will escape condemation. Still there is no judgment for or against the captured persons. But it was answered, that there would result from the determination of the court, concerning the vessel, a legal certainty concerning the character of the men.

This course of proceeding seemed open to many objections. It elevates the incidental inferior private interest into the proper place of the main paramount public one, and possible it may make the fortunes, the safety or the existence of a nation depend on the accidents of a merely personal and pecuniary litigation. Moreover, when the judgment of the prize court upon the lawfulness of the capture of the vessel is rendered, it really concludes nothing, and binds neither the belligerent State nor the neutral upon the great questions of the disposition to be made of the captured contraband persons. That question is still to be really determined, if at all, by diplomatic arrangement or by war.

One may well express his surprise when told that the law of nations has prescribed no more reasonable, practical and perfect mode than this of determining questions of such grave import between sovereign powers. The regret we may feel on the occasion is nevertheless modified by the reflection that the difficulty is not altogether anomalous.—Similar and equal deficiences are found in every asylum of municipal law, especially in the asylum which exists in the greater portion of Great Britain and the United States.—The title to personal property can hardly ever be resolved by a court without resorting to the fiction that the claimant has lost and the possessor has found it, and the title to real estate is disputed by real litigants under the names of imaginary persons. It must be confessed, however, that while all agrieved nations demand, and all impartial ones concede, the need of some form of judicial process in determining the character of contraband persons, no other form than the illogical and circuitous one thus described exists, nor has any other yet been suggested. Practically, therefore, the choice is between that judicial remedy or no judicial remedy whatever. If there be no judicial remedy, the result is that the question must be determined by the captor himself, on the deck of the prize vessel. Very grave objections arise against such a course. The captor is armed; the neutral is unarmed. The captor is interested, prejudiced, and perhaps violent; the neutral, if truly neutral, is disinterested, subdued and helpless. The tribunal is irresponsible, while its judgment is carried into instant execution.—The captured party is compelled to submit, though bound by no legal, moral or treaty obligation to acquiesce. Reparation is distant and problematical, and depends at last on the justice, magnanimity or weakness of the State in whose behalf, and by whose authority the capture was made. Out of the disputes reprisals and wars necessarily arise, and these are so frequent and destructive that it may well be doubted whether this form of remedy is not a greater social evil than all that could follow if the belligerent right of search was universally renounced and abolished forever. But carry the case one step farther. What if the State that has made the capture, unreasonably refuse to hear the complaint of the neutral or to redress it? In that case the very act of capture would be an act of war, of war begun without notice and possibly without provocation. I think all unprejudiced minds will agree that, imperfect as the existing judicial remedy may be supposed to be, it would be, as a general practice, better to follow it than to adopt the summary course of leaving the decision with the captor, and relying upon diplomatic debates to review his decision. Practically, it is a question of choice between law with its imperfections and delays, and war with its evils and desolations. Nor is it ever to be forgotten that neutrality, honestly and justly preserved, is always the harbinger of peace, and, therefore, is the common interest of nations. Which is only saying that it is the interest of humanity itself.

At the same time it is not to be denied that it may sometimes happen, that the judicial remedy will become impossible, as by the shipwreck of the prize vessel or other circumstances which excuse the captor from sending or taking her into port for confiscation. In such a case the right of the captor to the custody of the captured persons and to dispose of them if they are really contraband, so as to defeat their unlawful purposes, cannot reasonably be denied. What rule shall be applied in such a case? Clearly the captor ought to be required to show that the failure of the judicial remedy results from circumstances beyond his control and without his fault, otherwise he would be allowed to derive advantage from a wrongful act of his own.

In the present case, Capt. Wilkes, after capturing the contraband persons and making prize of the Trent, in what seems to us a perfectly lawful manner, instead of sending her into port, released her from the capture and permitted her to proceed with her whole cargo upon her voyage. He thus effectually prevented the judicial examination which might otherwise have occurred.

Now, the capture of the contraband persons and the capture of the contraband vessel are to be regarded, not as two separate or distinct transactions under the law of nations, but as one transaction, one capture only; then it follows that the capture in this case was left unfinished or abandoned. Whether the United States have a right to retain the chief public benefits of it—namely, the custody of the captured persons, on proving them to be contraband, will depend upon the preliminary question, whether the leaving of the transaction unfinished was necessary, and therefore voluntary. If it was necessary, Great Britain, as we suppose, must of course, waive the defect and the consequent failure of the judicial remedy. On the other hand, it is not seen how the United States can insist upon her waiver of that judicial remedy, if the defect of the capture resulted from an act of Captain Wilkes, which would be a fault on their own side.

Captain Wilkes has presented to this government his reasons for releasing the Trent. "I forebore to seize her," he says, "in consequence of my being so reduced in officers and crew, and this derangement would cause innocent persons to suffer, there being a large number of passengers who would have been put to great loss and inconvenience, as well as disappointment from the interruption it would have caused them, in not being able to join the steamer from St. Thomas to Europe. I, therefore, concluded to sacrifice the interest of my officers and crew to the prize, and suffered her to proceed, after the detention necessary to effect the transfer of those Commissioners, considering I had obtained the important end I had in view and which affected the interest of our country, and interrupted the action of that of the Confederates."

