New North-West.

JAS. H. MILLS, . . . EDITOR AND PUBLISHER

ISSUED EVERY SATURDAY

Saturday Morning, March 1, 1873.

—The blockade on the U. P. R. R. opened again Thursday.

—The Carlists are marching on Navarre and acquiring strength. The young Republic is nearly old enough for its baptism.

—The Senate on the 25th, agreed to the appropriation establishing two new military posts on the line of the Northern Pacific Railroad.

—A despatch on Thursday says "it now looks as if all appropriations and other important bills will be passed before Tuesday obviating the necessity of an Extra Session."

—A fire in the 3d District of New Orleans Thursday, burned six squares bounded by St. Cloud, Dauphin and Mandeville streets and Washington Avenue. Loss, $250,000; 200 families houseless.

—The Oneida Community has saved $132,000 in two years.—*Ex.* This does not refer to our Oneida neighbors down in Idaho. If it had meant them it would have said "salt down" instead of "save."

—McEnnery, one of the Governors of Louisiana, has ordered the immediate enrollment of the State militia. He says they shall be disbanded as soon as the present emergencies shall cease. The object is supposed to reinstate judges in several of the districts.

—The Helena *Herald, alias Herald*, asks this paper to give its authority for a recent statement. We don't fancy the kind of cattle that run that outfit, but any gentleman desiring the authority can see it at this office.

—At the instance of Speaker Blaine, the House passed a bill a few days since placing on the pension list with an allowance of $50 per month, Mrs. Robert C. Wood, widow of a late assistant surgeon in the army and daughter of Zachary Taylor. She has been in destitute circumstances.

—Gen. Burnside authorizes a complete denial of the whole story that he desires the command of the Marine Corps. He is engaged in extensive railroad transactions and has no desire to recenter the service. If he had, he would not accept a place that would deprive the whole line of officers in the corps of their deserved promotion.

—Pomeroy on the 25th, before the Senate election Committee, declared on the honor of a Senator and on his oath, that he gave York the $7,000 to carry to his friend Page, to whom he had promised it in assisting in the establishment of a national bank. York was recalled and denied emphatically that he ever had any conversation with Pomeroy about the Bank. There seems to be a slight discrepancy somewhere.

—The Judiciary Committee of the House on Monday presented its report on the Credit Mobilier investigation. Their report was to the end that Brooks and Colfax could not be impeached by the testimony shown by the Poland investigation, and the Committee asked to be discharged. It brought on a sharp debate, Butler offering a substitute resolution, but no definite action was had.

—The House on Monday fixed the salaries of certain officers as follows: President $50,000; Vice President, Justices of the Supreme Court, Heads of Departments, and Speaker of the House, $10,000 each; Chief Justice of the Supreme Court, $10,500; Assistant Secretarys of State, Treasury and Interior, $6,500 each; Senators, Representatives and Delegates, including the forty second Congress, $7,500 each in lieu of mileage and actual expenses to and from Washington each session, including the forty-second Congress.

—The *Gazette* has taken another tack on the railroad question. Not long since it argued for the North and South road because the Northern Pacific Company was in such straits that we could not reasonably wait until it was completed to Montana. But now the contract is let for its building to Pen d'Oreille Lake from the West the year, and Col. Black's telegram indicates it will be completed to the Yellowstone from the East this year. So the *Gazette* changes its tune and says:

"The Northern Pacific Railroad has been provided with means by the National Government, and will be built any way whether any other aid is rendered or not. But the other great project, which all admit to be feasible and necessary to the future growth and greatness of Montana—the North and South Railroad—needs local legislation and must have it to succeed."

Great are the argumentative resources of the subsidists.

ABSOLUTELY CONDEMNED.

