

The Weekly Colonist.

Tuesday, July 5, 1864.

HOUSE OF ASSEMBLY.

Thursday, June 20th, 1864.

The House met at three o'clock. Members present—Messrs. Trimble, Tolmie, Franklin, Powell, Duncan, Carwell, and DeCosmos.

GOVERNOR'S MESSAGE.

The following communication from His Excellency in reply to the resolution which passed the House yesterday was read:

YACOWITZ ISLAND, VICTORIA, June 30.

To the Honorable the Speaker and Members of the Legislative Assembly.

GENTLEMEN,—I have received by the hands of your Speaker the copy of resolutions in reply to a communication which I had the honor to make to the Legislative Assembly, on the 27th inst., transmitting the copy of a despatch from Her Majesty's Secretary of State for the Colonies, No. 2, dated 30th April, 1864.

The Legislative Assembly in reply to that communication, resolve, "That this House is of opinion that the salaries mentioned (namely, the Chief Justice, Attorney-General, Treasurer and Surveyor-General) should be paid as heretofore out of the Crown Revenues, and would recommend that course."

"The terms of the despatch of the Secretary of State, which you have had under consideration, unfortunately prohibit me from adopting that recommendation, and clearly point out that the salaries of the Governor and the Colonial Secretary only are chargeable to that fund."

It is therefore obvious that unless the Legislature make provision for the remuneration of the remaining officers of the Government from some other source, as pointed out by the fourth paragraph of the Secretary of State's despatch, their salaries must cease, and a question will then arise as to the authority under which they have received salary since the 1st January, 1864.

I have the honor to be, Gentlemen, Your very obedient servant,

A. E. KENNEDY, Governor.

Mr. Franklin moved that the question be taken into consideration to-morrow. He was opposed to the heavy legislation of taking up a question on its introduction, as being unwise and unparliamentary. There had been too much of that sort of legislation in the House within the last few months. (Hear, hear, from Dr. Tolmie, and laughter.) The rules he considered should not be suspended unless under some extraordinary circumstances. He spoke altogether irrespective of the merits of the present question.

Mr. DeCosmos moved that the standing orders be suspended, and the House go into Committee of the Whole on the question to-day.

Dr. Tolmie seconded the motion of Mr. Franklin, considering that the House should never, on general principle, take hasty action.

Dr. Trimble seconded the motion of Mr. DeCosmos.

Mr. DeCosmos rose to support Mr. DeCosmos's motion, and said that the House had been in session a long time, and the principle of putting off questions from day to day.

Mr. Franklin's motion was carried. Aye—Messrs. Franklin, Tolmie, Carwell and Duncan. Noes—Messrs. DeCosmos, Powell and Trimble.

The House then adjourned till to-morrow [Friday].

FRIDAY, July 1st, 1864.

The House met at three o'clock. Members present—Messrs. Trimble, Tolmie, Foster, Powell, Duncan, Denness, Carwell, and DeCosmos.

GOVERNOR'S MESSAGE.

Mr. Denness went into committee on His Excellency's communication in reference to the salaries of the Chief Justice, Attorney-General, Surveyor-General, and Treasurer, Mr. Denness in the chair.

Major Foster thought it required a long experience for persons in the colonies to acquire a correct knowledge of Parliamentary proceedings. It would appear that it was the opinion of that House that Her Majesty's Government should, on their representations, be obliged to change their mind, and that the prerogative of the Crown should be waived. He thought, on this question of the civil list, that the most proper course for the House to follow would be to acknowledge their previous error—to accept the Home Government's proposition, or come out boldly for the scheme of making this colony an integral portion of British Columbia. The despatch from the Colonial Office told them they must pay a portion of the civil list, and he thought the House had better pay it. If the House cannot possibly pay it, then, as he had already said, let the members come out in a straightforward manner for a connection with the neighboring colony—with one Governor and one system. There was a feeling of insecurity in the country so long as these questions were in abeyance—a feeling that no one was able to solve, and the apoplexy of which no one was able to forestall.

