

the United States to arrest him. Law was not made for one class of individuals, any more than for all classes of persons, and courts and governors are not to be respecters of persons in the administration of the law. There is but very little authority upon this new statute of the United States. There has been, so far as I have been enabled to examine the authorities, but one decision under the law. There may be others—probably are others, but this is the only one I have been able to find. I will refer to it before I am done. In "Bishop's Criminal Law," 1st Vol. Sec. 796." He says, "In a previous chapter under the title 'Combinations of Intents,' some principles relevant to the present subject were mentioned. It was there shown to be immaterial what intents, other than those of the law, existed in the mind of a man when he committed a criminal act, provided the law's intents were present influencing him. In the same way we are to consider this act. It is immaterial what a man does, of a legally indifferent nature, providing he does the thing which the law forbids. In other words, all intents and all acts not lying within the cognizance of the criminal law, are deemed to be mere surplus matter which has no effect, one way or the other, upon the question of legal guilt, etc.

[Quoted also, Sec. 804 of same Vol. also from 2nd Vol. of the same work Sections 1,207, 1,208 and 1,209. Also cited the "Chapman Treason Case" that arose in California, under Sec. 1,209.]

How far the defendants may be guilty, I am not called upon to decide, nor to construe the statutes of this Territory, under which they have been arrested, except so far as to decide that the defendants, however, probably have committed a crime. I shall leave the matter, therefore, to be further considered and investigated, and to that end shall leave the defendants to answer to the deliberations of a Grand Jury. I will fix the bail bond in the case of the higher grade of officers to the sum of \$5,000, and to the lesser, \$2,000.

THE "MODUS OPERANDI" OF THE COUNTERFEITERS.

SEVERAL gentlemen in this city at various times lately, have received letters soliciting them to act as agents for counterfeiters in the east, the latter offering to furnish five hundred dollars in bogus greenbacks for fifty in the genuine article. The New York Herald of the 20th inst., contains an account of proceedings instituted by a New Jerseyman, who had been, we think, very deservedly victimized by a gang of this kind; and though we do not for a moment imagine that any hereabouts would be green enough to be caught by these sharpers, we condense the *modus operandi* of the scamps as furnished by the Herald.

The New Jerseyman's name was Dexter Wall and his attention was caught by the following advertisement in one of the newspapers:

"One thousand dollars a day can be made by parties that are up to snuff, without interfering with their other business. Address W. D. M. Les, 688 Broadway, New York."

He wrote to the address and received a reply, offering to furnish him, on receipt of fifty dollars, five hundred dollars in greenbacks, warranted to have been printed on plates stolen from Washington, and resembling the genuine article in every particular, save the paper, which, however, was of such excellent quality that not one in ten thousand could detect the difference, especially as the counterfeit notes would appear as if they had been in circulation some time, and consequently would not be so likely to attract attention as notes just issued.

The worthy Mr. Wall, allured by the bait, forwarded the fifty dollars, but instead of receiving the bogus greenbacks, received a small box of sawdust, in which was the following note:

NEW YORK, —1870.

"Dear Sir—Do not get discouraged. This is only a blind, and we always use this precaution for fear of detection—if the authorities should happen to get wind of our operations and possibly think to watch any C. O. D. we may send out, and seize the money as you were taking it from the express office. Now, to shield you from any possible danger, we have sent this empty box, which you have a perfect right to buy and carry home. But we have the money securely packed in a different way, and as soon as we get the returns for this package all right, we guarantee to send it forward free of charge, and in any event you have a perfect right to receive anything sent free, for there is no proof that you ordered it. We always work on this plan, and it is sure to protect us both, for you have a per-

fect right to pay for an empty box and also a right to receive anything sent free under seal. We also in this case do not sell the money. We give the money free and sell the empty box. This is a great secret, and we trust you will mention it to no one, as it gives absolute security to us both."

As he received nothing further from the counterfeiters, this pitiable specimen of humanity, lodged a complaint with the New York police, which led to the arrest of the gang, eight in number, at their address in Broadway.

When brought before the magistrate the prosecutor seemed very anxious to have it believed that he was acting through strictly philanthropic motives, in parting with fifty dollars of his money and taking a journey from New Jersey to New York to prosecute these rascals. The magistrate asked him what course he would have pursued had he received the \$500 in bogus money. He replied:

"Wall—I should have run right down to the Fifteenth precinct station house as fast as I could and given it to the officers."

During the investigation the prosecutor incautiously admitted that he had come to New York expressly to purchase the money, upon which the magistrate told him that he was no better than the prisoners, that he would not believe him on his oath, and would not entertain any complaint preferred by him, and the prisoners were all discharged.

