

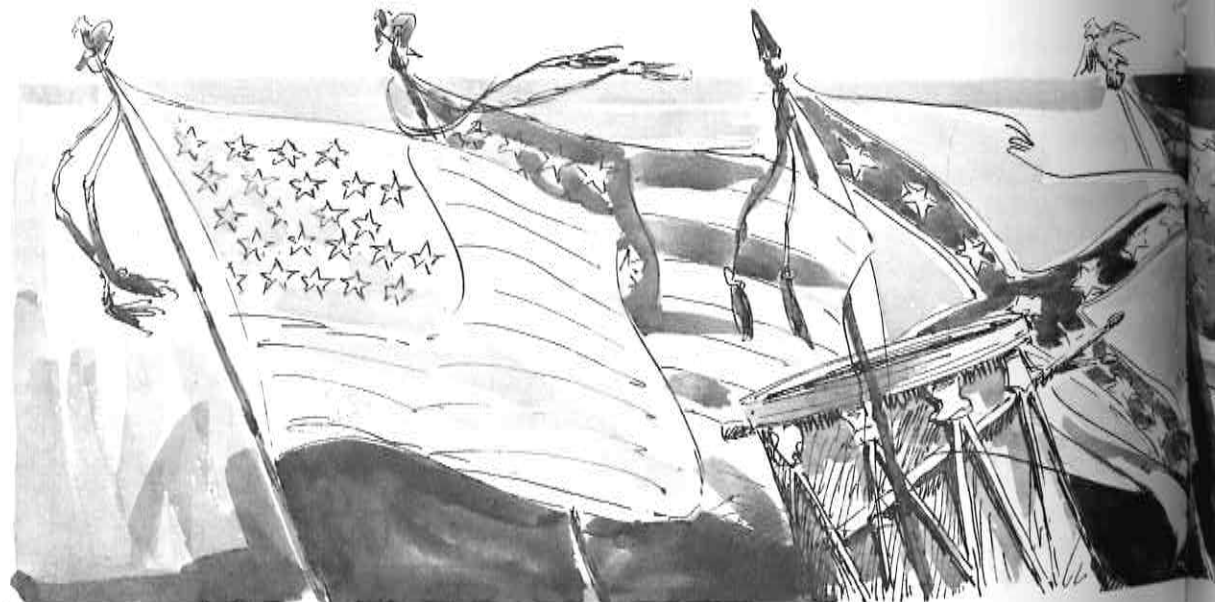
# CONFEDERATE BACKWASH

by STANLEY R. DAVISON and DALE TASH

WRITERS ON Montana history have quite uniformly agreed that hard feeling resulting from the Civil War was a big factor in events here, and indeed that pro-Confederate sentiment was slow in subsiding. Early writers assumed that everyone knew it was true, and accordingly cited little proof. Later historians have been inclined to follow the same course, basing their findings on the best-known and most available sources. But if needed, support for this conventional view is abundant: there really was a large, vigorous element of southerners (and especially pro-southerners from border states) in the early mining camps. They generally held control of the Democratic Party and directed its activities.

Recent attempts to blame territorial troubles on "radical Republicans" who waved the bloody shirt find little support in the documents of the time.<sup>1</sup> Nor is it convincing to omit Missourians from a count of southerners, simply because Missouri did not quite secede. Pro-Confederate Missourians made up a big block of Montana settlers, where they were widely known as the "left wing of Price's army." Whether or not they ever served with Price, and whether he was an officer in the Confederate army or the Missouri militia, is not important. The significant fact is that Montana received this contingent of people whose rebel preferences led them to migrate westward when their states failed to secede. When the war ended, and especially after

<sup>1</sup> James L. Thane, Jr., "The Myth of Confederate Sentiment," *Montana the Magazine of Western History*, Vol. 17, No. 2, April, 1967, 18.



# IN MONTANA TERRITORY

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1870, when Democratic victories were reported in Missouri elections, they felt free to return home, as other war refugees have preferred to do.