Dr. Helmsken hoped the question would be discussed calmly, dispassionately, and without prejudice. It appeared from the Governor's Message, that if the salaries of the Treasurer, Attorney-General, and other officers were not paid by the House, the affairs of the country would be thrown into inexplicable confusion. If these salaries were not paid, the Government could not collect the taxes, the colony could not pay the interest on its loans, and the country would fall into indelible disgrace. In discussing this question he would go back to its early history—the years of 1861 and 1862. The House then made the proposition to the Home Government that as soon as the Crown Lands were given to the colony, the civil list would be voted—which was, at that time, £3,800. In 1863, the Duke of Newcastle sent a despatch to the effect that the Home Government provided a civil list of £5,800, Her Majesty's Government would be prepared to transmit the Crown lands to the colony. It was quite true that before the receipt of that despatch His Grace had already appointed a Governor at £3,000 a year. That, however, did not bear much on the question. The despatch was brought before the House, and

the House took the position that it could not pay such a civil list, for the reason that the Crown lands had been reduced in price and in quantity, and only brought a revenue at the time of about £4,000. There was also besides the civil list the expenditure for extinguishing Indian titles, and the carrying out of surveys. The House, however, had then other prospects in view. They desired that there should be one Governor and one civil list for the two colonies. The present despatch showed that this could not be agreed to, that there had already been two Governors appointed. To retain to the civil list, the Duke of Newcastle offered to place the revenue of the Crown at the disposal of the Legislature. The hon. gentlemen, however, seemed still determined to stick out for their original bargain. The Crown lands could at any time be made over to the colony, so that no loss of time need be apprehended on the matter, if the members felt disposed to close with the offer of Her Majesty's Secretary of State. He was going into the question whether certain of the officials such as the Attorney-General, Surveyor-General and so forth were really Crown officials, but he must say that Mr. Carwell in his despatch, appeared to forget that he was writing to a free people in a free country, bordering on American territory.

Major Foster—It is very good. Saxon.

Dr. Helmsken—Very Saxon indeed! However, he was willing to accept the proposition of Her Majesty's Government and pay the large sum required for the civil list. The House would ultimately, he thought, have to do it, and it seemed to him the only way of getting over the present difficulty. He, however, thought that the despatch did not really mean that the House should take money out of the colonial revenue to pay these officials. Mr. Carwell did not ask them to pay these salaries from "some other" source, which of course would have implied other than the Crown lands, but he said "some sources." He, however, hoped that whatever might be the action of that House the officials would still fulfil their duties until the matter was properly and definitely settled. In connection with this matter, however, he would state to the House the substance of a conversation he had had with His Excellency who had allowed him, (Dr. Helmsken) to make use of it.

Mr. DeCosmos rose to a point of order. The Governor's name could not be introduced into that House any more than the Queen's into the House of Commons to influence a vote. It was contrary to Parliamentary usage.

Dr. Helmsken stood corrected. He was aware that such was the rule, and he should not have introduced the subject. He would, however, conclude by saying that the colony might as well pay the officials out of the Crown lands as Her Majesty's Government, and since the House was required to pay four of the members on the civil list, he thought it more economical under all circumstances—despite the action he himself, along with the other members, had previously taken—to accept the offer of Her Majesty's Government. He would therefore move, "That Her Majesty's Principal Secretary of State for the Colonies, be and he is willing to accept the proposition of Her Majesty's principal Secretary of State for the Colonies with regard to the Civil List."

Mr. DeCosmos rose again to a point of order, and said that he would not permit the House to vote on this question of salaries until the whole matter had already been discussed the present session (hear, hear).

Dr. Helmsken thought it might be made a point of order, but he looked upon the question as having been left unsettled by the House.

Mr. Franklin was of the same opinion. The civil list had been held over, pending the answer to the resolutions sent to the Colonial Office.

Mr. DeCosmos—There was no pending about it; the civil list was struck out. A distinct vote had been taken on the Duke of Newcastle's proposition. He looked upon the matter in a higher light than some hon. members. The reason why a vote should not be rescinded in the same session, was to preserve the dignity of the House by preventing vacillation. They had made a proposition to Her Majesty's Government, and they had not yet received a proper answer. They had not yet received the estimates, and were they now to go into the question again?