We think the Magistrate was justified in dismissing the prisoners, or rather in refusing to entertain a complaint preferred against them by such a dishonest scoundrel as Wall evidently was in intent; but it was a great pity that such a body of men as they were—prosecutor and prisoners—should be turned adrift, with full liberty to indulge their dishonest proclivities! Such a set are not fit to be set at large, the penitentiary or States prison is the proper place for them; and if the Magistrate had power to detain and punish, his course was reprehensible in discharging them; and if he had not it is high time the law was so amended as to enable such fellows to be dealt with.

OLD AND NEW MODES OF TRAVEL.—In these days of rapid communication by rail the departure of a citizen for the East or West is scarcely noticed before, if the trip be not a long one, he is back again. A visit to the States or to California under the old system of travel was an event to be talked about and prepared for weeks beforehand. A man's friends were duly advised of his intended departure, and if he were well known in the community, the day of his departure, length of his absence and all the particulars were understood by everybody. This was especially the case in the days when all travel of this kind was performed by companies; when to cross the plains in safety a company had to be organized. The departure of a company was an event with which all would be familiar. But now all this is changed. The railroad affords such excellent facilities that it is not unfrequently the case that visits are made, and those making them return here before some of their acquaintances are aware that they have been absent. Several of our prominent citizens have gone East on business of late, and for this facility of travel the railroad has to be credited. There was a time when a journey East at this season of the year was a serious undertaking, and when none would attempt to make it unless compelled to do so. Our Delegate, Hon. Wm. H. Hooper left on Tuesday morning, the 22d, for his field of labors at Washington. At the same time Hon. Joseph A. Young, President of the U. C. R. R. and John T. Caine, Esq., Managing Editor of the Salt Lake Herald, left for the East; and on Saturday last John W. Young, Esq., Secretary of the U. C. R. R. took his departure to attend to business in the East. These gentlemen can now go and return so easily that, though widely known they, can go and come back again before any but their intimate friends, or those brought in contact with them on business, would know they were not here, unless they should see a notice of their departure in the papers. With the facilities for travel now at our doors our worthy Delegate can spend his holidays here, and be back to his post again in time for business.

A CURIOUS and useful invention, combining lamp and timepiece, has been recently brought out; the following description being furnished by an English paper:

"In external contour the night time piece resembles the ordinary table lamp of the globe form of construction; but surrounding the globe as a zone or band are the figures representing the twelve hours of a common dial. A blue steel band or index, which appears black when the lamp is lit, points to the hours and minutes as they are registered by the clock work, which occupies a round box or case below

the oil reservoir. This consists of a deep glass chamber or cup, in which a hollow porcelain ball floats, holding on its upper surface a short waxed cotton wick. On the glass cup being filled with oil the wick is ignited, just as in the case of a common floating night lamp. The works are then wound up, the time set, and the night timepiece is on duty. It is so arranged as to run for thirty hours without fresh winding up. Should the movement be slow or tending to gain, there is a little bolt at the end of the pendulum which, by being turned from right to left corrects the evil. If it loses, the ball must be turned in the reverse direction. Nothing can surpass the simplicity of the arrangement under consideration, which we are of opinion will be found of great value to invalids and those whose occupations oblige them to mark the flight of time by night as well as by day."

"WE SEEK NO CHANGE," ETC.

JUDGE HAWLEY said yesterday in his ruling that

"As to the wisdom or expediency of issuing it, [the proclamation] I have nothing to say. It does not become me to comment upon it. I did not know that this proclamation was ever contemplated until it was in print."

The readers of these remarks will agree with those who heard them that they convey the idea that Judge Hawley did not feel very warmly in favor of the late Governor's Proclamation; in fact, that he doubted the wisdom and expediency of his issuing it. We have heard that he has made remarks to that effect in certain circles; and we scarcely think we betray confidence when we say that the reason, we are told, which he assigned for doubting the propriety of issuing such a proclamation was that he thought Governor Shaffer ought to have consulted him and obtained his views and advice before he made such a document public. Now, if this be correct, and we are inclined after hearing the Judge's remarks of yesterday to believe that it is, we feel glad that he has spoken upon the subject. The motive which we have heard assigned for his speaking so doubtfully of the propriety of the proclamation might not be thought by some men to be very creditable; but still for him it does very well. The fact that he did not advise the proclamation is of itself something, in our estimation, in his favor. For it is just such a measure as we thought he would advise. He does not inform the public whether, if he had been consulted upon the subject, he would have advised the Governor to issue it or not. He ought, however, to have the advantage of the presumption that he would not.

Since hearing this we have a better opinion of Judge Hawley than we have had. He may yet make a tolerably decent judge, that is when all the circumstances which surround him are considered. We have heard it hinted that his position here is not very secure; that certain changes which have occurred in politics East make his seat on the bench rather shaky; and some have thought that no change that could be made would be any worse than to have him remain. We know that

"Your 'real, genuine, no-mistake Tom Thumbs' Are little people fed on great men's crumbs;"

and if the great men fail to get bread, their dependent "little people" lose their share; and while this state of things continues, there is danger of removal on any day. But we think our Judge might be spared to us. We have got so used to his ways that we can get along very well with him. If we had any voice we should say, let him remain, on the principle that,

"When better cherries are not to be had, We needs must take the seeming best of bad."

