

MISCELLANEOUS NEWS ITEMS.

The total Federal expenses of the efforts to capture Charleston are put down at \$150,000,000.

The enforcement of the Conscription act in Missouri is likely to lead to fresh enormities in that State.

Capt. Semmes' wife has been ordered south from Gen. Burnside's lines. She should make Alabama her home.

Little Crow, chief of the Sioux, is reported to have said to an emissary of Gen. Pope that the Indians intended to recommence the war this season and to drive every pale face from their hunting grounds.

The Buffalo Commercial Advertiser reports that Col. Corcoran was killed in the action of the 13th ult. at Suffolk, Va.

Laborers are getting scarce down eastward. The gardens at Flushing, L. I., are left undug and the nurseries are far behind with their orders, simply for the want of men to work them.

A convention of the directors of the New York Central Pennsylvania and North and South Shore railroads was to be held at Buffalo, N. Y., April 28, to consider the subject of foreign commissions upon passenger traffic and the proposed advance in rates upon emigrant travel.

It is estimated that it will take twenty millions to pay the pension list of next year.

It is reported that Gen. McClellan has asked for quarters in New York.

We have found a copy of Gen. Burnside's famous bull known as "order number eight," which has hitherto been suppressed, the first paragraph of which, dismissing Gen. Hooker from the U. S. service, was overruled by the President who, upon a careful examination of the facts, removed Gen. Burnside and put Gen. Hooker in his place;

GENERAL ORDERS—NO. 8.

HEADQUARTERS, ARMY OF THE POTOMAC,
January 23, 1863.

First.—General Joseph E. Hooker, Major-General of Volunteers and Brigadier-General of the United States Army, having been guilty of unjust and unnecessary criticisms of the actions of his superior officers and of the authorities, and having, by the general tone of his conversation, endeavored to create distrust in the minds of officers who have associated with him, and having, by omissions and otherwise, made reports and statements which were calculated to create incorrect impressions, and for habitually speaking in disparaging terms of other officers, is hereby discharged from the service of the United States, as a man unfit to hold an important commission during a crisis like the present, when so much patience, charity, confidence, consideration and patriotism are due from every soldier in the field.

Brig.-Gen. W. T. H. Brooks, of first division, sixth army corps; Brig.-Gen. John Newton, third division, sixth army corps; Brig.-Gen. John Cochrane, of first brigade, same corps; Maj.-Gen. W. B. Franklin, commanding left grand division; Maj.-Gen. W. F. Smith, commanding sixth army corps; Brig.-Gen. Sturgis, second division, ninth army corps, besides a number of others high in command—some twenty in all—were decapitated by one fell swoop, it being evident, says Burnside, that they could be of no further service to that army—but President Lincoln thought otherwise.

The Federals, says a Canada exchange, are enlisting Roman Catholics in Ireland, to fill their depleted ranks.

A tin mine, remarkably rich, is said to have been discovered in Washington county, Mo., twelve miles south-east of Ironton, near the Big Francis river. From inspection it is said to yield \$30 to the ton from the lead.

Chief Naval Engineer Wood wants to have the chance of destroying Fort Sumter with a single Monitor and is confident that he can do it. He is undoubtedly a braggadocio.

Another Confederate privateer—the Virginia—has been launched from the Clyde, in Scotland. She is said to be very fast—to be mounted with ten guns and among them two Whitworths.

A San Francisco dispatch states that the German Democrat's Jalapa correspondence announces that the French were driven out of Puebla on the 7th ult., with great slaughter and that they retired to Cholula.

In an unpublished speech of Gen. Forey, addressed to the French troops on his first arrival at Vera Cruz, he openly declared that the design of the Emperor Napoleon was to conquer Mexico and to impose such a govern-

ment upon it as its people (under the guidance of his troops, of course) would choose to adopt. These are a few of the words which Gen. Forey then used: "To fulfil this mission" (the overthrowing of the wretched Juarez and his followers) "the Emperor has charged me to promise you the aid of 25,000, 50,000, 100,000, 200,000 soldiers; or whatever number, in short, that may be necessary, if in the course of the war greater difficulties than those naturally expected should arise."

Since the war began, applications for pensions for 17,000 widows and 11,000 invalids have been received at Washington.

WORKINGS OF THE NEW RULE.

One of the fundamental principles of Republican, Democratic or free governments, and considered essential to their perpetuity by statesmen favoring and upholding constitutional liberty is, that the military should, at all times and in all places, be in strict subordination to the civil power. In accordance with that rule, till recently, men otherwise subject to "the rules and articles of war," have universally, in the United States, wherever there has been any civil laws in existence, been held amenable thereto for all crimes by them committed within the respective States and Territories where the penal laws in force have been violated by persons in the military service of the Government.