Among those who testified to the size and importance of the southern majority was Thomas F. Meagher, who had arrived in Montana as Secretary of the Territory and had taken over as acting governor when Sidney Edgerton left in 1865. In a letter to Secretary Seward, dated December 11, 1865, Meagher wrote:

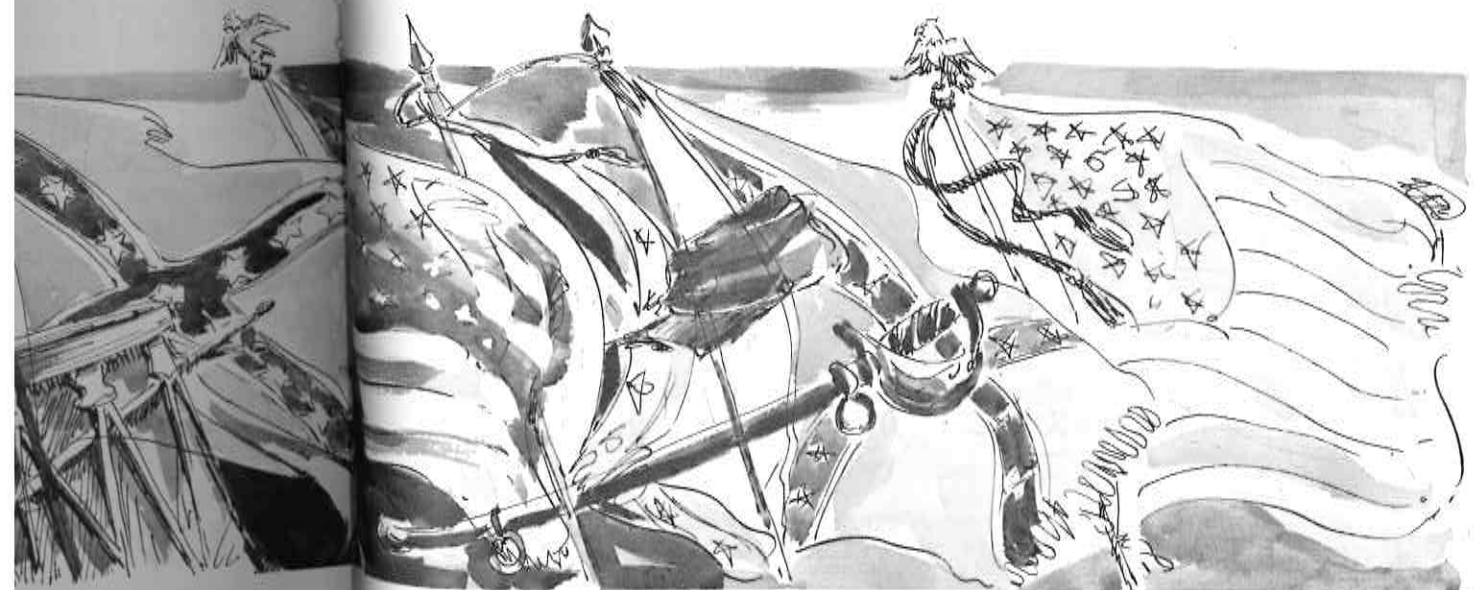
During the war many hundreds of disaffected and somewhat turbulent men came in here from Missouri, and others of the more westerly border states, bringing with them bitterness of feeling and hostility against the Union and all those who . . . were devoted to it. . . Outnumbering largely the loyal portion of the population, the sympathizers with the rebellion acquired not only a strong major-

ity in the Territorial Legislature, but the mastery, moreover of the political action of the Territory in the election of county and other officers. The faithful men of the Territory had indeed a worrying and an almost hopeless fight to sustain against the partisans and secessionists . . .<sup>2</sup>

Meagher went on at some length, using a rambling and wordy style, but saying clearly that Montana was not far from being taken over by traitors from Missouri and similar states. It is true that within a few weeks, Meagher had decided that his own future lay with the very element he was here denouncing. The reasons for his switch are complex and not entirely clear, but there is no disputing the truth of these early observations.