The Credit Mobilier investigation which has been the pre-eminent Congressional scandal of the age, has at length borne its fruit, the passage of a resolution that "the House absolutely condemns the conduct of Ames and Brooks." It seems farcical. If their action was dishonest and unworthy members of Congress it is scourging with straws: If not dishonest, why censure them? In the army conviction of "conduct unbecoming an officer and a gentleman" entails the inevitable sentence, dismissal from the service. A few of the Articles of War would have salutary influence as Rules of Congress. If Ames only corruptly bought Brooks, perhaps the penalty is severe enough. But don't it look that he is censured for buying a dozen or two Congressmen who go scot free? The man who buys is not as reprehensible as the one who sells himself. It is Judas who took the thirty pieces of silver to betray his trust, more than the priests who paid him, that all ages since have execrated. And if the investigations show all others are guiltless or are held guiltless, who have figured as recipients of stocks and dividends, it is in perfect keeping that the beneficent father-in-law and the owner of that wonderful "Memorandum Book" should have Love's Childings twittered at them in an empty resolution.

IOWA AND ITS RAILROADS.

"Be sure you are right, then go ahead."

There are some people in Montana who think "if we only had a railroad all things would be added unto us." Do not deceive yourselves. There is such a thing as "paying too dear for a whistle." As an instance of it, and we believe no such monstrosity absurd thing was ever asked of the people of Iowa, as the subsidy shriekers ask of Montana to day, we quote the following from the Government Official Report of the Department of Agriculture for January, 1873, issued by Commissioner Watts, Washington, D. C.

IMPOVERISHMENT IN IOWA.

The Secretary of the Cedar Falls (Iowa) Board of Trade, Black Hawk county, Iowa, after reporting that hogs are selling at $3 to $3 cents, three year-old steers at $18 to $20, twenty per pound, cow beef, veal and mutton at 15 to 18 cents, and wheat at 60 to 65 cents per bushel, adds:

We are suffering entirely from debt. Our people of farm and town, with exceptions only proof against the temptations of Wall Street, have run in debt, thinking to pay out of the increase of their farms. Our farmers have run in debt for farms, and many for improvements. The greatest by railroad corporations. The people are literally enthralled by railroads.

Gentle, Jesus and Methodist, please copy.

IS A RAILROAD SUBSIDY LEGAL?

During the past three or four months there may have been noticed in the several newspapers of Montana some reference to the matter of subsidizing a North and South railroad. There has been some argument, more vehement declaration, and an excess of bitterness, bluster and badinage. The subsidists have exhausted their limited arguments, have expended considerable money in the furtherance of their project, have vented a good deal of anathematized breath on the opposition, and given the NEW NORTH-WEST an eminent distinction as the head and front of the anti-subsidy offending. It has been a good winter's amusement and recreation, afforded a theme for public and private discussion, and evolved an amount of mental caloric compensating in some degree the frigidity of the physical world within the lines of Montana. But the month we enter upon to-day inaugurates spring time as well as Presidents; the recreations of winter will yield to the duties of life, and practical considerations succeed polemical pastimes. It devolves upon some one to ring down the curtain on the railroad subsidy comedy, and dismiss the audience. Our correspondent, "ANTI-SUBSIDY," does it in this issue, and we herewith give the epilogue to the play.

For many years encouragement and aid has been given to railroad corporations extending their lines into undeveloped country by States, Territories, counties and municipalities in the way of subscribing stock, and by outright gift or subsidy derived from taxation of the people. Until within the last few years the taxes to pay interest and principal have generally been paid, the incidental and indirect benefits derived from such roads being accepted as compensating return for the moneys so paid. But in late years the subsidy and subscription systems have built up such enormous monopolies, have imposed such unbearable and oppressive burdens of taxation upon the people that redress has been sought in the courts, and generally if not unexceptionably, obtained. The Supreme Courts of Kentucky, Iowa, Wisconsin and Michigan, in opinions written by the Chief Justices and in every instance being concurred in by the Associate Justices, save one dissenting Judge in Michigan, have declared that subsidies to private corporations from States, counties or towns is unconstitutional. There are others among the most eminent legal authorities of the United States who entertain the same views, and the question now is whether there are any distinctions exempting subscriptions in stock from exact classification with subsidies as illegal legislative acts.