I shall consider first how these reasons ought to affect the action of this government, and secondly how they ought to be expected to affect the action of Great Britain.

The reasons are satisfactory to this government, so far as Capt. Wilkes is concerned; it could not desire that the San Jacinto, her officers and crew should be exposed to danger and loss by weakening their number to detach a prize crew to go on board the Trent. Still less could it disavow the humane motive of preventing inconvenient losses and perhaps disasters to the several hundred innocent passengers found on board the prize vessel. Nor could this Government perceive any ground for questioning the fact that these reasons, though apparently incongruous, did operate in the mind of Capt. Wilkes and determined him to release the Trent. Human action generally proceeds from mingled and sometimes conflicting motives. He measured the sacrifices which his decision would cost. It manifestly, however, did not occur to him that beyond the sacrifice of the private interests (as he calls them) of his officers and crew, there might, also, possibly be a sacrifice even of the chief and public object of his capture, namely: The right of his government to the custody and disposition of the captured persons. This government cannot censure him for this oversight. It confesses that the whole subject came unforeseen upon the government, as doubtless it did upon him. Its present convictions on the point in question are, the result of deliberate examination and deduction now made, and not of any impressions previously formed.

Nevertheless, the question now is, not whether Capt. Wilkes is justified to his Government in what he did, but what is the present view of the Government as to the effect of what he has done? Assuming now, for argument's sake only, that the release of the Trent, if voluntary, involved a waiver of the claim of the Government to hold the captured persons, the United States could, in that case, have no hesitation in saying that the act which has thus already been approved by the Government, must be allowed to draw its legal consequences after it. It is of the very nature of a gift or a charity, that the giver cannot, after the exercise of his benevolence is past, recall or modify its benefits.

We are thus brought directly to the question, whether we are entitled to regard the release of the Trent as involuntary, or whether we are obliged to consider that it is voluntary? Clearly the release would have been made solely upon the first ground assigned for it by Capt Wilkes, namely, a want of sufficient force to send the prize vessel into port for adjudication. It is not the duty of a captor to hazard his own vessel in order to secure a judicial examination to the captured party. No large prize crew, however, is legally necessary, for it is the duty of the captured party to acquiesce and go willingly before the tribunal to whose jurisdiction it appeals. If the captured party indicate purposes to employ means of resistance which the captor cannot with probable safety to himself overcome, he may properly leave the vessel to go forward, and neither he nor the State he represents can ever afterwards justly object that the captor deprived her of the judicial remedy to which she was entitled.

For the second reason assigned by Captain Wilkes for releasing the Trent differs from the first. At best, therefore, it must be held that Capt. Wilkes, as he explains himself, acted from combined sentiments of prudence and generosity, and so that the release of the prize vessel was not strictly necessary or involuntary.

Secondly—How ought we to expect these explanations by Capt. Wilkes of his reasons for leaving the capture incomplete, to affect the action of the British Government?

The observation upon this point which first occurs, is that Captain Wilkes' explanations were not made to the authorities of the captured vessel. If made known to them they might have approved and taken the release upon the condition of waiving a judicial investigation of the whole transaction, or they might have refused to accept the release upon that condition.

But the case is not one with them, but with the British Government. If we claim that Great Britain ought not to insist that a judicial trial has been lost because we voluntarily released the offending vessel out of consideration for her innocent passengers, I do not see how she is bound to acquiesce in the decision that was thus made by us, without necessity on our part, and without knowledge of conditions or consent on her part. The question between Great Britain and ourselves, thus stated, would be a question not of right or of law, but of favor conceded by her to us, in return for favors shown by us to her, of the value of which favors on both sides we ourselves shall be the judge. Of course the United States could have no thought of raising such a question in any case.

I trust that I have shown to the satisfaction of the British Government by a very simple and natural statement of the facts and analysis of the law applicable to them, that this Government has neither mediated nor practiced, nor approved any deliberate wrong in the transaction to which they have called its attention, and on the contrary that what has happened has been simply an inadvertency, consisting in a departure by the naval officer, free from any wrongful motive, from a rule uncertainly established and probably by the several parties concerned either imperfectly understood or entirely unknown. For this error the British Government has the right to expect the same reparation that we as an independent State should expect from Great Britain, or from any other friendly nation in a similar case.

I have not been unaware that in examining this question, I have fallen into an argument for what seems to be the British side of it against my own country. But I am relieved from all embarrassment on that subject. I had hardly fallen into that line of argument when I discovered that I was really defending and maintaining not an exclusively British interest, but an old, honored cherished American cause, not upon British authorities, but upon principles that constitute a large portion of the destinctive policy by which the United States have developed the resources of a continent, and thus becoming a considerable maritime power, have won the respect and confidence of many nations.