This situation was common in the West. Captain Eugene Ware, moving

<sup>2</sup> State Department Papers, Montana, 1864-1872.



along the Oregon Trail in 1864, reported that the further west he came, the fewer patriots he met. "And the reason was that the people out in that part of the country were of the Democratic party faith. They included bounty-jumpers, secesh, deserters, people fleeing from the draft, or those who did not care one way or the other how the war turned out."<sup>3</sup> At Julesburg, Colorado, the captain saw many wagon trains heading west, "a perfect hegira of emigrants and mule teams, mostly from Missouri." He explained that the recent defeat of Price's army (not the Pea Ridge battle or others of the early war years) had dislodged this heavy migration of pro-Confederates, of which Montana was to receive her quota.

Early histories of Idaho (of which Montana was a part until 1864) give further testimony. One pioneer relates:

. . . what was then known as the 'left wing of Price's army' had been scattering its red plumes and feathers all over the vast intermountain region. . . The warriors composing this contingent of the Confederate Army, having become tired of the restraints and hardships of military life . . . had concluded to migrate where the more congenial task of taking charge of the political destiny of Idaho awaited them. And so they came, and continued to come, with the ox-whip in one hand and the ballot in the other; and by frequent and persistent voting, soon changed the complexion of things political. They were all from Missouri; all Democrats by birth and lineage.<sup>4</sup>

Little is proved by citing the census of 1870 to show that relatively few residents of Montana had been born in states which made up the Confederacy. McConnell states that "the most violent and bitter Secessionists were not the southern men whose homes were being overrun and property confiscated by the Union armies, but northern copperheads, or barroom politicians."<sup>5</sup> Within the Confederacy, a high percentage of men were in military service and not free to migrate to Montana in 1863 or 1864. But pro-Southern people of the occupied

border states had the greatest inducement to go west, and apparently did so. Confederate activity did not depend on men born in South Carolina, and it was no myth.

In itself, it may not seem important that a large segment of the population had pro-Confederate leanings, but this fact did have some consequences. It led to Jim Crow laws and other discrimination against non-whites; it divided the press into two warring camps; and it put Montana in a bad light with the Federal Government, which cost the Territory dearly in appropriations and helped to delay statehood for a long twenty-five years.

There is little in print about the status of Negroes in frontier times<sup>6</sup> yet there is proof of their presence in some number. Territorial law called for school segregation, putting a burden on the towns which provided separate schools, including Fort Benton, Deer Lodge, Helena and others. Moreover, the struggle to control the rebels was indirectly harmful to education. In 1870, the Annual Report of the Commissioner of Education, quoting from Montana sources, stated:

. . . some of the best citizens of Montana complain that unfortunate political collisions between parties give to legislation a partisan character, and withhold the legislature from giving proper attention to school laws and school funds. This leads some of the better classes to seek schools in the States for their children.<sup>7</sup>

From the outset, the Montana legislature imposed disabilities on Negroes that would not be equalled in the southern states for another decade. They were barred from voting in school elections. They were ruled incompetent to give court testimony in cases involving whites. As little as one-eighth Negro blood was disqualifying, but with Indians and Chinese, any degree less than one-half did not impair a person's white status, thus creating a special discrimination against Negroes.<sup>8</sup>

<sup>3</sup> Eugene F. Ware, *The Indian War of 1864* (Lincoln, Neb., 1960) 280.

<sup>4</sup> W. J. McConnell, *Early History of Idaho* (Caldwell, 1918) 21.

<sup>5</sup> *Ibid.*, 184.

<sup>6</sup> See J. W. Smurr, "Jim Crow Out West," in *Historical Essays on Montana and the Northwest* (Helena, 1957).

<sup>7</sup> 41st Cong., 3rd sess., H. Ex. Doc. 1, Pt. 4 Vol. II 323.

<sup>8</sup> *Acts, Resolutions and Memorials of the Territory of Montana, First Session.*

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<sup>7</sup> *Annals of the Territory of Mon-*

THROUGHOUT this period, the Democratic Party rarely raised any issue except that of race. Little was said of states' rights or other constitutional questions. Obviously unwilling to accept the decision of the Civil War, this element struggled to nullify the 13th and 14th Amendments (and later the 15th), and to ignore the civil rights acts of the time. Their leading newspaper was the *Rocky Mountain Gazette*, published in Helena from 1866 to 1874. Its editorial view was summarized in these words: "We do not believe that any amount of culture can raise a negro to the natural, social or political standard of any white man."<sup>9</sup> While not extreme for its time, (and a near paraphrase of Abraham Lincoln's publicly expressed judgment) still it does not represent high principle on which to stand while accusing the Republicans of name-calling.