Dr. Helmsken said the whole point of order resolved itself into the question whether the House considered their former action final; if so, it might merely result in a protraction for twenty-four hours.

After considerable discussion, Mr. Franklin maintaining that Dr. Helmsken's motion was in order, and Messrs. Duncan and DeCosmos the contrary, the Chair's opinion was asked, and Mr. Denness decided that the motion was in order. This, however, did not satisfy the members, and it was agreed that the committee should rise, and Dr. Helmsken's opinion, as Speaker of the House, be taken on the question.

The Speaker wished the opinion of the House taken on whether the question had been finally settled.

Mr. DeCosmos thought the House would be satisfied with the Speaker's decision, and he therefore hoped the hon. gentleman would give it.

The Speaker—Then I decide the question has been settled.

Mr. DeCosmos said, after the digression, he thought the committee should at once proceed to the discussion of a suitable answer to the Governor's communication. He concurred with the hon. member for Esquimaux [Dr. Helmsken] in the hope that no official would resign on account of the action of that House, although it was only a few days ago the Speaker had said if Victoria had a proper corporation, there was no necessity for any greater official staff than the Governor and a clerk (hear, hear). So far as he was concerned, in order to prevent any inconvenience arising out of the matter to either the Governor or the officials, he was willing that the House should authorize His Excellency during the time contained in correspondence with the Colonial office, to draw from the Colonial revenue the same immediately required; or that the House should pledge itself to indemnify the Governor for any amounts he might draw from the Crown lands revenue, until such time as the diff-

culty—which some parties considered merely a mistake in the Colonial office—was removed.

The hon. member proceeded to draw up a resolution in accordance with his remarks, upon which a great deal of informal discussion ensued.

Dr. Fowell expressed himself strongly against prolonging the business of the session, and proposed that the House should sit till six o'clock, and meet again in the evening.

Mr. Duncan deprecated any such haste in so serious a matter as this—a question which had shaken many other British colonies to their centres. He would move that the committee rise and report progress. Carried.

The committee accordingly rose and reported.

Mr. DeCosmos moved that the standing orders of the House be suspended, in order to allow the House to meet to-morrow. Carried, Mr. Franklin voting No.

House adjourned till to-morrow [Saturday] at 3 o'clock.

OUR INDIAN POLICY.

EDITOR BRITISH COLONIST.—Sir:—Your late articles on the above named subject, show that you are not disposed to allow every little whirlwind of excitement to carry away your common sense. The recommendation that the Indian tribes be brought to feel a proper relationship to the government, and that while they are promptly punished for wrongdoing, their rights should be fairly acknowledged and conceded, is just to the point.

Anything approaching a war of races, or a general contest between the whites and the natives, has not yet occurred, and it is to be earnestly hoped never will.

Those who try to spread the rash report that the Bute Inlet massacre is the commencement of such a war, must have their credulity sadly imposed upon, or they are very reckless in what they say and write. It is all very well for those who live in Victoria and other large towns to raise their voices and bluster about teaching the "redskins" submission with powder and ball, but we must not forget that in case of a general disturbance, between the colonists and the aborigines, it is our scattered pioneering population that will be the great sufferers. I know of no country where it would be more difficult to carry on a business and carry out a general British Pacific. If such a war be once commenced, it may not end in twenty years. I am aware that the tribes are in many instances in opposition to each other; but let there be a war of races, and all the great tribes of the north will unite against the white man. But we have no such war, nor shall we have any if a wise and straightforward policy is pursued.

The history of other colonies ought to teach us wisdom on this subject. Contrast, for instance, New Zealand and Canada. In the former there has been a long train of bloody murders and wars between the whites and the natives from the beginning of the settlement to the present time. In the latter, by the aid of the self-same blunder (for which he afterwards repented) in 1769, by hastily ordering his men to fire on the natives at the Bay of Turanga, down to the great contest in 1863. In the other great colony I mention, there have been no wars with the Aborigines. All differences arising between the whites and the natives, have been settled by fair and impartial historians, united in Sydney and all impartial historians, unite in blaming the selfish, grasping, bullying policy of the New Zealand Company, at a sufficient cause of hatred on the part of the natives, and other local agents of the company, who have endeavored to drive the aborigines to the westward, and to then try by blustering and fighting, to compel both the natives and the government to submit to their high-handed and unjust dealings.

