

Helena Weekly Herald

B. E. FISE, Editor.

THURSDAY, NOVEMBER 21, 1878.

OUR GROWTH IN POPULATION.

In an article in the last number of the *North American Review*, Horatio Seymour reckons the present annual increase of population of the United States to be one million and a half, or more than four thousand per day and nearly three per minute. As our population on June 1st, 1870, was but little short of thirty-nine millions, it ought by this time to be nearly or quite fifty millions. The hard times that set in soon after the last census was taken, and which seem destined to continue until after the next one has been completed, have greatly reduced what would otherwise have been our normal rate of increase. Marriages, births and immigration have decreased from this cause, while the death rate has somewhat increased. So long as this rate of increase and hard times continue, the greater portion of this gain will find its way to the frontier, where free homesteads are impatiently waiting for occupants. For a few years past the cities of the country have grown much faster than the towns and villages. This is accounted for by the great public improvements that have been going on in the cities, and which have given rise to those enormous city debts so general and almost overwhelming. We believe the time has come when the cities will be forced to practice economy and suspend some of their costly ambitions. This will drive the more to the frontiers.

EXCEEDING EXPECTATION.

When General Sherman was here, a little more than a year ago, on his trip across the continent, he wrote to the Secretary of War, expressing the highest opinion of Montana, its natural resources, and its capabilities of making "a most valuable State," in which one-third would work the mines and the rest engage in agriculture and grazing. But, to show how even the wisest and the best disposed may miss the mark in their first impressions, the same letter contains the following: "All dream of a railroad, but I discourage the thought, and believe for many years the people must content themselves with the Missouri river, navigable as high as Benton; the Yellowstone as high as Big Horn, with teams to haul thence, and from the Pacific Railroad, 400 miles distant."

One year only has since passed and we are already much farther advanced in freighting facilities than General Sherman believed we would be for a number of years, and still after we had become a State. The distance from the end of the railroad has been reduced one-third, and two years more, at the same rate of progress, would see the iron rails well advanced into the heart of our Territory. On the other side, our people do not accept Fort Benton as the head of navigation, whence hauling by team must begin. The same river runs within a dozen miles of Helena, skirts the borders of four other of our largest and most populous counties, and with but slight interruption at the Falls, preserves all its navigable qualities to its very head at the Three Forks. Not another season will pass before steamers will be plying above the Falls, landing freight and passengers in the very heart of Montana as cheaply as by the Union Pacific they are now carried to Utah.

General Sherman was no doubt thinking of the Northern Pacific as the only railroad that we were likely to get, and that its future progress was to be measured by its past. Our people have at last awakened to realize that their destinies are in their own hands, and though they cannot build railroads, they can clear the river and equip steamboats to ply above the Falls, saving at once more than half the hauling that is now necessary. We hope to exceed General Sherman's belief as much in the time that we shall become a State as in the matter of freight facilities. The vote cast the present month shows a rate of increase, which if continued will give us the requisite population within five years. The last vote of Montana is greater than that of many Congressional districts in the States. Dakota will have its quota the present season, if it has not already, and when the border of a State touches us, it will not be long before we feel the touch and stand erect ourselves in State dignity and sovereignty.

BONANZA BREAK.

A portentous break in Bonanza stocks has occurred. California and Consolidated Virginia shares on the San Francisco stock boards have fallen off to 8 1/4 @ 8 1/2. Dividends have ceased, large numbers of miners have been discharged, and the palmy days of bonanza bullion production are believed to be ended. The excitement in San Francisco is very great.

ELECTION TABLES.

The Jefferson county returns, tabulated in detail, will appear as officially canvassed in the weekly HERALD of the 20th. The results of other counties, including Meagher, Gallatin, Chouteau, and Missoula, will similarly appear in the same number. Political statistics, thus presented, are of value, and should generally be preserved for future comparison and reference.

THE New York assembly is the strongest republican Legislative body elected in that state, except once, since the formation of the republican party.

TOWNSHIPS DEFINED.