Even after the rebels had suffered a setback in the annulment by Congress of Meagher's "bogus legislatures," the *Gazette* bravely predicted the demise of the Unionists: "All the Irish have left them. The Germans (naturally Democratic and lovers of liberty) are leaving them. They now place their last hope on the irrepressible nigger . . ."<sup>10</sup> In so saying, the *Gazette* was not departing from the platform of the Democratic Party, whose Territorial Convention in 1865 resolved that they were

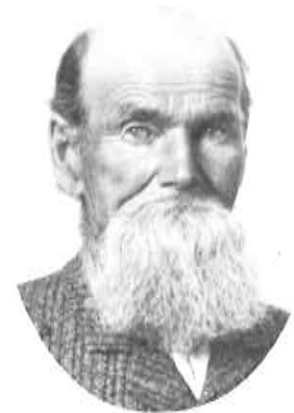
opposed to the odious and pernicious doctrine of "negro equality," now sought to be adopted by the party in power, into the several states and territories of the Republic; and that we denounce the same as a flagrant outrage upon the rights of the white race.<sup>11</sup>

The 1867 platform stated ". . . we will ever oppose all attempts on the part of Congress . . . to force negro suffrage on the American people."<sup>12</sup>

<sup>9</sup> *Rocky Mountain Gazette*, Helena, March 9, 1867.  
<sup>10</sup> *Ibid.*, June 15, 1867.  
<sup>11</sup> *Montana Post*, Virginia City, Aug. 12, 1865.  
<sup>12</sup> *Ibid.*, July 30, 1867.

# Rocky Mountain Gazette

## EDITORIAL STAFF



E. S.  
WILKINSON



PETER  
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MARTIN  
MAGINNIS

MONTANA HIST. SOC. PHOTOS

# The Helena Herald

## EDITORIAL STAFF



ROBERT E.  
FISK



A. J.  
FISK



CORNELIUS  
HEDGES

MONTANA HIST. SOC. PHOTOS

No fair-minded discussion of territorial politics can ignore these declarations. Nor can it be blind to the excesses brought on by such extremist utterances. It should be more widely known that in 1867 a Negro was murdered in Helena on the mere suspicion that he intended to vote in that day's election. The killer was jailed by Deputy Marshal X. Beidler after interference from a mob calling out, "Let him go— he only killed a nigger!" When the murderer broke jail, no reward was offered for his capture, and the incident was shrugged off.

THE INTENSITY of the political fight, especially over the race issue, embroiled the newspapers in partisan arguments at the expense of legitimate news and editorial comment. The *Gazette's* chief antagonist was the *Helena Herald*, edited by Robert E. Fisk with the sometime help of his brothers, A. J. and Dan, and of Cornelius Hedges. The *Gazette* staff was headed by E. S. Wilkinson, Peter Ronan, and Martin Maginnis. Reading the ill-tempered and abusive editorials in both papers, it is hard to remember that such refined and scholarly gentlemen were in charge.

Other papers were involved in the fringes of the battle. The *Montana Post*, published first in Virginia City and later in Helena, was anti-rebel while edited by Thomas Dimsdale, but it was no competition for the *Herald* and soon disappeared. This was not due to lack of support from radical Republicans, as has been alleged; the equally outspoken *Herald*, with that readership, prospered and is still in existence. In Deer Lodge, the Democratic *Independent* was published by the noted J. H. Rogers who had declined to take the loyalty oath in the first legislature. Also in Deer Lodge was the *New Northwest*, edited by "Cap" James Mills, a Republican. Others got into the partisan fight, but these are enough to show that the *Post* was by no means the

only or the most influential paper in early Montana.<sup>13</sup>

The non-rebel faction existed in at least two wings. The name "Republican" was sparingly used, the term "Unionist" being substituted to attract Democrats who disliked secession but who still balked at voting Republican. Another element was the Union League of America, limited to those with the strongest feelings against the South, and eager to press home all the advantages won during the war. The moderates were fairly successful in gaining support from northern Democrats, which left that party in the hands of extremists. These remaining Democrats then aimed their fire at the U. L. A. as their most attractive target. The U.L.A.'s concern for Negro rights may have stemmed partly from knowledge that this was an irritant to white southerners; in any case, the League was nationally outspoken in favor of Negroes, leading the *Gazette* to corrupt their initials into "Underground League of Africa."