The unwise and fool-hardy manner in which Thompson, the individual proprietor of Wallington, brought on the bloody and unsuccessful conflict with the natives of Port Nelson (Wairarapa) in 1843 was the beginning and foundation of most of the contests which have since stained the history of that colony. While then we must attribute the wars of New Zealand to the foolish and unfeeling and unfair dealing of many of its early colonists, we may fairly conclude that the absence of these troubles in Canada has been the legitimate result of the wise and equitable manner in which the natives have been uniformly treated in that colony.

There are a few things in the Indian policy of Canada which we ought to imitate, and adopt advantageously here. There should be, as there is, a Colonial official, who should have special charge of the Indian department. Let him act as counsellor and protector of the natives. If he be a wise and good man, he will soon gain their entire confidence. He can then, in a proper manner, report to the Governor their grievances, and defend them when they are unfairly used.

There is nothing the Indians would appreciate so much as having access to a man who would special charge of their interests, and who would meet in their councils, and listen patiently to their complaints, and who would speak for them to the white man. Such an agent could sway a powerful influence with them, in persuading them to fence and improve their land; and provide themselves with cows, pigs, etc., instead of spending all their money for muskets and blankets. This would open to them a new field for thought and enterprise, and draw them away from their great feasts and potlaches, which more than anything else tends to impoverish them, and hinder their civilization.

In fixing the Indian reserves, extinguishing their old titles, and adjusting disputes between the whites and the natives, such an agent is a desideratum. Through this medium the wants and disposition of the aborigines could be regularly and correctly reported to the Governor; and his wishes and requirements reported and explained to them, in a way which they would understand and believe. With this provision, and a dignified straightforward manner of dealing, we need have no expensive and destructive Indian wars.

Then there should be a colonial statute to prevent all private negotiations with the natives about their land. The manner of conveying a chief away from his tribe and associates, and killing him on a six days' land journey when the whole tribe are interested in the transaction, will be a fruitful source of complaint and mischief here, as it has been in other colonies. In Canada, I believe, the law is so strict on this point that if any private party is found guilty of making a proposition to Indians to buy or lease their land,

he is liable to a fine of \$500, and imprisonment, at the discretion of the Court. All negotiations with the natives there, about their land, must be done directly by the Governor through the Indian agent, and vice versa. These bargains are made and fully explained to all the chiefs in council, and in the presence of all the tribe, if they wish to listen.

In this way all the chiefs may be kept in close and friendly intercourse with the Governor, and in a very short time the dreaded and hated aborigines of these colonies would become the trusty and warm supporters of Her Majesty's Representative as they now are in Canada.

In a word, let us have an Indian policy that can be understood. Let it be founded in justice and humanity. Let us show the Indians that we really wish them well; that it will be to their advantage to adopt our laws, language, and religion. In the past they have for the most part seen but a poor specimen of the white man's religion and meanness.

The white man has filled their houses with diseases and drunkenness; seduced and deceived away their wives and daughters, and in many instances cheated them to the utmost of his ability in his dealings. I am quite aware that it is popular, just now especially, to cry down the siwash and give him credit for nothing that is good or even humane; but so much the more one should say a word in his favor. Let there be a more systematic and earnest effort made to punish the bad and reward the good. There are many who make it their business to go from camp to camp with their miserable poison.

The degree to which the natives are freed, degraded and deviled by drink is perfectly appalling to one who really wishes their welfare. There are few districts in which liquor has not been, directly or indirectly, the main cause. AN OLD COLONIST.

SUPREME COURT.

(BEFORE CHIEF JUSTICE CARLETON.)

June 30th, 1864.

In re Carwell vs. McLane.—A motion for a new trial by defendant. Mr. Ring instructed by Mr. Bishop for plaintiff, and Messrs. Cary and McCright, instructed by Mr. Drake for defendant.