It ought to be one act of our next Legislature to define this word that seems now to have such a variety of significations as to make it very seriously confusing. It is used in the government surveys to designate a square body of land containing thirty-six sections, or one hundred and forty-four quarter-sections. We suppose in the prairie countries, where the surveys have principally been confined, it was thought that this was surface enough to give the inhabitants easy access to one another or to assemble for common purposes. In flat countries, where one section is so much like every other, it may be as suitable a method of organizing inhabitants into civil communities as any other. But in our mountainous region it is utterly inapplicable, and breeds endless confusion if it is attempted to organize society according to surveyors' township lines. Mountains, rivers and gulches have anticipated the surveyors with a more authoritative division, which we may adhere to with advantage and cannot disregard without inconvenience at least. In our code there is a certain form of proceeding laid down for constituting a civil township for purposes of the little self-government accorded them, the election of Justices of the Peace and Constables. The natural and legal inference would be that thus only could a township be constituted. But in other later laws, particularly the election law, the term township and precinct are used indiscriminately, as if describing nothing more definite than the temporary convenience of an indefinite portion of the body politic. To make this confusion the worse and almost inextricable, our election law places no restriction whatever upon the voter in balloting for township officers. His right is not confined to his own township. He may leave his own township and help elect such officers for another township, leaving others to choose his own. This violates all our ideas of people choosing their own rulers, which is more generally held to be a sound principle in the more minute divisions of society than in the larger ones. It is true that our population has been heretofore rather migratory, but it is now becoming more settled. We can have townships organized, bounded and defined. They might perhaps conveniently be made to correspond to school districts or road districts, or both. When once defined and mapped so that every citizen could know that he was in some township and in what one, then each ought to be required to vote for township officers only in his own township. We commend this matter to the attention of our incoming Legislature.

ANOTHER ATTEMPTED KINGLY ASSASSINATION.

This time the dagger is aimed at the new constitutional King of Italy, one of the most liberal occupants of the throne. It may well begin to be thought that this is in pursuit of a general plan to kill every royal personage in Europe. There certainly was less direct personal hostility against King Humbert than any other in Europe. The almost universal rally of all classes to testify their joy at his escape tells the true story of his general esteem. If true, as there now seems reason to believe, that there is a general conspiracy against Kings, it is the most foolish and impotent exhibition of misdirected sentiment ever conceived. It will force Kings to combine to stifle freedom and will enable them to carry the sympathy of all the better classes of society, which will be taught to associate liberty with assassins. How true, as Madame Roland exclaimed while being conducted to the guillotine, "Oh liberty, how many crimes are perpetrated in thy holy name!"

Much as we would desire to see a republic in every nation and country of Europe, we know that it will never be done through assassination. The same spirit that prompts assassination in Europe inspires the riotous excesses that have been witnessed in our own free land. It has nothing allied to or consistent with liberty. It is a tyranny of folly and passion, defiant of all authority under any power of government.

MILNER ROBERTS' APPOINTMENT.

Colonel W. Milner Roberts, Chief Engineer of the Northern Pacific Railroad, has been offered, and has accepted the position recently tendered to Captain Eads by the Emperor of Brazil, to superintend the work of improving the navigation of the water highways of that Empire. The selection of Colonel Roberts for this place was made upon the recommendation of Captain Eads. The contract is for three years, with a salary of \$30,000 per annum. Colonel Roberts is one of the oldest and most successful engineers in the United States. He has been actively engaged in his profession for forty years. He is president of the Society of Civil Engineers; also a member of the Royal Institute of Civil Engineers of Great Britain. During the illness and absence of Captain Eads in Europe he was in charge for one year of the St. Louis bridge. He was also under the Government in charge of the improvement of the Ohio River, and is a member of the Board of Engineers which designed the Keokuk bridge over the Mississippi River, and a member of the Commission of Engineers in 1874 charged with the investigation of the practicability of opening the mouth of the Mississippi by means of jetties. Colonel Roberts will immediately close up his relations with the Northern Pacific Railroad and depart for Brazil at the earliest practicable moment.

Reports that Stuart's body had been recovered are pronounced untrue.

FOLLY OF THE SOUTH.

