trouble in the camp and the Fifteenth Amendment will not suppress it. Twenty millions of the people of these United States see a certain tree labelled "Forbidden Fruit," which the other twenty millions pronounce delightful, and a portion of them, at least are determined to taste of it or perish in the attempt. They demand for the women of America the ballot as American citizens. Being governed by the laws and taxed for the support of the government, they claim a voice in the making of the laws and in the disposition of the Government funds. Probably not one woman in an hundred is in favor of enfranchising women, yet the movement is gaining strength daily. Nevada passed a resolution in favor of it; Congress has a bill before it to institute woman suffrage in Utah; the Dakota Legislature only defeated it by one vote; Kansas, Massachusetts, Vermont, Maine and Wisconsin are on the verge of the revolution. If one woman in an hundred has produced this revolution in sentiment and the infection is spreading, what will be the result in a year or two? If one State adopts female suffrage and it proves a success, the others will jump the dividing line as sheep follow their leader. It is an indisputable fact that the female suffragists have their idea under full headway, and some of the leading statesmen in the country have declared in its favor. They will likely succeed in securing suffrage in some one State before another year, and upon its success then depends its becoming universal or its abandonment. The ratification of the Fifteenth Amendment will make many converts to it, and its advocates have chosen an auspicious time to press the issue. And they are pressing it. Boston, New York, Chicago and San Francisco support papers devoted specially to the cause, and quite a number of influential and numerous small fry journals formerly devoted to the rights and wrongs of masculinity have taken up the gage on behalf of Eve's daughters. Some of them are already compelled to beg relief from the multitudinous, endless, postscripted flood of communications; others, among them the *Chicago Tribune*, announce a determination to limit the women to one-half the available space, while Mrs. Stanton, with a good deal of nerve, vows the *Revolution* will admit no more articles exceeding two columns in length. Fortunately, the Montana Legislature adjourned before this movement got up to fever heat and will not meet again until there is something more than the theory to argue upon, or it might have proven as serious an issue as the reference of the appropriation bill for a pound of nails. Twenty of Brigham's wives have gone to Washington to procure the passage of the Woman Suffrage bill for Utah, and if it succeeds down there, our Legislature will adopt it in 1871. Until that time we can calmly note the progress of the movement. We trust our readers will not differ with us on the propriety, right, or expediency of female suffrage as herein expressed.

"Twenty of Brigham Young's wives, including Miss Folsom, Brigham's latest fancy, have arrived at Council Bluffs, all bound for Washington." So says the telegrams. It is doubtless a *canard*. If true, Brigham has some axe to grind, probably to petition woman suffrage or the repeal of the polygamy law. Congress has "scored" him; now he returns the score. Our Legislators will not "Hear the Lion in the lobby roar!" but the flutter of doves' wings. Query: Will our wise legislators toady them as the Philadelphia highlanders did the wife of Brigham, jr. a year or so ago?

The San Francisco *Herald* says an hotel, bakery and private residence are being moved in that city, and are occupied all the time, some forty boarders having remained in the hotel, climbing up and down on portable stairs, and the saloon within has driven a profitable business from the novelty of its situation. The bakery has turned out its accustomed number of loaves, and the private family is said to enjoy its ride and receives callers as usual. The boarders experience some trouble in finding their hotel at meal time.

## FROM SALMON RIVER MINES.

A LOOK AT THE MINES.

EDITOR POST: From all accounts you enjoy about the same kind of weather at present in operation in this camp, therefore it is superb, and comment is unnecessary. Our mining prospects are excellent. At the head of Nappias creek Mulky, Henacy & Co. have a horse wheel erected for hoisting gravel, and are doing a good business. They will take out big money this season. Next below them is Sanborn & Co. Quite a number of men are employed on this claim, drifting, hoisting, preparing sluices, drains, etc. There are several members of the company, and from indications, they will all do very well this season. Discovery company's ground immediately below, which paid such handsome profits last year, will be worked by the same company this season. They have also two bars in other localities, which they will continue to work. It is a strong company and well managed. Below are the famous Douglas claims, which have paid well for two seasons and have a good promise for the future. No work has been done on them this winter but it will be resumed soon. These claims are near the mouth of Smith's gulch, where there are quite a number of buildings and a store doing a good business. Heale's flume, some distance down the creek, is ready for operation, and with improved facilities will doubtless increase the yield over last year. This finishes up operations until we pass down to

LEESBURG, is a flourishing town ordinarily, but dull at present in consequence of the snow blockade in the mountain between this and Salmon City, Bannack, Helena and the world. This will continue but a short time however, and our merchants anticipate a lively trade this year. McNutt & Co., Beers, Davis & Co., Woolterson and others are purchasing their goods in Chicago and New York, and will be able to sell as low as the merchants of Montana.

BELOW TOWN. The work is carried on principally by Chinese, and as their acquaintance with Americans is limited a detailed account of the Celestial Companies would not be very interesting to anybody this side of the moon. Four miles below Leesburg is Beers, Davis & Co.'s flume—an extensive and elegant affair. The work was done last winter, and the flume cost some \$25,000 or \$30,000. It is now ready for operation. There has been no mining done with it yet, and the enterprise is an adventure. All the indications are favorable and they expect, and we trust they will have manifold reward for years to come. Messrs. Barry, Beers, Davis and others have a saw mill here, which supplies lumber for the whole country, and is kept constantly employed when there is water.

WORK OUT. I find that I have occupied too much space already to attempt in this letter to refer to Bear Track, Sierra, Smith or Moose gulches, and shall defer that to another letter, as the ground I have gone over constitutes a small portion of these mines.

POLITICAL. At the election last fall the officers elected were principally democrats. We elected a democratic Representative to the Idaho Legislature, who went over to the Capital and fairly spread himself in procuring democratic legislation for this county. This county was established and staunch democrats were appointed to all the offices—very respectable men, and of great ability. He also had the county seat located at Salmon City, some 15 or 20 miles from here—a city having probably in the neighborhood of half a dozen inhabitants, including men, women, children and household pets, which population it has maintained with great regularity for 18 months, and bids fair to continue for the next decade. Very strange to say, the people here are indignant at the location of the county seat so remote from the population of the county. This is very wrong, for our Representative is a good democrat, and they certainly should not complain. What are the wishes and welfare of the people compared to the *ipse dixit* of our Legislator? Verily nothing. Yours truly,

V. HARRIS.  
Leesburg, I. T., March 24, 1869.

INDIAN ORATORY.—The Governor, State officers and members of the Legislature of Minnesota, visited the State authorities of Wisconsin on the 10th. The following speech, wherewith Gen. Bragg, on behalf of the Wisconsin Senate, received the Minnesota Legislature, is a neat imitation of Indian oratory. Gen. Bragg said: "Brothers from beyond the Great River: It hath pleased the Great Spirit that you should visit our 'Grand Lodge'! We look upon you, and our hearts are glad—the wisdom and renown of your chief fill our ears—the deeds of your young braves are known to us—and the birds sing of the sweetness of your beautiful maidens. "Manitou hath said, 'the trail between our villages is short—it should be well trodden, our wise men should counsel, and our young men should go upon the war path together; and he saith: "All your strength is in your union, and your danger is in discord. Therefore be at peace henceforward, and as brothers live together." "Our chief has tendered you the 'peace-pipe.' Our lodges are open to you, and in the name of the Senate of our tribe, I bid you welcome! We are brothers—let us be friends."

Chicago's latest project is for a grand drive way completely around the city. As proposed it will begin at Lincoln Park, and be sixteen or eighteen miles in length, and 300 feet in width.