A NEW ORLEANS chemist makes a startling announcement in relation to the famous "golden syrup," prized by many as being so much superior to the best genuine molasses. If this announcement is true, and the method of testing it is given, it will be very likely to deter many from purchasing or using the article in future. The gentleman who is authority for the statement, says that the so called "golden syrup" does not contain a particle of sugar, but is produced by the destructive action of strong sulphuric acid, (oil of vitriol) upon starch. To test the difference between this spurious article and cane syrup the following method is given: "Dissolve a teaspoonful of the 'golden syrup' in a wine glass of rain water; then add a few grains of tannic acid, when it will turn black as ink if the article is spurious."

If the tannic acid can not be procured a cup of strong tea will answer nearly as well. Tea contains a considerable quantity of tannin, and if a teaspoonful

of the bogus "syrup" be added to a cup of that beverage, made pretty strong, a fair quality of ink will result from the combination. This announcement will not be likely to increase the sale of imported "golden syrup" here, but should have that effect for the genuine, home-made article.

AFTER hunting through Europe in almost every direction, and being instrumental in creating one of the bloodiest wars ever waged in the world during their search, the efforts of Messrs. Prim & Co., to find a king for Spain, have been successful, and the Duke of Aosta, son of Victor Emanuel, King of Italy, has been proclaimed ruler of Spain.

Spain is notorious for her political factions and revolutionary troubles, and no country in the world possesses more of the elements for such troubles in the future. The feelings of the people are greatly divided on the subject of the form of government, many favoring a Republic, and of those not thus inclined, some are Carlists, others adherents of Espartero, Montpensier and other political leaders; but few favored a foreign prince for sovereign.

The fortunate, or, it may be the ill-starred, individual who has received a majority of the votes of the Cortes, is only twenty-five years of age; and unless his wisdom and experience in political matters be far in excess of what is usually possessed by men of his years, he will be likely, long before he reaches the prime of life, to find "How severe a thing it is to wear a crown."

LOCAL AND OTHER MATTERS.

FROM FRIDAY'S DAILY

FUNERAL OBSEQUIES.—The funeral services of Elder Anthony Ivins took place in the Fourteenth Ward Assembly Rooms at 11 a. m., to-day, when a suitable discourse was delivered by President Joseph Young, sen. The attendance on the occasion was very large.

THOSE REBELS!—Our readers will be surprised to learn that the leading rebels of that 20th Ward drilling party—Messrs. Savage, Ottinger, Graham and others, whose case has so severely taxed the profoundest judicial and legal wisdom and talent of the Territory this week, were, in default of bond, yesterday afternoon sent to Camp Douglas for safe keeping. This, we regard, as a most extraordinary proceeding, but then the people of Utah are living under a new and most extraordinary judicial dispensation, and nothing need be surprising.

GONE SOUTH.—Presidents Brigham Young and Geo. A. Smith, and Elder Brigham Young Jr., left this city this morning, on a preaching tour in the Southern portion of this Territory. Their journey will probably far exceed a thousand miles, and their labors will be arduous, as they expect to visit and preach to the people of between thirty and forty settlements. May peace and safety attend them in their journeyings thither and hither!

NEW RAILROAD.—Ground was broken on the Cheyenne, Iron Mountain and Montana Railroad on the 16th, at Cheyenne. The ceremony was performed by Dr. Silas Reed, Surveyor General of Wyoming, in the presence of a number of the incorporators of the company. It is the design of the company to secure a grant of land, and to interest capital sufficient to build the road to Fort Fetterman, some one hundred and fifty miles. So says the Cheyenne Tribune.

ELDER SAMUEL SAVERY arrived from the East last evening from his mission, upon which he started in May, 1869. His labors have been in Oneida and Oswego counties, N. Y.

A BEAUTIFUL SPECIMEN.—We were shown, last evening, by Professor Barfoot, a very fine specimen of calcareous stalactite. It had been recently taken from a cave in the Ophir Mining district in East Canyon, by Mr. Wm. Barbee and presented by him to the Museum. The peculiar formations of this calciferous curiosity are beautiful and interesting. Important acquisitions are made to the collections at the Museum almost daily and the manner in which the different specimens, especially in the mineral department, are classified reflects great credit upon Professor Barfoot, the learned and obliging manager.

"THE MORMONS ON THE RIGHT TRACK"—Under this heading the New York Herald of the 18th says:

"The Mormons in Utah have just accomplished what the Gentiles have for a long time endeavored to do in vain. They have arrested a batch of Rocky Mountain brigands, who have lately made predatory incursions upon Pacific railroad trains, capturing treasure and other valuables. If the Mormons stick to this sort of business they will win the approbation of people who do not exactly believe in some of their domestic habits."