These principles were laid dowa for us in 1804 by James Madison, when Secretary of State, in the administration of Thomas Jefferson, in instructions given to James Monroe, our Minister to England. Although the case before him concerned a description of persons different from those who are incidentally the subjects of the present discussion, the ground he assumed then was the same I now occupy, and the arguments by which he sustained himself upon it, have been an inspiration to me in preparing this reply.

"Whenever," he says, "property found in a neutral vessel is supposed to be liable on any ground to capture and condemnation, the rule in all cases is that the question shall not be decided by the captor, but be carried before a legal tribunal, where a regular trial may be had, and where the captor himself is liable to damages for an abuse of his power. Can it be reasonable, then, or just, that a belligerent commander, who is thus restricted and thus responsible in a case of mere property of trivial amount should be permitted, without recurring to any tribunal whatever, to examine the crew of a neutral vessel, to decide the important question of their respective allegiance and to carry that decision into execution by forcing every individual he may choose into a service abhorrent to his feelings, cutting him off from his most tender connections, exposing his mind and his person to the most humiliating discipline and his life itself to the greatest danger? Reason, justice and humanity unite in protesting against so extravagant a proceeding."

If I decide this case in favor of my own government, I must disavow its most cherished principles, and reverse and forever abandon its essential policy. The country cannot afford the sacrifice. If I maintain those principles and adhere to that policy, I must surrender the case itself. It will be seen, therefore, that this government would not deny the justice of the claim presented to us in this respect upon its merits. We are asked to do by the British nation just what we have always insisted all nations ought to do to us.

The claim of the British Government is not made in a discourteous manner. This Government, since its first organization, has never used more guarded language in a similar case.

In coming to my conclusion, I have not forgotten that if the safety of this Union required the detention of the captured persons, it would be the right and duty of this government to detain them. But the effectual check and waning proportion of the existing insurrection, as well as the comparative unimportance of the captured persons themselves when dispassionately weighed, happily forbid me from resorting to that defence.

Nor am I unaware that American citizens are not, in any case, to be unnecessarily surrendered, for any purpose, into the keeping of a foreign State. Only the captured persons, however, or others who are interested in them, could justly raise a question on that ground.

Nor have I been tempted at all by suggestions that cases might be found in history where Great Britain refused to yield to other nations, and even to ourselves, claims like that which is now before us. Those cases occurred when Great Britain, as well as the United States, was the home of generations which with all peculiar interests and passions, have passed away. She could in no other way so effectually disavow any such injury as we think she does by assuming now as her own the ground upon which we then stood. It would tell little for our claims to the character of a just and magnanimous people, if we should so far consent to be guided by the law of retaliation as to lift up buried injuries from their graves to oppose against what national consistency and the national conscience compel us to regard as a claim intrinsically right.

Putting behind me all suggestions of this kind, I prefer to express my satisfaction that, by the adjustment of the present case upon principles confessedly American, and yet, as I trust, mutually satisfactory to both of the nations concerned, a question is finally and rightly settled between them, which, heretofore exhausting not only all forms of peaceful discussion, but also the arbitrament of war itself, for more than half a century alienated the two countries from each other and perplexed with fears and apprehensions all other nations.

The four persons in question are now held in military custody at Fort Warren, in the State of Massachusetts. They will be cheerfully liberated. Your Lordship will please indicate a time and place for receiving them.

I avail myself of this occasion to offer to your Lordship a renewed assurance of my very high consideration.

WILLIAM H. SEWARD

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LORD LYONS TO MR. SEWARD

WASHINGTON, Dec. 27, 1861.

Hon. Wm. H Seward, &c., &c.:

Sir:—I have this morning received the note which you did me the honor to address to me yesterday, in answer to Earl Russell's dispatch of the 30th November last, relative to the removal of Mr. Mason, Mr. Slidell, Mr. Macfarland and Mr. Eustis from the British mail packet Trent.

I will, without any loss of time, forward to Her Majesty's Government a copy of the important communication which you have made to me.

I will, also, without delay, do myself the honor to confer with you personally on the arrangements to be made for delivering the four gentlemen to me, in order that they may again be placed under the protection of the British flag.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant. LYONS.

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M. THOUVENEL TO M. MERCIER

(Translation.)

ADMINISTRATION OF FOREIGN AFFAIRS,
POLITICAL DEPARTMENT, PARIS, Dec. 3, 1861.

SIR:—The arrest of Messieurs. Mason and Slidell on board of the English packet Trent by an American cruiser, has produced in France, if not the same emotion as in England, at least extreme astonishment and sensation. Public sentiment was at once engrossed with the lawfulness and the consequence of such an act, and the impression on which has resulted from this has not been for an instant doubtful.

The fact has appeared so much out of accordance with the ordinary rules of international law, that it has chosen to throw the responsibility for it exclusively on the commander of the San Jacinto. It is not yet given to us to know whether this supposition is well founded, and the Government of the Emperor has, therefore, also had to examine the question raised by the taking away of the two passengers from the Trent. The desire to contribute to prevent a conflict, perhaps imminent between two powers, for which it is animated by sentiments equally friendly, and the duty to uphold, for the purpose of placing the right of its own flag under shelter from any attack, certain principles essential to the security of neutrals, have, after mature reflection, convinced it that it could not, under the circumstances, remain entirely silent.