There may be temporary satisfaction to the men of the South in stifling universal suffrage by means of rifle clubs or manipulating the ballots or returns, but it is a course of criminal injustice that will work its own fearful retribution. With an army reduced to a shadow and forbidden to act in aid of the execution of law; with a Congress Democratic in both branches, the fraud and violence that triumphed throughout the South at the late election may for a time escape its fitting punishment, but it will surely come sooner or later, with all accumulations of interest for delay. President Hayes may be neither disposed nor able to deal with the matter energetically. Violence will beget violence, and it was never yet known to fail that cruelty and injustice were lessons easily learned by those of inferior race. Even when the relation of master and slave existed, with close and constant watchfulness, such uprisings have often occurred, but the chances are increased ten fold when those who by law are free are treated as slaves. When the tables are turned and the whites are suffering from the hands of the exasperated blacks, it may occur to Southern men that they were courting their own destruction in having restricted the use of the army. It is said, and is probably true, that the present extent of Southern defiance of law only affects the political rights of the blacks; that otherwise they are fairly treated. We all know that if in one respect we refuse to treat a man justly the memory of former and other acts of kindness are soon forgotten. Peace and reconciliation can never grow up between the races while legal, substantial rights are robbed from one to be used to the advantage of the other. The South acquires forty representatives in Congress from the blacks that they have forcibly disfranchised. By making a property or intelligence qualification applicable to blacks and whites indiscriminately, as they have a right to do, they could legally prevent most of the blacks from voting, but this would reduce their representation in Congress. Hence they prefer to hold on to their unjust preponderance by violence and injustice. In so doing they rob not only the black of the South, but every Northern constituency.

But the heaviest penalty after all that is certain to follow the triumph of fraud and violence at the South is to be looked for in decaying industry and diminished population. Men of spirit and energy will not go South so long as they cannot freely act and speak on all subjects as at home. It is absolutely impossible for respect and obedience to law to exist in any community where in any one respect it is openly disobeyed and defied. So long as mob law controls the elections, it dissolves the sense of respect for all law and makes mob law supreme everywhere. Industry cannot thrive, property cannot accumulate, life is not safe in such a country. The wealth of soil and sunshine are lavished upon such a country in vain. Enterprise and energy will continue to turn away from this land of violence and plant themselves where law is respected and freedom exists in something more than a name.

AMENDMENTS TO THE CODE.

The code of civil procedure and Probate practice act passed at the last session are full of mistakes from the hasty manner in which they were rushed through. By omitting some parts of the California statutes from which these were copied, it has thrown all references in one section to another into endless confusion and contradiction. Probably every lawyer in the Territory has made a minute of many that he has noticed. Aside from these minor defects the laws themselves would be generally acceptable. The laws of California generally suit the circumstances of our people, and by following them closely we have the benefit of all the legal decisions of the courts of California, which cannot well be overestimated.

All the changes, therefore, that should be attempted in the code is to embody in one act, in the briefest possible form, a correction of mistakes in the compiling and printing. With these corrections legally made and speedily published, the present codes could be easily corrected, and public convenience and justice much better subserved than by more sweeping changes that would require a reprint of the entire code, which could not take place for many months. We believe every judge and lawyer in the Territory would unite in the opinion that the work on the Code should be as little as possible to correct evident mistakes.

In our brief history already we have changed so much and often that our laws have suffered, our court decisions are rendered of little value and doubt and confusion as to what the law is will spread not only among the people, but even in the legal profession.

We print elsewhere a letter from Dr. Linderman, Director of the Mint, explaining why the Government has thus far not felt justified in extending to Montana the benefits of a bullion purchasing agency. The letter is addressed to Delegate Maginnis, whose recent telegram to the Director inspires it. The conditions upon which the Treasury will here arrange to purchase our gold and silver bars are essentially prohibitory. We do not see that we are very near realizing the purchasing agency in the form of advantage to our mining industry which we have been led to expect. However, we can wait a little, and hope for something better soon.

Just ten Democrats were elected to the New York State Assembly outside of New York City and Brooklyn.

SECRETARY SCHURZ LETTER.