Editors or other representatives of the papers often toured around the mining camps seeking subscriptions and advertising—and, incidentally, helped to keep Civil War feuds alive. Such an occasion gave the *Gazette* an opportunity to exhibit its race bias and its fear of the Union League as a threat to Confederate supremacy in the Territory:

[At Cave Gulch] we received a friendly reception from everyone except an old cotton speculator who has been running the Underground League of Africa in New York Gulch. This sapient old cuss objected to taking the *Gazette*, alleging as a reason that it was 'disloyal to the government.' The old fool considers the Underground League the government, and the Democrats slaves and subjects of His government. He regrets that the Civil War is ended. It stops his cotton speculations.<sup>14</sup>

Going on to explain that he attended a public speech in the hall used by the U. L. A., the writer tells how he used the

<sup>13</sup> Thane, *op. cit.*, unaccountably states that the *Post* was Montana's only paper in the 60's and 70's. p. 18.

<sup>14</sup> *Gazette*, June 29, 1867.

occasion to do some spying on this hated group's activities:

While present in the hall listening to Mr. J. H. Shober, we noticed several nails sticking in the walls on each side of the room occupied by the Grand Pizerinktum, which were put there to hang their hats on, while in session. Each member is bound to uncover in the presence, and hang his hat on a nail. There were just thirty nails, which proves that at one time they had that many members. We understand that some have left in disgust; so that at this time there are more nails sticking in the walls than there are members. Their flagstaff . . . is painted white at the bottom and black at the top, emblematic of their principles, which are—that the blacks are superior to the whites.

As early as January, 1867, when the *Herald* was only a few months old, the exchange of insults with the *Gazette* had reached the point of breaking off communications, as the *Herald* bowed out in these terms:

#### EDITORIAL DEPRAVITY

Any citizen, any husband or father who has his children around him, can but lament the existence of a public journal in the community which publishes articles so far wanting in common decency of language and sentiment as to render them workers of evil, and unfit to become companions of any family circle. Such a paper is the *Gazette* of this city, and we respectfully decline any further discussion or controversy with so depraved a sheet. We hope never to so far forget our self-respect and our duties toward respectable society as to be guilty of groveling in such sinks of obscurity, vulgarity and public scurrility as characterizes that paper. It is simply beneath the dignity and manhood of anyone, after learning the true character and standard of such a journal, to stoop to notice it.<sup>15</sup>

This is not to say that the *Herald* ceased firing; they merely chose to ignore the *Gazette*, while still attacking its supporters:

#### THE DEMOCRACY OF MONTANA

The general character and pedigree of the members composing the last two sessions of our legislature may be summed up briefly as follows: several ex-rebs from Missouri; fifteen or twenty copper-

<sup>15</sup> *Helena Herald*, Jan. 31, 1867.

heads and renegades from Missouri; four or five Democratic demagogues (scattering), and two Republicans from Beaverhead (all honor to Beaverhead). Very few of the whole body are owners of property or pay any taxes, but are simply played-out politicians from other communities.<sup>16</sup>

The editor went on to blame the apathy of the better class, too occupied with business and mining, leaving the field open to the shiftless and idle to take political offices. Special responsibility was placed on Thomas F. Meagher, whose support had led these men to become audacious and aggressive. Until recently, Meagher had been denouncing copperheads and Democrats in general.