Since the commencement of the internecine war, which is now desolating our once happy country and threatening the subversion of its institutions, so many military necessities have existed, or have been supposed to exist, that Congress thought proper before the close of the last session to institute a new rule in relation to offences committed by persons serving in the army, and inserted the following provision in the Conscription act:—"That in time of war, insurrection or rebellion, murder, assault and battery with intent to kill, manslaughter, mayhem, wounding by shooting or stabbing with an intent to commit murder, robbery, arson, burglary, rape, assault and battery with intent to commit rape and larceny, shall be punishable by the sentence of a general court-martial or military commission when committed by persons who are in the military service of the United States and subject to the articles of war; and the punishment for such offences shall never be less than those inflicted by the laws of the State, Territory or district in which they may have been committed."

It has generally been supposed that all crimes committed by men serving the country in a military capacity were, by the provisions of the Conscription law, made punishable by the sentence of a military commission, but the specifications thereof do not admit of such construction, and no offense not therein enumerated can be legally punished by that mode. That was possibly the reason why the soldiers who were arrested at Bountiful on the 27th ult. for aiding Mrs. McMillen in her attempt to abduct her daughter, and who were subsequently delivered up to the military authorities at Camp Douglas for punishment; by the civil officers, of Davis county, having them in custody, were set at liberty upon the preliminary examination of the case by the Court of Inquiry. We are disposed to give the matter this construction for the present, and until forced to believe otherwise by future developments; we think, nevertheless, that it would have been no more than what was due to have informed the civil authorities (who in their desire to honor a law with the provisions of which they were not fully advised, committed a blunder) of the error thus committed, as soon as discovered.

There was another matter that came to our notice officially a few weeks since, concerning the termination of which we made inquiry last week, that we think but just to refer to for the consideration of the public, and which we will state as briefly as possible.

Sometime about the last of March, a man of Teutonic origin called at the door of the Warden house at the Penitentiary and demanded admittance. On being refused by the Warden, Col. Rockwood, he, with threats, drew a pistol, upon which, being unarmed, the Warden, who was standing without, thought it safe to retire within and shut the door, which he did without much delay. The man, who was on a horse at the time, fired

immediately, and in quick succession, five or six shots, two or three of which passed through the door of the Warden house, and one of them came near striking the body of the Warden. After discharging the pistol the man dismounted and proceeded to smash in one of the windows, which he effectually accomplished before the Warden returned with sufficient aid to capture and safely secure the assailant, when it was discovered, if not before, that he was a soldier, at least that he was clad in army livery. The man, who was somewhat intoxicated, was locked up till next morning, when he was brought to the city and the requisite steps taken to have the matter legally investigated. Upon the preliminary examination the foregoing, with other facts connected with the assault, were fully made to appear, and the prisoner was delivered over to the military authority for trial and punishment. Some eight or ten days afterward, on request, the names of the witnesses, their residence and other necessary information, was furnished the commanding officer at Camp Douglas, which was the last heard of the matter till within a few days since, when upon inquiry, the Warden was informed by some officer at Camp that the company to which the soldier belonged had been ordered to Fort Bridger, and as he was the only saddler in the company, he was discharged without trial and sent with his comrades on that expedition or service.

That was what might not inappropriately be called a "military necessity."

ESCAPED CONVICTS.

About a week since, Edward Ray and James Talbot, United States convicts, condemned at the late session of the United States court in this city, and sentenced, the former to one year's solitary confinement in the Penitentiary and to pay a fine of six hundred dollars and costs, taxed at one hundred and fifty dollars and to remain in prison after the expiration of the sentence until the fine and costs should be paid, and the latter, for perjury, to ninety days imprisonment and to pay a fine of one hundred dollars and costs of suit, escaped from the Penitentiary between two days since which we believe no trace of them has been discovered.

Col. Rockwood, the Warden, informs us, that Ray, who had a ball and chain attached to him, weighing forty-four pounds, managed to sever the rivet fastening the shackle to the ankle, and then sawed off the iron grate over the ventilator in the door of his cell, enabling him to reach the lock fastening the bar of the door, which he unlocked by means of a false key, from whence or from whom obtained unknown. The shackle and grate were severed by means of a knife, also mysteriously obtained, but probably from his fellow prisoner Talbot, who had greater facilities for getting them and might have passed them into the cell through the grates undiscovered, while passing in or out of his own cell. After getting out of his own, Ray unlocked Talbot's cell and let him out, when the two broke a lock securing the door of another that had no occupant, into which they entered and succeeded in making a passage through the wall which had been operated upon and fractured by a prisoner sometime before, of which they were evidently aware. Having thus gained the inner court of the prison, they soon found the means to enable them to reach the top of the wall, from which they let themselves down by a rope manufactured from a blanket.