If, to our deep regret, the Cabinet at Washington were disposed to approve the conduct of the Commander of the San Jacinto, it would be either by considering Messrs. Mason and Slidell as enemies, or as seeing in them nothing but rebels. In the one as in the other case there would be a forgetfulness, extremely annoying, of principles upon which we have always found the United States in agreement with us.

By what title in effect would the American cruiser, in the first case, have arrested Mason and Slidell? The United States have admitted with us, in the treaties concluded between the two countries, that the freedom of the flag extends itself over the persons found on board, should they be enemies of one of the two parties, unless the question is of military people actually in the service of the enemy.—Messrs. Mason and Slidell were, therefore, by virtue of this principle which we have never found any difficulty in causing to be inserted in our treaties of friendship and commerce, perfectly at liberty under the neutral flag of England.

Doubtless it will not be pretended that they could be considered as contraband of war. That which constitutes contraband of war is not yet, it is true, exactly settled. The limitations are not absolutely the same for all the powers; but in what relates to persons, the special stipulations which are found in the treaties concerning military people define plainly the character of these who only can be seized upon by belligerents; but there is no need to demonstrate that Messrs. Mason and Slidell could not be assimilated to persons in that category. There remains, therefore, to invoke, in explanation of their capture, only the pretext that they were the bearers of official dispatches from the enemy; but this is the moment to recall a circumstance which governs all this affair, and which renders the conduct of the American cruiser unjustifiable.

The Trent was not destined to a point belonging to one of the belligerents. She was carrying to a neutral country her cargo and her passengers, and moreover it was in a neutral port that they were taken. If it were admissable under such conditions, the neutral flag does not completely cover the persons and merchandise it carries, its immunity would be nothing more than an idle word; at any moment the commerce and navigation of third powers would have to suffer from their innocent and even their indirect relations with the one or the other of the belligerents. These last would no longer find themselves as having only the right to exact from the neutral entire impartiality, and to interdict all intermeddling on his part, in acts of hostility. They would impose on his freedom of commerce and navigation restrictions which modern international law has refused to admit as legitimate! And we should, in a word, fall back upon vexatious practices, against which, in other epochs, no power has more earnestly protested than the United States.

If the Cabinet at Washington would only look on the two persons arrested as rebels, whom it is always lawful to seize, the question, to place it on other ground, could not be solved, however, in a sense in favor of the commander of the San Jacinto. There would be in such case misapprehensions of the principles which makes a vessel a portion of the territory of the nation whose flag it bears, and violation of that immunity which prohibits a foreign sovereign, by consequence, from the exercise of his jurisdiction. It certainly is not necessary to recall to mind with what energy, under every circumstance, the Government of the United States has maintained this immunity, and the right of asylum which is the consequence of it.

Not wishing to enter upon a more deep discussion of the question raised by the capture of Messrs. Mason and Slidell, I have said enough. I think, to settle the point that the Cabinet at Washington could not, without striking a blow at the principles which all neutral nations are alike interested in holding in respect, nor without taking the attitude of contradiction of its own course up to this time, give its approbation to the proceedings of the commander of the San Jacinto. In this state of things, it evidently should not according to our views, hestitate about the determination to be taken.

Lord Lyons is already instructed to present the demand for satisfaction, which the English Cabinet is under the necessity of reducing to form, and which consists in the immediate release of the persons taken on board the Trent, and in sending explanations which may take from this act its offensive character towards the British flag.

The Federal Government will be inspired by a just and exalted feeling in deferring to these requests. One would search in vain to what end, for what interest, it would hazard or provoke by a different attitude a rupture with Great Britain.

For ourselves, we should see in that fact a deplorable complication in every respect of the difficulties with which the Cabinet at Washington has already to struggle, and a precedent of a nature seriously to disquiet all the powers which continue outside of the existing contest. We believe that we give evidence of loyal friendship for the Cabinet of Washington, by not permitting it to remain in ignorance of this condition of things, of our manner of regarding it. I request you, therefore, sir, to seize the first occasion of opening yourself frankly to Mr Seward, and, if he asks it, send him a copy of this dispatch.

Receive, sir, the assurance of my high consideration.

THOUVENEL.

Monsieur HENRI MERCIER, Minister of the Emperor at Washington.

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MR SEWARD TO MR. MERCIER.

DEPARTMENT OF STATE,
WASHINGTON, Dec. 27th, 1861.

SIR:—I have submitted to the President the copy you were so good as to give me of the dispatch addressed to you on the 3d December, instant, concerning the recent proceedings of Capt Wilkes, in arresting certain persons on board of the British Contract and Mail Steamer Trent.