Sheridan and Gibbon's Reports and the Indian Situation Criticised.

WASHINGTON, November 19.—The Secretary of War received and referred to General Sherman a letter from the Secretary of the Interior, sharply replying to certain statements by General Sheridan, in the latter's annual report. Secretary Schurz says: These statements, so far as they reflect upon the conduct of the Indian service, are of a sweeping and somewhat vague nature. But it must be assumed that General Sheridan would not have made them and permitted them to become public had he not in his possession specific information concerning certain Agencies and certain branches of the Indian service to which these statements may be individually applied. General Sheridan, in his official document, gives it as his opinion "that with wise management the amounts appropriated by Congress ought to be sufficient if practically applied to meet the purposes specified, but that the reports of department commanders would indicate a different result, except in the case of the Red Cloud and Spotted Tail bands of Sioux." He would certainly not have expressed such an opinion without being acquainted in detail with the appropriations made by Congress and the specific purposes for which they were intended. It is also to be supposed that before making the sweeping charge above quoted, he was cognizant of specific cases in which those appropriations were not either applied at all or diverted from the purpose intended by Congress. You will greatly oblige me by requesting General Sheridan to communicate such facts as may be in his possession, giving names of Agents, dates, and other circumstances which warrant the charges which include all Indian Agencies in the military division of the Missouri except those of the Red Cloud and Spotted Tail Sioux. He asks specific information on the subject in view of the fact that certain military officers seem of late to have fallen into the habit of indulging officially and probably in general reflection on the Indian Service, without taking the trouble of substantiating with such statements in detail as would facilitate the discovery and correction of abuses. I do not deprecate criticism at all, I rather invite it, but when it is officially put forth there it seems to me a certain fairness due from one branch of the public service to another. If this department was justified in blaming in general terms the army for its failure to intercept the runaway Cheyennes on their march of several hundred miles through Kansas and Nebraska and across the Union Pacific Railroad, without being able to point out certain instances of mismanagement or neglect, if such instances had come to the knowledge of this department, (which they had not,) I should have considered it due to the army that they be specifically ascertained and stated before indulging in a general arraignment. General Sheridan's intimation that the Red Cloud and Spotted Tail Sioux were allowed to select their present locations owing to a "systematic working up of the case by traders and contractors," is also made a subject of emphatic comment by Secretary Schurz. He states that this policy was adopted by the department on the earnest advice of that distinguished Indian fighter and manager, General Crook, who, as the result of his long experience with the Sioux, opposed any policy that would force the Sioux against their unanimous and determined protest to stay on the Missouri river, as seriously endangering our peaceful relations with those powerful tribes; and the Secretary adds, that so far at least their loyal conduct seems to have justified the course adopted. Secretary Schurz challenges General Sheridan to produce evidence in support of his imputations, and meanwhile remarks, that it would not have been asking too much of him to inform himself a little better of the circumstances before publishing his assertion in official documents.

The Secretary also makes the following comment upon the remark of Gen. Gibbon, that "there is an entire absence of responsibility in the Indian Service": If General Gibbon, when writing his report, was cognizant of specific cases of wrong doing, he would have obliged the department by reporting them, and if after such report the charges thus made had not been inquired into and the guilty persons held to their proper responsibility, the sweeping statements contained in his report would have been adopted as justified. If he will communicate such specific information now he will find there is no such lack of responsibility as he alleges. Several employees in the Indian Service who are now under criminal prosecution, have discovered this at their cost.

Gordon Re-elected.

ATLANTA, (Ga.) November 19.—General Gordon was to-day almost unanimously elected United States Senator.

Funeral of an Admiral's Widow.

NEW YORK, November 18.—The *World* says: There were celebrated yesterday in old St. Paul's Church the obsequies of the widow of Rear Admiral Sloote, who is best remembered as that commodore who, with Col. Fremont, practically originated the State of California. She lived to the age of 83. The funeral was attended only by her immediate relatives. The services were performed by Rev. Dr. Mulcahey. The remains were followed to the family vault in Greenwood.

ENGLISH DISQUIETUDE.

Causes of the Present Uneasiness and Depression.