By mid-1868 the *Herald* had forgotten its declared intention of ignoring the *Gazette*, as is evidenced by the following bit of refined editorial prose:

The organ of the 8th inst. rises from its foul nest, as much refreshed after its week's labor as a sow crawling from its mire, or a buzzard after feasting upon carrion. Its feather were ruffled by the rude hand of the *Herald* on Saturday last, and like the gorged condor of South America, it vomits the disgusting contents of its stomach in the faces of its several readers, in a manner which is enough to sicken a dog.<sup>17</sup>

In the absence of complete runs of each of the contending journals, it is not possible to reconstruct both halves of this dainty dialogue. Nor can we say, in the manner of quarreling children and international diplomats, which one hit the other first. On the available evidence, it appears that the pro-Confederate and Negro-hating men who controlled the Democratic Party were calling the Union spokesmen "nigger lovers" without waiting for any provocation from shirt-wavers.

Whenever an editor ran short on abusive language, his readers met the emergency with their contributions. One such, signing himself "Union," wrote in from Ruby City in New York Gulch (the present York community on Trout Creek

<sup>16</sup> *Ibid.*, Feb. 14, 1867.

<sup>17</sup> *Ibid.*, June 11, 1868.

east of Helena), telling of the first flag unfurled in that settlement:

You may guess where it came from when I tell you that we have our U. L. A. in good working order here. . . Secesh brawlers and Jeff Davis shouters are among the things that were, in this part of the Territory. Tell that scullion of the human race, that imp of secession; common blasphemer of loyal men; that slob-tub of rebel sinks; that ink-bottle and penny-paid scribbler of copper democratic conclaves, who edits a copperhead snot-rag in Helena, that he and his kind are the only carrion our "Jackdaws" and "Buzzards" will not touch, they being shy of snakes, particularly of the type to which he is akin. Hundreds of honest, industrious miners of Montana, who have linked themselves with our Union Councils will defend their manhood from all such low-lived attacks as have been heaped upon them by the weekly sluice-head of obscene insults, abuse and calumny by that miserable sheet.<sup>18</sup>

As with the *Herald*, letters-to-the-editor were helpful to the *Gazette* in keeping up the flow of epithets and defiant insults. W. T. Richardson, recorder for Meagher County, reported that he had received a threatening letter because he was displaying a picture of Stonewall Jackson in his office. The letter being unsigned, he proceeded to reply through the columns of the *Gazette*. Asking the anonymous writer to pose for a picture representing Meanness, "we must ask you to appear on all fours, as all of your kind was intended to travel." Insisting that Jackson's portrait would remain on the wall, he concluded by saying that it would be there long after "your loathesome carcass shall have ceased to pollute the face of the earth, and your craven spirit shall have returned home to its old father, the Devil."<sup>19</sup>

A noticeable difference between the *Gazette* and the *Herald* of this period is that the latter confined its politics largely to editorials and reports of political events, while the *Gazette* sprinkled jabs and sneers throughout its pages and columns. Many of these small items and fillers were personal slurs against Re-

<sup>18</sup> *Herald*, Feb. 28, 1867.

<sup>19</sup> *Gazette*, March 2, 1867.

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publicans and northerners in general, while full columns of praise were bestowed on Robert E. Lee, Stonewall Jackson, and Jefferson Davis. It cannot be denied that the *Gazette* was an organ of pro-Confederate sentiment.

The atmosphere of bitterness is seen even in the play of the local children. At the end of 1868, the *Herald* reported this episode:

Yesterday two squads of boys, "Fed" and "Confed," aged from six to ten years, paraded in soldier procession on several streets of the city, headed by musicians with toy drums, trumpets and fifes. The Confeds, wearing the gray, and carrying a dubious representation of the "red, white and red," came in contact on Rodney Street with the Fed column, when and where the shock of battle came on.

The leading Sonny south, regardless of the cost or consequences, yelled out, "Yanks, nigs, black republicans!" in which he was bravely joined by his juvenile squad. The Feds hesitated a moment and held a council of war, when the chief in command, Master Lee Travis, a gallant little boy of about eight years, indignant at the epithets applied to his soldiers, animated his column with a stirring address.