Before receiving the paper, however, the President had decided upon the disposition to be made of the subject, which has caused so much anxiety in Europe. That disposition of the subject, as I think, renders unnecessary any discussion of it in reply to the comments of M Thouvenel I am permitted, however, to say that M. Thouvenel has not been in error in supposing, first, that the government of the United States has not acted in any spirit of disregard of the rights or of the sensibilities of the British nation, and that he is equally just in assuming that the United States would consistently vindicate, by their practice on the occasion, the character they have so long maintained, as an advocate of the most liberal principles concerning the rights of neutral States in maritime war.

When the French Government shall come to see at large the views of this government and those of the government of Great Britain on the subject now in question, and to compare them with the views expressed by M. Thouvenel on the part of France, it will probably perceive that while it must be admitted that those three powers are equally impressed with the same desire for the establishment of principles favorable to neutral rights, there is at the same time, not such an entire argument concerning the application of these principles as is desirable to secure that important object.

The government of the United States will be happy if the occasion which has elicited this correspondence can be improved so as to secure a more definite agreement upon the whole subject by all maritime powers.

You will assure M. Thouvenel that this Government appreciates as well the frankness of his explanations as the spirit of friendship and good will towards the United States in which they are expressed.

It is a sincere pleasure for the United States to exchange assurances of a friendship which had its origin in associations the most sacred in the history of both countries.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration. WM. H. SEWARD.

MR. HENRI MERCIER, &c., &c.

To the Editors of the Journal:—

The Richmond Examiner, in its Saturday's issue, seems to be terribly exercised upon the subject of the passport system, and the facilities which it affords for the ingress and egress of Jewish spies and extortioners to and from the Confederacy.

We cannot help feeling sorry to see the Examiner confine itself only to one side of this important question, to one aspect only of this system which offers such facilities to itinerant travellers and merchants between the two hostile countries, and which certainly does subserve the two-fold purposes of speculation and espionage. Why does the Examiner bow to the venerable but disgraceful prejudices of a less tolerant age by charging this abuse of a humane indulgence between belligerent nations to one class of individuals, when the fact is evident that this system belongs to no particular race? We would fain ask, if, in the aggregate of those "hook-nose Jews," there are none of those perpendicular sons of Yankee mothers whose peaked noses and prying eyes and puckered mouths are peering and poking and twisting into every thing except what concerns them. These rascals have permission from very high authorities on the other side to sneak into the Confederacy with whatever chattels they may be fortunate enough to smuggle along without detection. These Yankee spies are passing daily into the Confederacy, from all directions, and the same edition of the Examiner referred to above contains a lengthy account of one of these, a Doctor King from Rhode Island, with as much ceremony and pomp as though he had been an Embassador engaged in official duties, or at least on some more errand and occupation than that espionage.

Let not the exponent of the people's rights talk so glibly of "hook-nosed Jews" until it has purified its own sanctuary and the city of Richmond from Yankee adventurers and abolitionists.

The Jews of this country are at least as loyal to its interests as any other class of foreigners, perhaps more. They are to be found in high positions in our departments of state, and form in the fields of active military service, a formidable breast-work of manly chests against the bayonets pointed at our homes and firesides.

We are indebted to the Jews for all our religion and much of our law, and also for that institution which more than four hundred thousand soldiers, are armed in defending. The ancient Jews conceived and established a principle of natural aristocracy, founded in the dominion of the superior over the barbarous and inferior races. For this rule of a true political philosophy, derived from the sources of our religion, we are indebted to these people.

That the Jews are the professional merchants and usurers of all countries wherever their lots have been cast, under the curse of prophesy, we are free to admit, and for this history has long since vouchsafed an ample apology.

The tyranny of Asiatic and European nations for fourteen hundred years forced this profession upon them, as the only means of subsistence, in the absence of all other rights of citizenship. It has only been a few years since the boasted freedom of British legislation emancipated this very large class of her most useful and frugal subjects: which was effected through the efforts of the accomplished D'Israeli and Lord George Bentinck, and which marks a new era in the Christian civilization of the old world.

The Northern papers abound with invectives against these people on account of their scarcity in the abolition army, which fact has not been complained of in the South, where the Jews were among the very first to open their houses to the sick and wounded, and to come forward to the aid of the South with men and money.

L.

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CAMP STEPHENS, Jan. 1st, 1862.

MESSRS. EDITORS:—The undersigned returns the thanks of the Moore's Creek Rifle Guards to the Moore's Creek Soldier's Aid Society, and to the ladies of Upper Black River, for having supplied the Company with bed clothes and socks, together with many articles of wearing apparel. The names of the donors being mislaid, he is unable to give a list of articles furnished by each—but is happy to say they need nothing more.

JOHN R. HAWES,
Capt. Com'dg Co. E, 18th Reg. N. C. V.

DEPARTURE OF YANKEES.—Two hundred and forty Yankees, who have been exchanged for an equal number of ours taken by the enemy, were sent to Newport News on yesterday, at 7 o'clock, in the steamer Northampton, in charge of Cap. Gibbs. Some of the prisoners appeared sad at the prospect of leaving, and a few glad.—Cheers were interchanged between them and those left behind. The prisoners were what are called Bull Runners, having been captured on the 21st of July.