The power of Congress to subsidize roads is exercised under its supreme constitutional power to "provide for the common defense and general welfare," by establishing them for the transportation of troops, stores and munitions of war. The prohibition to subordinate governments is in the Fifth Amendment, "nor shall private property be taken for public use without just compensation," and in the fundamental principle in the law of taxation that taxes must be levied for a public and not a mere private purpose. The project in Montana is to make a gift of $3,500,000 to a private corporation for a private enterprise and tax the property of the Territory for its payment. Now, as it has been decided by every Supreme State Court that has passed upon the question, that subsidies to private corporations are void in the States, the Territories have certainly not even equal authority to grant subsidies, and the Territory not possessing it, its Legislature cannot convey to counties or municipalities authority that it cannot itself exercise. If these points are well taken, it follows that should the Legislature meet, authorize subsidy by Territory, county or town, and the people ratify it by vote, the subsidy could still be overthrown in the Courts. That counties and towns in Territories have given subsidy to railroad corporations, and are paying the taxes thereon is no evidence that the system will stand the test of law. The State of Illinois which has just adopted its new constitution, to prevent the inevitable litigation and costs that will arise in overthrowing them, specifically prohibits subsidy and subscriptions of stock to railway companies. The Senate Committee on Pacific Railroads last session reported a general incorporation law prohibiting all subsidies to railroads by Territories, counties or towns, and the opinion given above that they are illegal and void under all circumstances, except when granted by Congress as a military measure, is entertained and held by the most advanced and eminent legal authorities in the country. All the judicial opinions and decisions indicate there is not a subsidy in the Territories that will not be nullified within the next few years by the courts.

It might be well enough for members of the Legislature, and other interested parties, to look this matter up. The era of subsidies has gone by in the States: It may have gone by in the Territories. The power of taxation for private purposes does not exist in them, and that the granting of aid to a private railroad corporation is not compelling taxation for a private purpose, cannot we believe be established.

UNPLEASANT PERSONS.

An article from the St. Louis *Republican*, in another column, shows that there are some very unreasonable people in LaFayette county, Missouri. Their assessed property is $9,045,708, and their bonded debt $1,356,071—or 15 per cent. of their property valuation—nearly all of which was incurred by subscribing stock to railroad companies, when taxpayers generally were prohibited from voting upon the ratification by the provisions of the test oath. And now these unreasonable and disagreeable persons evidence a "deep popular discontent," because they have to pay only 2½ per cent. taxes on their assessed property. Why, away up in this north country an enterprising railroad corporation ask the counties of Madison, Lewis and Clark, Jefferson, Gallatin and Meagher, whose assessed valuation for the last fiscal year as per the Auditor's and Treasurer's Report, was only $5,978,681, to *give a subsidy* of $2,500,000 to one narrow gauge road, which when completed will have its connecting terminus 1,100 miles west of Omaha, at a point further from the eastern tide-water than its northern terminus, and any one rash enough to pronounce it an outrageous humbug is set upon by the whole yelping pack of subsidy shriekers as a knave and a liar. Suppose your Lafayette county property, owing to your enormous taxes, has not appreciated, that capital is debarred from investment, that your property is gradually going to pay the interest, and that you who have to pay the railroad debt did not have the privilege of deciding whether you would incur it, isn't the grandeur of the occasion, and the manifest evidence that you have created a financial enterprise which fortune lists supplicants for your misfortunes sufficient compensation? There are some people wouldn't be satisfied if they had to walk on hot iron all their days.

Proposed Railroad.

Chicago, February 26.—The Pacific Railroad Commission of Illinois, which has been in session for some days, has decided to recommend a law providing for the construction of a railroad from Chicago to the Pacific Ocean, by the shortest practicable route, to be known as the Illinois Pacific Railroad, to be built by a company to be incorporated by the State, who shall receive from the State a grant of land equal in quantity to that given to the Union Pacific Railroad, and a loan of United States bonds to the amount of $10,000 per mile, to be a first lien on the road, and be secured by a sinking fund, to be created by the company, which shall also be required to pay into the State Treasury a sum equal to the interest on the bonds, which shall be a second lien on the road. The road is to be commenced within two years and completed within ten years. The Commission also recommend a law to be submitted to the people, providing for the loan of the State credit to the extent of $10,000 per mile to any other company that may be incorporated for the purpose of building a road to the Pacific Ocean, upon the same conditions as those given to the Illinois Pacific Railroad.