There were, previous to the sittings of the Territorial and Federal Courts in the Third Judicial District, but few prisoners confined in the Penitentiary, and a night guard, after the convicts were locked up in their respective cells, had been deemed unnecessary, and consequently, watchmen have not been constantly on duty in the night for a long time. After the incarceration of the prisoners recently convicted in the Federal Court for crimes committed against the laws of the United States, the prison was considered less safe, but as the Government have never made any provisions for the security of its prisoners in this Territory, and have been remiss in defraying the expenses incurred in keeping them, the Warden did not consider it to be his duty to employ watchmen and pay them himself when there was so little prospect of the money being refunded by the Government, and the Territory could not, so long as cursed with an Executive who will not approve any

appropriation bill passed by the Legislative Assembly. Every precaution necessary, with the exception of a night guard, was taken to secure the prisoners, but unluckily those two, by superior strategy and exertion, got out, and are probably on their way to the northern mines. Ray has the reputation of being an adept in villainy, and has, as reported, escaped from prison more than once in California before following the army here last fall. Incarceration is not the proper punishment for such characters, and unquestionably the statute making such provision will, at some future time, be amended.

A PALPABLE HOAX.

A little before seven o'clock, on Saturday evening last, a national or some other salute (we cannot state definitely, as we did not hear the guns) was fired at Camp Douglas, which attracted some little attention, as it was an unusual occurrence. It was soon rumored about the city that Richmond had been captured by Gen. Stoneman, or some other Federal officer, and Jeff Davis taken prisoner, which accounted for the firing of the salute. A wild state of excitement is said to have existed in Camp that night over the glorious news. The report, however, which came over the wires lacked all the requisites of authenticity, and it has since been ascertained that it was wholly untrue, a mere hoax, coined by money changers, who were not scientific sensationists, and ought to be severely punished for thus imposing upon the credulity of their fellow-beings, brave men in particular. At least the authors of the untruthful report should, in justice to the government and other sufferers, by their miserably devised hoax, be made to pay for all the powder that was burned in consequence of the delusion. If such gross deceptions be permitted to be practiced upon the people and upon the army, too much ammunition will be wasted, and there will be a scarcity for war purposes.

REMOVAL OF JUDGE KINNEY.

Some weeks since, it was announced in some of the Eastern papers that Chief Justice Kinney, of Utah, had been removed from office, but that his successor had not been appointed. We thought so little of the matter, believing that it was only a rumor put in circulation for effect, that no notice was taken of it at the time; and inasmuch as it was not subsequently "confirmed," the report had almost been forgotten, but on yesterday the following was received by telegraph:

"A special to the Tribune says that John Titus, of Penn., has been appointed Chief Justice of Utah, vice J. F. Kinney, removed."

TIMELY SHOWERS.—For several days previous to Sunday last, the "signs of the times" betokened rain, which at last came—a beautiful shower occurring before daylight on the morning of the 10th, which watered the ground considerably.

There was another fine shower on the afternoon of Sunday, and during the day storm-clouds rested on the mountains, adding to the amount of the "everlasting snows" deposited there. The weather, which had been very warm previous to the first shower, soon became cool—the thermometer standing at 72 deg. in the shade at 2 p.m. on Saturday, and at 42 at 5 a.m. on Sunday.

THAT BEEF MARKET.

PROVO CITY, May 8th, 1863.

EDITOR DESERET NEWS:

DEAR SIR:—In your last issue we read the following notice: "Look Out for Thieves." It seems rather troublesome for a man to lose his only team at this season of the year, in the hurry of ploughing and planting, or when men have put cattle in their yards over night (for the purpose of sending east to help in the immigration) next morning to find one or more gone, as happened recently at a neighboring settlement, the fattest ones being taken and the others left.

Shortly after, in the south-west quarter of this city, beef was sold at a low figure, a fair price allowed for grain, and quite a portion, it is said, "trusted out," with the prospect that there will be a good supply weekly!

Mr. Editor, probably those who buy such cheap beef omit to look out or inquire for the hide and horns, as the parties are well known to the public!

Can or will the City Authorities inquire into and regulate the butchering of beeves and sale of beef amongst us, is the expression of many, and more especially those who miss cattle from the range.

Respectfully,

S. & D.