Richmond Examiner, 4th inst.

GEN. WISE.—A private dispatch from Norfolk says that Gen. Henry A. Wise, assigned to the command of the forces at Currituck, on the North Carolina coast, left that city yesterday morning on a preliminary visit to his field of operations.—*Richmond Dispatch 4th inst.*

Forney's Philadelphia *Press* says:

THE EFFECT AT HARRISBURG.—We understand upon good authority that Gov. Curtin, on receipt of the English news, stated that after the middle of January no military forces should leave the State.

WOODEN SHOE MANUFACTORY.—We visited a day or two since, the *Wooden Shoe* Manufectory of Messrs Theim & Fraps, of this City, whose advertisement appears in our paper to-day. We had frequently heard of this establishment, but we had no idea, until our visit to it, that it was so thorough and interesting in its operations as we found it to be. The enterprising manufacturers have in their employment some thirty hands, and are turning out about one hundred pair of shoes per day. The shape and size of the shoe are first marked and sawed out, and then it is bored and scooped out, and fashioned at the bottom, and sand papered, and lined, and painted, and topped with leather, and thus finished in various rooms in the same building.—Most of this work is done by machinery, driven by steam. The wood used is gum and poplar, which is well steamed before the shoe is made. We understand these shoes are actually lighter than the leather brogan of the same number, and as for durability, the bottoms will last until the next war. We learn that Messrs. Theim & Fraps, who are finishing one hundred pair per day, have more orders than they can fill.

Wooden shoes are worn in the northern part of Europe, and in some localities in this country; but we suppose this is the first manufactory of the sort, by machinery and steam, which has been established.—*Raleigh Standard.*

We learn that the Choctaw nation, which has already ten regiments in active service, has tendered another to the President, who has ordered it to report for active service in Floyd's Brigade.—*Rich. Examiner.*

FROM THE POTOMAC.—On Thursday at Cockpit Point, eight miles above Evansport, two tugs engaged our batteries for three hours and then withdrew. No damage to us. We think the tugs were hit.

The rumors of intended attacks on Evansport from above and below have not yet been verified.

Fredericksburg News, 4th inst.

FIRE IN WAYNESBORO.—A large warehouse, on the plantation of John Wright, esq., of this town, in which his crop was housed, was discovered to be on fire about one o'clock on Thursday last, at Waynesboro, about one mile from town. The house contained about 46,000 pounds of seed cotton; petween 150 and 180 barrels of corn: 75 bushels of peas; all his farming utensils and a saddle and bridle. In a few hours all were consumed except enough seed cotton to make about 22 bales

The ware house belonged to the North Carolina Rail Road Company. The origin of the fire is not known.—*Goldsboro Tribune, 7th inst.*

BY TELEGRAPH.

FOR THE JOURNAL.

RICHMOND, VA., Jan. 4th, 1862.

The Government has official intelligence confirming Col McIntosh's recent battle

Judge Hemphill, member of Congress from Texas, died at the Exchange Hotel this morning.

RICHMOND, VA., Jan. 5th, 1862.

The Yankees have been making recent incursions on the Peninsula, destroying considerable property about Bethel.

General Lee telegraphs to the War Department that the Yankees have retreated from the mainland and have gone to Port Royal Island.

Conflicting reports reach us from the Mountains, but it is evident that the Federals are making demonstrations at various points. The mail agent from Staunton tells the Post Master here that Col. Johnson is at Alleghany, and says that he can hold his position, but he apprehends that his supplies will be interrupted.

RICHMOND, VA., Jan. 6th, 1862.

The New York Herald of the 2d inst. has been received here. Its Washington correspondent says that McClellan is advancing in the direction and discipline of his army, and that supplies will soon advance for his columns on the Potomac and by sea.

The cause of the retarded movements of the fleet, was the difficulties with England.

Advices from Louisville to the 31st December, state that the North Bank of Kentucky had suspended, and that the People's Bank at Bowling Green had re-organized.

At Louisville there were rumors of engagements in Southern Kentucky, but they were considered unreliable.

Advices from Cincinnati on the 31st Dec., state that Gen. Buckner's cavalry on yesterday appeared near the Federal pickets, and it is supposed that they intend attacking Gen. McCook in force, destroy the Green River bridges, and retire.

Advices from Washington on the 31st December, state that Federal reconnoissances show that the Confederates have a strong picket guard beyond Dranesville, and that there were no troops at Dranesville.

Further reconnoisances show that the Confederates have moved their outer lines backward a few miles, indicating that they are going into winter quarters.

The Maryland Legislature has met. Henry Winter Davis, Reverdy Johnson and Thomas Swann are competing candidates for the Federal Senate.

BOSTON, Jan. 1st.—Messrs. Mason and Slidell have left for Provincetown, there to take passage on the steamer Rinaldo for Europe.