THAT COMPROMISE.

The *Herald* in reply to our denunciation as a lie of its statement that "Mr. Clagett assures us in advance that his (right of way) bill was a compromise between himself and the Senate," offers this as its authority:

On the back of a copy of his bill sent to us and printed at the time, Mr. Clagett, under his own signature, favored us with the following "explanatory note":

I think this bill will pass. It is the best that can be done. I have drawn it in the belief, 1st, that no special charter can pass; and, 2d, that the general incorporation act of Congress, (Stewart's Bill) introduced at the last session, cannot be got up on account of its length.

The restrictions on the right to vote subsidies is the result of a compromise, as the leading members of the Senate are in favor of a total prohibition.

Yours, CLAGETT.

Precisely: Leading members of the Senate are in favor of total prohibition of subsidies; others were willing to pass a general right of way bill with the restrictions on subsidy therein contained, and some, perhaps, favored no restrictions. The bill was designed as a *compromise between the Senators* on the subsidy question. Mr. Clagett not being a Senator, and not even having a vote in the House, did not figure in the compromise and the *Herald* lied and knew it lied when it said he had assured that sheet or any of its subsidy shriekers that it was a compromise between himself and the Senate.

And more than that his statement has been verified. The visit of "all the delegates" to the Senate Committee while having that bill under consideration, as mentioned in the New York *Tribune* was to urge its recommendation as it passed the House, and the amendment designed by the Committee was *total prohibition to all Territorial, county or municipal subsidies to railroad corporations.* That is what the fight has been on, and if the bill is reported in the Senate and acted upon it will be made manifest. What mean, dirty lie about Mr. Clagett will the *Herald* devise next?

NORTHERN PACIFIC—EASTERN DIVISION.

The following dispatch was handed us on Wednesday last, by Dr. Lamme, with leave to publish it, which we do:

WASHINGTON, Feb. 17, 1873.

Dr. A. Lamme:

Northern Railroad to be built to the Yellowstone. Protection asked for. Two hundred and fifty thousand to build two forts.

L. M. BLACK.

The phraseology is, to us, a little vague, and bears two constructions, either one of which only can be correct. It may mean "appropriation" and not "protection" asked for, to build the posts, or it may mean just what it states, that the Northern railroad will be built to the Yellowstone (meaning, we conjecture, without delay,) and that protection, (military of course) has been asked for while the road is being built. That the sum of two hundred and fifty thousand dollars has been asked for or is already granted for the building of posts wherever they may be located. This, we believe, is the proper construction to be placed upon the telegram, which, as to the building of the road is clear and explicit.—*Avant Courier.*

We see nothing in the above to suggest that there is any error in the phraseology. The annoyance given the survey parties last year, renders it desirable to have a stronger military protection this year, and the Company having decided to build to the Yellowstone this year have applied for additional troops. The distance from the crossing of the Missouri to the crossing of the Yellowstone is stated by the company at about 225 miles. This, with the letting on the Pacific Division, makes 525 miles of road the company design building this year. What was it the subsidy shriekers said about "years, and years, and years?"

Railroad Subscription in Missouri.

From the St. Louis Republican, February 5.

The bonded debt of Layfayette county is $1,356,071, being the largest county debt in the State, reported to the State auditor, next to that of St. Louis. The assessed wealth of the county for 1872 is $9,045,708. The debt, therefore, is about 15 per cent. of the county's wealth. The taxes assessed against the county for 1872 are: Revenue tax, $22,613; State interest tax, $22,613; county tax, $183,330; total, $228,556; of which $81,360 is for interest on the county debt. The people have to pay in State and county taxes an annual sum which is 2 1 2 per cent. on their assessed property. This estimate does not include the township debt, the township school taxes, nor the municipal taxes in Lexington, Waverly, and other corporate towns in the county. If these local taxes were added, the amount would be considerably increased.