"Boys," said he, "by thunder, can you stand that? I can't nor won't. Up and at them now, every man of you!" The Feds charged in a body, and the battle raged with great spirit for several minutes, when the snowballs of the Yanks, falling thick and fast into the wavering column of their opponents, finally forced them to beat a retreat down Broadway, leaving behind a busted drum, a broken bugle, and other trophies.<sup>20</sup>

**SEIZURE OF the Democratic Party** by the unreconciled elements, and their success in electing Congressional delegates and Territorial legislators, infuriated Congress. In 1871, James L. Fisk wrote from the East to Montanans, urging them to send a Republican to Congress for the sake of gaining favors which no Democrat would be able to obtain. He explained that everyone outside Montana had been surprised at the "obstinate persistency (even when we had nothing to gain but everything to lose by it) with which a majority of our

<sup>20</sup> *Herald*, Dec. 31, 1868.

JAMES H.  
MILLS



J. H.  
ROGERS

SIDNEY  
EDGERTON





voting population has continued to send delegates to Washington, who from their well-known, open and oft expressed antagonism, could do nothing but offend and render themselves obnoxious to the strong majority in Congress. . ."<sup>21</sup> Fisk's prediction that better results would come from having a Republican as delegate was borne out by the accomplishments of William Clagett in his term in 1872.

Newspapers back in "the States" kept their readers informed on conditions in Montana, as seen in this remarkable summary:

While Congress is imposing new terms of reconstruction on the Southern States, there is a Territory where there is no question of the supremacy of Congress which needs reconstruction rather more than any southern state. We mean Montana. It is generally known that the principal migration to this Territory was made by the disbanded left wing of Price's army. In Montana it undertook to set up the Southern Confederacy which they had failed to maintain in the South. The legislature . . . has in the House three Republican members. The rest are of the rebel stripe. The last session was illegal and it appears, was held for the purpose of obstructing Governor Ashley in his appointments.<sup>22</sup>

After reciting details of illegal moves by the Montana legislature, this editor observed sarcastically ". . . it would be a nice state to have in the family . . . it is

<sup>21</sup> *Herald*, July 6, 1871.

<sup>22</sup> *Cincinnati Gazette*, quoted in *Herald*, March 8, 1870.

in open rebellion against the United States."

As the decade of the 1870s arrived, there was little sign of improvement in the tone of Montana politics and journalism. Although the recent legislatures, thoroughly under Democratic control, had been corrupt and spendthrift, and although the county governments had been equally dishonest and incompetent, the *Gazette* continued to uphold the party's right to rule the Territory, and went on using the anti-Negro theme in its attacks on the opposition:

We shall know this enemy in whatever guise it may present itself, if it presumes to contest the right of the Democracy to govern this county or Montana Territory. The spot of the leopard and the color and odor of Africa are too plain and palpable to deceive anyone.<sup>23</sup>

In the face of all this, it is difficult to believe that "Confederate sentiment in Montana, then, was largely the product of enterprising Republicans 'waving the bloody shirt' . . ."<sup>24</sup> There is evidence, much more overwhelming than that found in *The Montana Post*, that Montana's early politics were indeed influenced by unrepentant rebels, intent on establishing a new bastion for the prejudicial and extremist philosophies which in large measure characterized the fallen Confederacy.

<sup>23</sup> *Rocky Mt. Gazette*, July 1, 1870.

<sup>24</sup> Thane, *op. cit.*, 23.



STAN DAVISON AND DALE TASH, members of the social science faculty at Western Montana College in Dillon, are both Montana-born and Montana-educated and of pioneer ancestry. Research and study in Montana history are hobbies as well as part of the professional activities of both. They are among the more frequent and dedicated researchers at the Montana Historical Society library. While working independently, they found their paths converging in the area of political events in Montana's early Territorial days, and pooled their findings to produce this report on Confederate influences

in Montana politics in the period after the Civil War. Although the extensive research of both men has produced an abundance of material, this distillation was given priority consideration for this issue because of the immediacy of its interest to the readers of this magazine. It was not prepared as a direct rebuttal to the thesis of James L. Thane, published in our Spring, 1967, issue, on this intriguing subject. Since it takes an opposing view, however, the editors believe it should be presented to our readers at the earliest possible moment.