Mr. Ring addressed the court and set forth the grounds on which he opposed a new trial, and his Honor reserved judgment.

In re Briggs vs. Reid.—A motion for a new trial by defendant. Mr. Wood instructed by Mr. Drake for plaintiff, and Mr. McCright instructed by Mr. Green, for defendant.

Mr. Wood addressed the court and brought forward a number of points on which he opposed the motion. His Honor postponed the hearing of defendant's counsel for to-morrow.

One or two other cases of minor importance were disposed of and the court adjourned till to-day, at 10 50 a. m.

His Honor stated that the decision on the case of Farrell v. McLaughlin, would be given to-day, and decision in the case of McGee vs. Hall, next week.

SUPREME COURT.—In re Briggs v. Reid, a motion for a new trial was made by the defendant. Mr. McCright addressed the court and set forth the grounds on which he opposed the motion. His Honor postponed the hearing of defendant's counsel for to-morrow.

INDIAN INCIDENT.—Two Somones Indians, who, when very young, had been carried off as slaves by the Stekian Indians, lately found their way back to the place of their nativity, to the great astonishment of their friends.

The captives had been so long away, that they had lost all remembrance of their home, but being informed by an old Stekian woman that they belonged to the Somones tribe, they determined to escape, and at length succeeded. On their arrival at Somones, however, the Indians having a custom that a man once a slave, has lost caste, and can never again be recognized as a freeman, they were treated with the greatest contumely and neglect, and would probably have been re-expatriated, had not a noble-hearted savage named Louis, who has been a slave once himself, taken pity on them, and given them shelter in his wigwam.

THE LIST OF VOTERS.—The number of qualified voters on the new list for the city is 658. This is a very considerable increase over the number on the last list, and is composed almost entirely of British born subjects.

The contest (should there be one) will therefore present a rather different phase from that usually noticeable at our Parliamentary elections. The total number of votes polled at the general election in July last year was 519; this year it is hardly expected to reach 800.

NARROW ESCAPE.—A canoe, load of Cominco Indians, returning the other day from Salt Spring Island, saw a Stekian canoe approaching them, and on its nearing them beheld to their dismay a couple of muskets leveled menacingly at their heads. On their representing however that four canoes filled with their tillucums were close behind, the Stekians deemed prudent the better part of valor, and incontinently decamped.

COOK'S FERRY.—The Thompson river, British Columbia, is upwards of 250 miles from Victoria. Mr. Cook tells us that the DAILY COLONIST is laid on his table by Bernard's express regularly every three days! Bernard is one of the institutions of the neighboring colony, and a credit to the country.

QUICK TIME.—The steamer Alexandria made the run from Yale, on her last trip down, in six hours. The first fifty miles, to the mouth of the Harrison river, was done in two hours and twenty minutes. This is the quickest travelling, we believe, that has been done on the Fraser, being at the rate of 2 1/2 miles an hour.

ALEXANDRIA INDIAN EXPEDITION.

The following letter from Commissioner Cox to the Colonial Secretary of British Columbia, which has been published in the Government Gazette, confirms the report published in our columns two days ago, and gives further interesting particulars:

COLONIAL SECRETARY'S OFFICE, 29th June, 1864.

The following dispatch received this morning by special messenger, from Mr. W. G. Cox in command of the "Bute Inlet Expedition" from Alexandria, is published for general information.

ARTHUR N. BIRCH, PUNZ-ZEEN LAKE, June 19th, 1864.

Sir,—I have the honor to report, for the information of His Excellency the Governor, that in compliance with your instructions, I left Alexandria on the 8th inst. in command of the "Bute Inlet Expedition." My force, including myself, consisting of 50 men and an Indian boy, and provisions for one month, Alexis, a Chilacoeten chief, whose good services as a guide I was led to calculate upon, was not to be found, and the Indians of the family and tribe fled to the mountains, reports having been freely circulated that we were coming to this region for the purpose of exterminating the Indians, friendly or otherwise.

12th.—Arrived at Punz-zeen Lake and discovered, covered in a ditch, the murdered body of William Manning. One side of the head was completely crushed in, and a musket-ball had passed through the body. I held an inquest and had it decently interred.