These figures throw a good deal of light upon the deep popular discontent in Lafayette county, and the bitter feeling that prevails against some of the judges of the county court (county commissioners.) The county debt represents subscriptions to railroad companies voted by a minority of the people during the days of the test-oath when tax payers were not even allowed to vote on questions of taxing their own property for public improvements, without taking that difficult oath. Taxes were imposed on them by the votes of others, and the only part they had in the matter was to pay them. It is from this class of persons chiefly that the complaints come. The Lexington *Caucasian* informs us that a portion of the county debt is held to be illegal—on what grounds it does not state; and it suggests that a case be made up that will test the question. It proposes that the county court refuse to pay interest on the bonds, and thus compel the bondholders to bring suit against the court for a final settlement of the dispute. It says:

This is the proper course; a county court, be it composed of who it may, would be slow to take the responsibility of such a proceeding, without the knowledge that it had the consent, co-operation, and moral support of the people in the movement, and it ought not to be expected of that body to do this thing without that moral support which they are entitled to have. By this course Lafayette county would become defendant in the case, with the moral advantage of a defense against a prosecution. This would bring matters in dispute right home to a satisfactory conclusion; for if the bonds were wrongly issued, then we are freed from the burden of principal and interest; and if they are legally binding upon the county, then the people will know that they have them to pay, and will seek the adoption of such means as will look to the meeting of their no longer questioned obligations and the honor and credit of the county.

The Modoc Troubles.

San Francisco, February 26.—A courier arrived at Yreka to-night from the Modoc front. Bob. Whittle's Indian wife, Matilda, went to Capt. Jack's camp on Thursday, but had not returned on Friday afternoon at four o'clock. When she left, she gave all her rings and jewelry to her husband, and much anxiety is felt for her safety, as she was to have returned before. The Peace Commissioners are at Cottonwood Creek, forty miles south of Yreka. They are divided. Their councils in the case have produced considerable excitement. Merchants and Assessors think the Modocs have been badly treated. Ofstead, Superintendent of Indian Affairs, had been sent for, and his arrival is looked and Assessors quarrel. The peace commissioners have written for troops on the ground that they are in danger from the Indians. It is the general belief that the Indians will not come in to council.

Telegraphic.

Reported for the "New North-West."

THE CREDIT MOBILIER.

An Exciting Debate—Resolutions Passed Concerning Ames and Brooks.

Washington, *February 27.*—The sensations in the House yesterday, were the speeches of Butler in defense of Ames, and Stevenson in favor of Committee's report. Butler had an immense audience which included the Senators, Cabinet Officers, foreign Ministers, and hundreds of others, prominent in social and political circles. His speech was received with repeated demonstrations of applause. He praised Ames as a model of a honest, truthful man, whose word was as good as his bond, a man of whom Massachusetts was proud. He denied there was any money in Ames' sales of stock to members. He ridiculed the charge of bribery in connection with these transactions. "It was the most peculiar style of bribery he ever heard of. He (Ames) reckoned the interest on the bribe and haggled about the percentage. He bribed a man and charged him interest on the bribe." Butler declared that 'twas not the transactions of members in the Credit Mobilier aggered the public, but the lies that had been told about it. If every man connected with the matter had stood where Ames stood, with God's truth, this storm would have blown over, and created scarcely a ripple on the political surface. In the course of his speech he made a fierce, characteristic onslaught on the press, denouncing it as a damnable engine of slander and lies, and, shaking his finger at the reporters' gallery, said the origin of the Credit Mobilier slander was the theft of papers in a suit by a reporter. Butler concluded with a criticism of certain points in the report with reference to Brooks.