The body of Col. Hugh McLeod, has arrived in Richmond *en route* for Texas. He died at Dumfries on the 31 inst.—He was a native Georgian, and commanded the celebrated Santa Fe expedition under President Lamar.

RICHMOND, VA., Jan. 6th, 1862.

In Congress to-day eulogies were delivered by Messrs. Ochiltree of Texas, Johnson of Arkansas, Boyce of South Carolina, Venable of North Carolina, and Pryor of Virginia, on the death of Judge Hemphill.

Appropriate resolutions were adopted, and a committee of one from each State appointed to arrange the funeral ceremonies. The funeral will take place to-morrow at eleven o'clock.

No other business was transacted.

The members are daily returning from the enjoyment of the holidays.

In the absence of official facts I give the following:—Many extravagant reports have prevailed at Staunton for the past few days about Johnson's movements at Alleghany and the approach of the Federals, but many of them are discredited.

This forenoon reports exist of a battle near Romney, and our taking five hundred Federal prisoners Also of a skirmish near Hanging Rock, between Winchester and Romney. Like former reports from the mountain region, portions are probably true, but the most of them are confused and unreliable.

RICHMOND, VA., Jan. 7, 1862.

H. C. Wayne, the present Adjutant General of Georgia, has been appointed a Brigadier General in the Confederate service.

Vigorous skirmishing took place last week above Winchester and towards the Potomac. Several Federal prisoners were taken, and a few killed and wounded. On our side the Virginia and Arkansas regiments were principally engaged.

The members of Congress this morning were attending to Judge Hemphill's funeral, and the afternoon session was unimportant.

Intelligence from Camp Alleghany, Jan. 5th, states that apprehensions exist of the Yankees cutting off our supplies; and reports are current that the Federals are at Huntersville and Monterey, where there are large quantities of Confederate stores. Further intelligence is anxiously awaited

RICHMOND, VA., Jan. 8th, 1862.

The New York *Herald* of the 4th inst., has been received at Norfolk. The Asia has arrived from Liverpool with dates to the 21st ult The Northern and foreign news is unusually uninteresting.

PETERSBURG, VA., Jan. 6th, 1862.

A flag of truce from Old Point Comfort brings the Norfolk Day Book the New York Herald of the 3d January.

Messrs. Mason and Slidell sailed in the British steamer Rinaldo from Provincetown on the first of January, in a perfect hurricane.

Gen. McClellan and Mr. Marcy are better.

Three thousand troops for Butler's expedition sailed in the Constitution on the 3d January.

Gen. Williams [British] of Kars, is erecting fortifications to command Detroit.

The Spanish troops entered the city and fort at Vera Cruz on the 17th December, without opposition. The Mexicans abandoned their artillery and munitions of war.

The French fleet had arrived at Havana.

The London Times is highly indignant at the stone blockade, and calls it "an act of hostility to the whole human race."

The French press criticise Lincoln's message unfavorably.

MEMPHIS, TENN., Jan. 6th, 1862.

Gen. Jeff Thompson leaves to-morrow for New Orleans.

Gen. Price is reported at Springfield, Missouri, with ten thousand men.

Military movements, to clean out the Federals in Northern Missouri, will be made soon.

NASHVILLE, TENN., Jan. 5th, 1862.

The Legislative Council of Kentucky, on yesterday elected Henry C. Burnet and Wm. E. Simms as Confederate Senators.

It was reported at Bowling Green on yesterday that four thousand Federals were at Brownsville on yesterday, and that their cavalry scouts, consisting of about three hundred, had driven in some thirty Confederate pickets.

Capt. Eaton, who deserted from Lincoln's army at Calhoun, reached Hopkinsville on the night of the 31st December, and four other deserters arrived on the 1st inst.

Clark reports the Federal army at Calhoun as being demoralized. Desertions occur daily, and threats of mutiny are defiantly made. He states that dissatisfaction pervades the army itself, and that the men will desert by thousands.

LATER FROM LOUISVILLE AND PADUCAH.

NASHVILLE, Tenn., Jan. 7th, 1862.

A gentleman direct from Louisville, says that the Federal army between Louisville and Bowling Green ammounts to one hundred thousand men, about twenty-five thousand of whom are unfit for duty,—the larger portion in consequence of sickness.

The Federals are pushing forward the work on Green river bridge, which will be completed in a few days, when a probable movement will be made towards Bowling Green.

A gentleman who has just arrived here from Paducah, says it is reported that the Federals intend concentrating a force of one hundred thousand men at that place.

It is reported here this evening that the Federals are crossing Green river in considerable force.

HANDSBORO', MISS., Jan. 7th, 1862.

No additional fleet in the (Mississippi) Sound. The enemy seem to be doing but little. The firing and consternation on the 3d, is reported to have resulted in seriously injuring a French vessel off Ship Island.

NEW ORLEANS, Jan. 4th, 1862.

A British steamer has arrived in a Confederate port, bringing a large quantity of munitions of war and other valuable articles.

TAKE NOTICE.