13th.—Despatched Mr. McLean, his son, and another man, and Indian Jack, to Chilacoeten Forks, to secure, if possible, the services of Alexis, an Indian chief, not only as an interpreter, but as a guide, the country here being so thickly timbered and covered with brush, that it would be a difficult and dangerous task to follow, with any certainty of success, the Indian tracks and trails; they are so numerous and intricate, purposely made so I presume. About mid-day, a scouting party returned to camp, reporting having seen an Indian dog on the crest of a wooded hill. I at once despatched a party of eight of our best men, with an Indian boy, to follow the dog and bring to camp any Indians they might fall in with, so that I could make my mission known amongst them. This party had entered the woods about half-a-mile or so, when the Indian guide made signs, indicating that Indians were near, when our party was instantly fired upon by Indians lying under cover; the latter started, entrenched themselves behind trees, re-loaded, and fired again.

The fire was quickly returned. The Indians started again and retreated, covering themselves as they did so, by passing from behind one tree to another, whooping as they flew.

One of our men was wounded in the thigh. I believe the Indians escaped unhurt, although our party appear to think they wounded one of them. On the firing being heard at camp, I sent a second party of eight to the assistance of our men, and Mr. Ogilvy and myself, with six men, in another direction, so as to surround the Indians, but they having taken shelter in the bush, we all looked and searched in vain for them. This day we constructed good breastworks for our protection during the night.

14.—About 11 o'clock a. m. heard firing in same direction as above, and saw five Indians some in front of the hill and discharge their pieces into the air, and pursued us to the crest of the hill, and then retreated.

15th.—Mr. McLean and party, returned, and report having met with Alexis's tribe and family at Chilacoeten forks; all were in arms at the approach of McLean, but he assured them of our peaceable intentions, and they promised to send for Alexis to the mountains, and stated that we might expect his advent in four or five days. The above tribe informed Mr. McLean that the murderers, ten in number, were banded together and were lurking about the country ranging between Bute Inlet and the place I now write from. I am now sending for fresh supplies, as it is impossible we may be here or elsewhere in this vicinity for some weeks, as the murderers and their tribes have retired into the woods, and their positions must be discovered before we can think of taking them with certainty; and for this duty we require Alexis, who is well acquainted with their haunts and hiding places.

I believe our force is sufficiently strong to perform our task. The Indians friendly and unfriendly do not number more than 70 at the furthest. I expect Alexis to arrive here to-morrow; should be disappointed me, which is unlikely, I shall proceed towards Bentinck Arm, about 65 miles, and obtain Anaham, an influential and good Indian, as a guide.

I have, &c., WILLIAM G. COX, A. N. Birch, Esq., Colonial Secretary.

DREADFUL EXPLOSION IN ST. JOSEPH (MO.)

—Between three and four o'clock last evening, while some boys were playing around the magazine, situated in the intrenchments on Prospect Hill, some of them recklessly threw a lighted match in the building, when a terrific explosion ensued, shaking the whole city, killing two of the boys and wounding three others. The boys killed were James McNerny, son of Peter McNerny, a drayman, and John Morrison, the son of a widow lady. One of the boys was blown a distance of more than a hundred yards! The bodies of both were dreadfully mutilated, and entirely stripped of clothing. One of them lived about 5 minutes after the explosion, and the other about thirty. The boys wounded were Morrison, brother of one of the boys killed, Gallistien, and one whose name we have not learned. The former was stripped of all his clothing but his shirt, and ran home with that on fire. The magazine was owned by Lafins, Smith & Co., of St. Louis, and contained fifteen kegs of powder, eleven of which belonged to the proprietors of the magazine, three to Hax & King, and had only been put in a day or two before.—St. Joseph Herald, May 17th.

CHRAP.—Very!—The barge Bridge River, belonging to the estate of Captain Charles Millard, was sold the other day for \$125 to Captain John Fleming.

THE

VOL. 5.

THE BRITISH COLONIST

EVERY MORNING

(Sundays Excepted)

AT VICTORIA, B. C.

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