Stevenson's speech was terribly severe on all inculpated members and the jobbing spirit which he declared prevailed in Washington. "The House," he said, "had been turned into an auction room, and more valuable considerations had passed under the Speaker's gavel than under the hammer of any auctioneer in the world." This, as well as several other points in the speech, were understood to be directed at Blaine. He called attention to the legislation of 1868 and 1869 in behalf of the Pacific Railroads, and showed that the Credit Mobilier was then exposed and denounced in the House and declared it was idle to argue that the implicated members were ignorant of its true character.

Shellabarger's speech in favor of the report of the Committee was a close, logical argument. The other speeches were not noticable.

Washington, February 28.—The House re-assembled at ten o'clock, an hour before the regular time of meeting, the time being considered a part of the Legislative day of yesterday, to be divided among the members wanting to speak on the expulsion resolution. Holman advocated the report and said he regarded this as the first great contest between the representatives of the Government and great monied corporations. Wood, of New York, differed somewhat from either side on the question of jurisdiction; thought the Committee exceeded their authority, and their report did not justify expulsion. At eleven to-day's session opened. Sargent offered a substitute for the resolution reciting the parliamentary doubts in the case and condemning the conduct of Ames and Brooks. Poland then closed the debate. At the conclusion of Poland's remarks the previous question was moved and voting began. Sargent's first resolution censuring Ames was adopted—yeas, 181, nays 36. The resolution censuring Brooks was adopted, 178 to 32. The substitute was then adopted—yeas, 115 nays 110.

New York News.

New York, February 27.—It is uncertain when the trial of the case of Phelps, Dodge & Co., will occur, as the firm are to obtain an order to take testimony in Europe.

A. B. Stockwell, President of the Pacific Mail Co., is reported to be embarrassed by yesterday's decline in stocks. Various reasons are assigned for yesterday's depression. It is said by some Jay Gould is at the bottom of it; others say that it is due to the extreme tightness in the money market. Stockwell yesterday declined to receive his stock according to contract, but said he would settle to day.

New York, February 25.—Tweed gave bail in $18,000 on the late four indictments against him. It is understood that he will be required to give bail in twelve others. Archbishop McCloskey has appointed Rev. Wm. Quinn, of St. Peters, Vicar-General in place of the late Dr. Storrs, Dr. Preston remains as Chancellor. At Albany to-day the new charter was recommitted for further discussion and amendment.

The mass meeting of citizens to-night at Cooper Institute to protest against the passage of the charter for this city, now in the Assembly, was a great success in numbers, enthusiasm and unanimity.

Appropriations Recommended.

Washington, February 27.—The Senate Committee on appropriations recommended the following amendments to the Sundry Civil Appropriation bill: Appropriating $10,000 for the continuation of Powell's survey of the Colorado River; $10,000 for a road to the Yellowstone National Park; $30,000 for the survey of the Isthmus of Tehuantepec and reducing the appropriation for the New York Post-office $500,000.

All the Delegates Favor It.

[From New York Tribune's Washington Dis. Feb. 5.]

All the Territorial Delegates went before the Senate Committee on Public Lands to-day, to urge the passage without amendment, of Delegate Clagett's bill, already passed by the House, which gives the right of way to railroads organized under the general incorporation acts of the Territories. It is believed that the Committee will report in favor of the bill, and that it will pass the Senate.

Utah Legislation.

Washington, Feb. 28.—Edmunds called up the bill to aid in the execution of laws in Utah, Frelinghuysen explained. Thurman moved to recommit the bill to the judiciary with instructions to provide for the election by the legislature or by the qualified electors of Utah of three jury commissioners who shall act in conjunction with the judge, marshal and clerk with equal power in selecting persons from whom juries are constituted, and to provide for writs of error to the Supreme Court of the United States in criminal cases, where punishment is capital or imprisonment for six months or a fine of one thousand dollars. Thurman said that while every end of course discussed polygamy, it might be well to consider how far the U. S. Government was responsible for the existence of the evil. In Utah the laws of the Territorial Legislature in [illegible] Congress. It was Congress [illegible] Congress [illegible] Congress [illegible]