All publications of donations, exceeding ten lines, will hereafter be charged for at our regular rates of advertising. Daily paper five cents per line. Weekly paper ten cents per line. We will publish acknowledgments cheerfully but not unnecessary details.

All obituary notices will be charged the same rates, and none will be published in our columns unless the cash is paid in advance. We are forced in self-defence to adopt and adhere to this rule, and we cannot and will not keep accounts of such matters. December 28th, 1861.

THE DAILY JOURNAL can be had by the volunteers in camp at 50 cents per month.

News from the Coast.

Captain S. Elliott, Jr., of the Beaufort Artillery, with a detachment of his own Company and a number of men from Captain Radcliff's command, at Red Bluff, went on a scouting expedition Thursday and returned home Saturday morning, with seventy-four beef cattle, a large quantity of forage, provisions, &c., from several of the Islands exposed to the depredations of the enemy.—They visited Port Royal Ferry, as far as the bulkhead, and report all that neighborhood clear, the enemy having re-embarked, and not a gun boat to be seen. Five freshly made graves were discovered in the vicinity of the late conflict, showing the loss of the enemy to have been severe, as an eye witness states that several of their men were borne off on the shoulders of their comrades.

The repulse of the enemy on Wednesday was another brilliant achievement of the bayonet in the hands of Southern men with hearts fired with Southern spirit.—It furnishes additional evidence of the weak point of the foe with whom we have to contend, and the superiority of Southern valor. This fight has served greatly to elate our troops, for if the enemy attempts an advance his artillery can only be got forward with most enormous labor and by snail-like approaches through narrow defiles, where every inch of ground will be hotly contested by our sharpshooters and the bayonets of an infuriated soldiery.

We regret to learn that in the late encounter Lieut. Power, a gallant young officer in Colonel Jones' regiment, was killed by the same shell from the enemy which took off some seven or eight of our men at one stroke. The regiment was marching in column of four, when a bell on board of one of the enemy's gunboats was heard to ring, and a moment after a shell passed through the advancing column, knocking down its victims, and exploded at a distance of about forty yards from the ranks. Not one of our men was killed by a musket ball. The enemy fired one volley at the four companies of Col. Dunovant's regiment who charged on them. Two of Col. Dunovant's men were slightly injured by this volley, and two more killed by the shell from the gunboat. The force which landed at the ferry marched up in two divisions and by different roads.—One division was met by Col. Jones' men and the other by the four companies from Col. Dunovant's regiment, and both were driven back by the charge with the bayonet.

We learn that after the fight was over a flag of truce went over from our side with a proposition for time to remove the wounded. Drs. E. B. Turnipseed and Huogh, while bringing them off, and dressing the wounds of those requiring immediate attention, were fired upon by the enemy. Comment is unnecessary.

The Yankee prisoner who was found on the field wounded, had been shot through the lung. When our men first approached he begged most piteously for his life, expecting to receive no quarter. When taken to the hospital, however, he became somewhat bolder, it is supposed from the delerium caused by his wound, and abused the South with a great deal of the coarse bombastic language of the Northern press, saying that the South was about to cave in, &c. He died about 12 o'clock Thursday night.

We omitted to mention in our former reports the important service rendered by a section of Captain Walter Leak's Virginia battery, which had taken up a strong position and fired several rounds at the enemy with good effect.

The accounts of the affair at Port Royal Ferry have so far been furnished by passengers. All newspaper correspondence from our camps has, we learn, been specially prohibited by an order from Gen. Lee, which is read to the troops daily at dress parade. Our readers, therefore, we hope, will make due allowances for any inaccuracies that may occur. We have learned only one of the names of the privates killed in this affair, namely, private Vanlandingham, of Lancaster.

It was currently rumored in the city yesterday that the enemy had again made a demonstration on General Evans' command, and driven in his pickets. Passengers by the Road, however, who left White Point and Adams' Run Sunday morning, report all quiet in that neighborhood.—*Charleston Courier, 6th inst.*

THE NEWS FROM THE PENINSULA.—From dispatches recently received from Gen. Magruder, it would appear that that officer was under the impression that he would soon receive a visit from his Yankee friends domiciled at Fortress Monroe and Newport News.—We learn that on Saturday all orders issued permitting soldiers to leave camp were countermanded and that several of them with regular furloughs were taken off the Curtis Peck when that steamer stopped at Grove Wharf. In this connection we may add that two regiments of the Richmond militia—the 19th, Col. Thos. J. Evans, and the 179th, Col. Richard F. Morris, have been ordered to rendezvous on the 7th inst., the first at Navy Hill, and the second on Church Hill for inspection and drill. The men have been ordered to appear on the ground with such arms as they may be able to procure. The orders for the assembling of the two regiments may have been issued in consequence of Gen. Magruder's dispatches.—*Rich Enq., 6th inst.*

FROM THE LOWER POTOMAC.—There has been no arrival from the flotilla since our last report. Small vessels continue to run the blockade daily. Three barges, with provisions for the army, arrived at Alexandria yesterday morning, in tow of a steam tug, having passed the batteries during the dark hours of the night before. One