LONDON, November 18.—Much of the popular uneasiness here regarding the future of foreign affairs grows out of the almost impenetrable mystery in which the Beaconsfield Ministry shrouds itself in its policy, and the actual military or political reasons on which that policy is based. People realize now very generally that Disraeli was utterly deceived when he supposed the Berlin treaty insured a long European peace. They fear he may again be deceived in supposing that he can ride rough-shod over the Ameer without provoking a destructive war on a widespread field, hence their anxiety for details as to the real facts of the Afghanistan matter. It looks to them as if war or dishonor is the alternative now staring England in the face, and they want an opportunity to judge for themselves whether these can be escaped, while they believe with good reason that the Ameer has Russia at his back and would rather have war with England than not. It is difficult to see how England can back out if the Ameer will not. This conviction is enhanced by his defiant elation over England's embarrassment which the Russian press makes no effort to conceal. It becomes more and more evident that Russian diplomatic tact holds both Germany and Turkey closely to Russian interests. The latter is utterly unable to practically discharge the responsibilities which it assumed by the Berlin treaty. The apology offered for Disraeli is that his age is telling against him, but his Ministry is surely failing in popular estimation as rapidly as it was extolled a few months ago. If its recently renewed spasm of jealousy of Russia is not simulated in the interest of party intrigue, many sound thinkers pronounce it purile and exaggerated, pointing out that the recent insurrectionary movements in the Turkish provinces are now reasonably attributed to internal causes than to Russian intrigue and aggression.

Reported Conspiracy to Kill all Sovereigns.

BERLIN, November 18.—A belief is current that a plot exists for the assassination of all sovereigns. It is stated that the Prussian Judges when examining Nobling's case were led to believe in the existence of a central organization for this purpose. An investigation is still going on.

AN INTERESTING CASE.

A United States Grand Jury Asks and Obtains Advice from the Court.

INDIANAPOLIS, November 19.—The United States Grand Jury came into open court this morning, and by their foreman, Mr. Haskell, reported that the District Attorney had received instructions from the President of the United States against prosecuting a certain party for alleged embezzlement in the First National Bank of Indianapolis, meaning Carew Miller, and they requested to investigate the matter and desired to know from the court whether it was their duty to proceed with the case, the instructions of the President to the District Attorney to the contrary notwithstanding. Whereupon, Judge Gresham charged them in substance as follows: When you were empaneled at the beginning of the term you swore that you would diligently enquire into and a true presentment make of such matters as should be given you in charge or might otherwise come to your knowledge touching the violations of the criminal statutes of the United States; that you would present no one through hatred, envy or malice, and that you would leave no one unpunished through fear, favor, affection, reward or the hope thereof. You could not if you would escape the obligation of this oath by heeding the instructions of the President in this particular case. The President may, if he feels so inclined, interfere even in advance of an indictment by exercising the pardoning power, but in no other way has he the slightest authority to control your action. He has it in his power to pardon the alleged offender, and unless he is willing to take this responsibility he has no more right to control your action than the Czar of Russia.

SENATOR BOOTH INTERVIEWED.

California can be Depended Upon for the Republicans.

CHICAGO, November 19.—The *Inter-Ocean* prints an interview with Senator Booth, now here for a few days. The Senator stated that it was certain the Republicans could carry California if an election were held to-day. He said the Workingmen's party is strong there yet and will be the means of carrying the State for the Republicans, by causing other parties to unite against it. All parties believed that Chinese immigration should be checked. The Kearneyites alone demanded the ultra step of expelling all who are there. He believed Blaine, Grant, or any one nominated by the Republicans for President would carry the State. He believed the Republicans could not carry a single Southern State in 1880, but could carry all the Northern States, with the possible exception of Indiana.

Illinois Senatorship.

WASHINGTON, November 19.—A report is being circulated that the friends of ex-President Grant will bring him forward for the U. S. Senate from Illinois as a third candidate against Oglesby and Logan in case of a deadlock. It is not believed that either will stand against him, and it is also doubted if Grant will allow his name to be used against either. It is thought by some to be a scheme for killing his Presidential nomination.